

# Steamboat Springs Police Services

Policy Manual

---

## **VISION**

We are here to make Steamboat Springs a better place through our friendly, professional and compassionate service. We will deliver police services focused on reducing crime, holding those accountable who commit crime, and always strive to improve the quality of life in our community. We will all be effective leaders through the application of modern police practices, professional mentorship, quality training and our core values.

# Steamboat Springs Police Services

## Policy Manual

---

### CORE VALUES

#### STEAMBOAT SPRINGS POLICE SERVICES CORE VALUES

**Serve and Protect:** We are here to serve and protect all without violating the civil rights of any.

**Honesty:** We are truthful and open in our interactions with each other and with members of our community.

**Integrity:** We are guided by the fundamental concept of treating everybody fairly and that our actions will be reasonable, appropriate and necessary.

**Respect:** We value ourselves, each other, and all members of our community regardless of age, race, gender, appearance, individual beliefs, or lifestyles; always showing understanding and appreciation for our similarities and our differences.

**Teamwork:** We foster collaboration with our employees, the City and the community in order to achieve shared goals and objectives.

**Professionalism:** We are proud of our profession and we will ensure that our staff is dedicated, highly trained and capable of handling the daily demands of the law enforcement profession.

**Loyalty:** We will show allegiance to ourselves, our department, the City of Steamboat Springs, and be ambassadors for our community.

**Courage:** We will be courageous when facing adversity and we realize the protection and safety of citizens, fellow officers and innocent bystanders is our first priority in every situation.

# Steamboat Springs Police Services

Policy Manual

---

## **MISSION**

### **SPRINGS POLICE SERVICES MISSION:**

It is our Mission to serve the community by building relationships, implementing proactive crime reduction strategies, providing a safe and welcoming environment, and to be courageous and responsive to the needs of everybody in order for Steamboat Springs to be the premier city to live and visit.

# Steamboat Springs Police Services

## Policy Manual

---

### Table of Contents

<b>VISION . . . . .</b>	<b>1</b>
<b>CORE VALUES . . . . .</b>	<b>2</b>
<b>MISSION . . . . .</b>	<b>3</b>
<b>Chapter 1 - Law Enforcement Role and Authority . . . . .</b>	<b>8</b>
100 - Law Enforcement Authority . . . . .	9
102 - Chief Executive Officer . . . . .	11
104 - Oath of Office . . . . .	12
106 - Policy Manual . . . . .	13
<b>Chapter 2 - Organization and Administration . . . . .</b>	<b>18</b>
200 - Organizational Structure and Responsibility . . . . .	19
204 - Interim Directive and General Orders . . . . .	22
206 - Emergency Management Plan . . . . .	23
212 - Electronic Mail . . . . .	25
214 - Administrative Communications . . . . .	27
216 - Supervision Staffing Levels . . . . .	28
220 - Retiree Concealed Firearms . . . . .	31
221 - Training Policy . . . . .	33
<b>Chapter 3 - General Operations . . . . .</b>	<b>38</b>
300 - Use of Force . . . . .	39
302 - Use of Force Review . . . . .	45
304 - Firearm Discharge Policy . . . . .	46
306 - Restraint Devices . . . . .	49
308 - Control Devices and Techniques . . . . .	53
309 - Conducted Energy Device . . . . .	59
310 - Officer-Involved Shootings and Deaths . . . . .	66
312 - Firearms . . . . .	75
314 - Vehicle Pursuits . . . . .	85
316 - Officer Response to Calls . . . . .	97
320 - Domestic Violence . . . . .	102
322 - Search and Seizure . . . . .	108
324 - Temporary Custody of Juveniles . . . . .	110
326 - Adult Abuse . . . . .	124
328 - Discriminatory Harassment . . . . .	129
330 - Child Abuse . . . . .	134
332 - Missing Persons . . . . .	143
334 - Public Alerts . . . . .	153
338 - Bias-Motivated Crimes . . . . .	158
340 - Standards of Conduct . . . . .	161
342 - Information Technology Use . . . . .	177

# Steamboat Springs Police Services

## Policy Manual

---

344 - Report Preparation . . . . .	186
346 - News Media Relations . . . . .	190
348 - Subpoenas and Court Appearances . . . . .	194
352 - Mutual Aid and Outside Agency Assistance . . . . .	197
354 - Handcuff Policy . . . . .	199
356 - Registered Offender Information . . . . .	203
358 - Major Incident Notification . . . . .	207
360 - Death Investigation . . . . .	209
362 - Identity Theft . . . . .	211
364 - Private Persons Arrests . . . . .	213
366 - Anti-Reproductive Rights Crimes . . . . .	215
368 - Limited English Proficiency Services . . . . .	216
370 - Communications with Persons with Disabilities . . . . .	222
373 - Pupil Arrest Reporting . . . . .	234
374 - Biological Samples . . . . .	235
376 - Chaplains . . . . .	240
379 - Child and Dependent Adult Safety . . . . .	246
381 - Service Animals . . . . .	251
383 - Volunteer Program . . . . .	253
385 - Native American Graves Protection and Repatriation . . . . .	260
387 - Off-Duty Law Enforcement Actions . . . . .	262
389 - Department Use of Social Media . . . . .	264
390 - Illness and Injury Prevention Program . . . . .	267
390 - Victim and Witness Assistance . . . . .	273
<b>Chapter 4 - Patrol Operations . . . . .</b>	<b>276</b>
400 - Patrol Function . . . . .	277
402 - Racial/Bias-Based Profiling . . . . .	281
404 - Briefing . . . . .	283
406 - Crime and Disaster Scene Integrity . . . . .	285
408 - Combined Emergency Response Team . . . . .	287
409 - Steamboat Springs Police Services Explosive Breaching Policy . . . . .	292
410 - Ride-Along . . . . .	297
412 - Hazardous Material Response . . . . .	300
414 - Hostages and Barricaded Persons . . . . .	302
416 - Response to Bomb Calls . . . . .	305
418 - Civil Commitments . . . . .	310
419 - Detoxification . . . . .	314
420 - Citation/Summons and Release Policy . . . . .	315
422 - Foreign Diplomatic and Consular Representatives . . . . .	318
424 - Rapid Response And Deployment Policy . . . . .	328
426 - Reporting Law Enforcement Activity Outside of the Jurisdiction . . . . .	330
428 - Immigration Violations . . . . .	331
430 - Emergency Utility Service . . . . .	335
432 - Patrol Rifles . . . . .	336
433 - Aircraft Crashes . . . . .	339
435 - Field Training Officer Program . . . . .	342

---

# Steamboat Springs Police Services

## Policy Manual

---

437 - Obtaining Air Support Assistance . . . . .	345
439 - Detentions, Contacts and Photographing Detainees . . . . .	346
441 - Criminal Street Gangs . . . . .	352
443 - Shift Sergeants . . . . .	356
447 - Mobile Data Terminal Use . . . . .	357
449 - Portable Audio/Video Recorders . . . . .	361
451 - Medical Marijuana . . . . .	366
453 - Bicycle Patrol . . . . .	371
457 - Foot Pursuit Policy . . . . .	374
461 - Homeless Persons . . . . .	379
463 - Public Recording of Law Enforcement Activity . . . . .	382
464 - Suspicious Activity Reporting . . . . .	385
465 - Crisis Intervention Incidents . . . . .	387
466 - First Amendment Assemblies . . . . .	392
467 - Civil Disputes . . . . .	398
468 - Medical Aid and Response . . . . .	400
469 - Mobile Audio Video . . . . .	404
<b>Chapter 5 - Traffic Operations . . . . .</b>	<b>411</b>
500 - Traffic Function and Responsibility . . . . .	412
502 - Traffic Accident Response And Reporting . . . . .	415
510 - Vehicle Towing and Release Policy . . . . .	419
511 - Parking Enforcement . . . . .	423
515 - Citations . . . . .	424
519 - Disabled Vehicles . . . . .	427
522 - Abandoned Vehicle Violations . . . . .	428
524 - Impaired Driving and Evidence Collection . . . . .	430
<b>Chapter 6 - Investigation Operations . . . . .</b>	<b>437</b>
600 - Investigation and Prosecution . . . . .	438
602 - Sexual Assault Investigations . . . . .	442
606 - Asset Forfeiture Policy . . . . .	446
608 - Informants . . . . .	450
610 - Eyewitness Identification . . . . .	456
611 - Brady Material Disclosure . . . . .	460
612 - Warrant Service . . . . .	463
613 - Operations Planning and Deconfliction . . . . .	467
<b>Chapter 7 - Equipment . . . . .</b>	<b>473</b>
700 - Department-Owned and Personal Property . . . . .	474
702 - Personal Communication Devices . . . . .	476
704 - Vehicle Maintenance . . . . .	482
706 - Vehicle Use . . . . .	484
708 - Assigned Patrol Use Vehicle Policy . . . . .	489
710 - Cash Handling, Security and Management . . . . .	493
<b>Chapter 8 - Support Services . . . . .</b>	<b>495</b>

---

# Steamboat Springs Police Services

## Policy Manual

---

800 - Property and Evidence . . . . .	496
802 - Records Division Procedures . . . . .	508
804 - Restoration of Firearm Serial Numbers . . . . .	510
806 - Records Maintenance and Release . . . . .	512
808 - Protected Information . . . . .	517
810 - Computers and Digital Evidence . . . . .	521
816 - Animal Control Procedures . . . . .	525
818 - Jeanne Clery Campus Security Act . . . . .	529
819 - Communications Protocols . . . . .	534
<b>Chapter 9 - Custody . . . . .</b>	<b>539</b>
900 - Custody Searches . . . . .	540
901 - Temporary Custody of Adults . . . . .	546
<b>Chapter 10 - Personnel . . . . .</b>	<b>551</b>
1000 - Recruitment and Selection . . . . .	552
1010 - Reporting of Employee Convictions . . . . .	562
1012 - Alcohol and Drug Use . . . . .	564
1014 - Paid Time Off . . . . .	567
1016 - Communicable Diseases . . . . .	568
1018 - Smoking and Tobacco Use . . . . .	573
1020 - Personnel Complaints . . . . .	574
1022 - Seat Belts . . . . .	583
1024 - Body Armor . . . . .	585
1026 - Personnel Files . . . . .	587
1028 - Request for Change of Assignment . . . . .	593
1030 - Commendations and Awards . . . . .	594
1032 - Fitness for Duty . . . . .	596
1034 - Meal Periods and Breaks . . . . .	599
1035 - Lactation Break Policy . . . . .	600
1036 - Payroll Record Procedures . . . . .	602
1038 - Overtime Compensation . . . . .	603
1040 - Outside Employment . . . . .	605
1042 - Occupational Disease and Work-Related Injury and Death Reporting . . . . .	610
1044 - Personal Appearance Standards . . . . .	612
1046 - Police Uniform Regulations . . . . .	616
1052 - Department Badges . . . . .	623
1054 - Modified-Duty Assignments . . . . .	625
1056 - Performance Evaluations . . . . .	628
1058 - Employee Speech, Expression and Social Networking . . . . .	630
1059 - Emergency Notification and Detective On-call . . . . .	634
1060 - Anti-Retaliation . . . . .	637
1061 - Illness and Injury Prevention . . . . .	640
<b>Attachments . . . . .</b>	

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

---

## Law Enforcement Authority

### 100.1 PURPOSE AND SCOPE

Law enforcement officers are granted the authority to perform their function based on established legal authority. This department does not tolerate abuse of law enforcement authority.

### 100.2 PEACE OFFICER AUTHORITY

Certified members shall be considered peace officers pursuant to CRS § 16-2.5-101 through CRS § 16-2.5-148 and CRS § 24-7.5-103.

#### 100.2.1 AUTHORITY WITHIN THE JURISDICTION OF STEAMBOAT SPRINGS POLICE SERVICES

The arrest authority within the jurisdiction of the Steamboat Springs Police Services includes (CRS § 16-3-102):

- (a) In compliance with an arrest warrant.
- (b) When any crime is being, or has been, committed in a peace officer's presence.
- (c) When there is probable cause to believe that an offense was committed by the person to be arrested.

#### 100.2.2 AUTHORITY OUTSIDE THE JURISDICTION OF STEAMBOAT SPRINGS POLICE SERVICES

The arrest authority of officers outside the jurisdiction of the Steamboat Springs Police Services includes:

- (a) When a felony or misdemeanor is committed in the officer's presence in another jurisdiction in the state of Colorado, the local law enforcement agency is notified of the arrest and the arrestee is transferred to that agency (CRS § 16-3-110).
- (b) When there is probable cause to arrest and the officer has been in continuous fresh pursuit from within the jurisdiction of the Steamboat Springs Police Services (CRS § 16-3-106).
- (c) When the officer has knowledge that an arrest warrant has been issued and the officer has been in continuous fresh pursuit from within the jurisdiction of the Steamboat Springs Police Services (CRS § 16-3-106).
- (d) An officer may pursue a person outside the jurisdiction of the Steamboat Springs Police Services and issue a citation when the person committed an offense in the officer's presence within the jurisdiction of the Steamboat Springs Police Services (CRS § 16-3-106).
- (e) When officers are accompanied by law enforcement officers who have the authority to make an arrest in that jurisdiction, are present at the scene of the arrest and participate in the arrest process (CRS § 16-3-202).

# Steamboat Springs Police Services

## Policy Manual

### *Law Enforcement Authority*

---

- (f) When another agency has requested temporary assistance during a state of emergency (CRS § 29-5-104).

#### **100.3 INTERSTATE PEACE OFFICER POWERS**

Peace officer powers may be extended within other states pursuant to CRS § 29-1-206(1) as applicable under interstate compacts and memorandums of understanding in compliance with the laws of each state.

Peace officer powers may also be extended when an officer enters another state in fresh pursuit of a felony subject or a fugitive from justice (CRS § 24-60-101, Arizona Revised Statutes § 13-3831, et seq., Kansas Statutes Annotated § 22-2404, Nebraska Revised Statutes § 29-416, New Mexico Code § 31-2-1, et seq., Oklahoma Statutes Annotated § 221, Utah Code § 77-9-1, et seq., and Wyoming Statutes Annotated § 7-2-106).

Any peace officer of another state who enters this state in fresh pursuit and continues within this state in fresh pursuit has the same authority to arrest and hold such person in custody as a peace officer of this state (CRS § 16-3-104(3)).

#### **100.4 CONSTITUTIONAL REQUIREMENTS**

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

## Chief Executive Officer

### **102.1 PURPOSE AND SCOPE**

The Colorado Peace Officer Standards and Training Board (POST) has mandated that all certified peace officers employed within the State of Colorado shall be certified by POST (CRS § 16-2.5-102).

### **102.2 CHIEF OF POLICE**

The Chief of Police shall be a sworn Police officer within the State of Colorado and shall be certified by POST (CRS § 16-2.5-102).

## Oath of Office

### 104.1 PURPOSE AND SCOPE

Officers are sworn to uphold the U.S. and Colorado Constitutions and to enforce federal, state and local laws.

#### 104.1.1 OATH OF OFFICE

Prior to assuming the duties of a peace officer, all certified members shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Colorado Constitution Article XII Section 8). The oath shall be as follows:

I, (state your name), do solemnly swear or affirm that I will support the Constitution and the laws of the United States, and of the State of Colorado, and the Charter, Ordinances and Regulations of the City of Steamboat Springs, and that I will faithfully perform the duties of my office or employment.

## Policy Manual

### 106.1 PURPOSE AND SCOPE

The manual of the Steamboat Springs Police Services is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

### 106.2 POLICY

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

#### 106.2.1 DISCLAIMER

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

#### 106.2.2 ADMINISTRATIVE STAFF

The staff shall consist of the following:

- Chief of Police
- Operations Commander
- Administration Commander

The staff shall review all recommendations regarding proposed changes to the manual.

#### 106.2.3 OTHER PERSONNEL

All employees suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commander, who will consider the recommendation and forward it to staff.

# Steamboat Springs Police Services

## Policy Manual

### *Policy Manual*

---

#### **106.3 AUTHORITY**

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

##### **106.3.1 ACCEPTABLE ABBREVIATIONS**

The following abbreviations are acceptable substitutions in the manual:

- Interim Directive may be abbreviated as "ID."
- Policy Manual sections may be abbreviated as "Section 106.X" or "§ 106.X."

##### **106.3.2 DEFINITIONS**

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

**Adult** - Any person 18 years of age or older.

**City** - The City of Steamboat Springs

**CCR** - Code of Colorado Regulations

**CDPS** The Colorado Department of Public Safety

**CFR** - Code of Federal Regulations

**Civilian** Employees and volunteers who are not certified law enforcement officers.

**CSP** - Colorado State Patrol

**Department /SSPD** - The Steamboat Springs Police Department

**DMV** - The Colorado Department of Revenue Division of Motor Vehicles

**Employee/personnel** - Any person employed by the Department.

**Juvenile** - Any person under the age of 18 years.

**Manual** - The Steamboat Springs Police Department Policy Manual

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

**Member** - Any person employed or appointed by the Police Department, including certified officers, reserve officers, non-sworn employees and volunteers.

**Officer /certified** - Those employees, regardless of rank, who are POST-certified employees of the Steamboat Springs Police Services.

**On-duty** - Employee status during the period when he/she is actually engaged in the performance of his/her assigned duties.

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

# Steamboat Springs Police Services

## Policy Manual

### *Policy Manual*

---

**Peace officer** - An employee who is required to be certified by POST pursuant to CRS § 16-2.5-101 et. seq. The term includes certified full-time and reserve peace officers who perform the duties of a peace officer.

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

**Shall (or will)** - Indicates a mandatory action.

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

**USC** - United States Code

#### 106.3.3 DISTRIBUTION OF MANUAL

Copies of the Policy Manual shall be distributed to the following:

- An electronic version of the Policy Manual will be made available to all employees within the Police Department. The electronic version will be limited to viewing and printing of specific sections. No changes shall be made to the electronic version without authorization.

#### 106.4 DEFINITIONS

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

**Adult** - Any person 18 years of age or older.

**CCR** - Code of Colorado Regulations.

**CFR** - Code of Federal Regulations.

**City** - The City of Steamboat Springs.

**Non-sworn** - Employees and volunteers who are not certified law enforcement officers.

**Department/SSPD** - The Steamboat Springs Police Services.

**DMV** - The Colorado Department of Revenue Division of Motor Vehicles.

**Employee/personnel** - Any person employed by the Department.

**Juvenile** - Any person under the age of 18 years.

**Manual** - The Steamboat Springs Police Services Policy Manual.

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

**Member** - Any person employed or appointed by the Steamboat Springs Police Services, including full-time licensed, certified officers, reserve officers, non-sworn employees and volunteers.

**Officer** - Those employees, regardless of rank, who are POST-certified employees of the Steamboat Springs Police Services.

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

# Steamboat Springs Police Services

## Policy Manual

### *Policy Manual*

---

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

**Peace officer** - An employee who is required to be certified by POST pursuant to CRS § 16-2.5-101 et seq. The term includes certified full-time and reserve peace officers who perform the duties of a peace officer.

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

**Shall or will** - Indicates a mandatory action.

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

**Supervisor** - A person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

**USC** - United States Code.

#### 106.4.1 REVISIONS TO POLICIES

All members are responsible for keeping abreast of all Policy Manual revisions. All changes to the Policy Manual will be posted on the Department intranet home page under the title Recent Policy Manual Revisions. The Training Coordinator will forward revisions to the Policy Manual as needed to all personnel via electronic mail. Each member shall acknowledge receipt by return e-mail and shall review the revisions and seek clarification as needed.

Each unit commander/manager will ensure that members under his/her command are aware of any Policy Manual revisions.

#### 106.4.2 PERIODIC REVIEW OF THE POLICY MANUAL

At least biannually, the Chief of Police will cause the entire manual to be reviewed and updated as necessary to ensure the Policy Manual conforms to the actual operation of the Department and complies with Colorado law.

#### 106.5 ISSUING THE POLICY MANUAL

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

# Steamboat Springs Police Services

## Policy Manual

### *Policy Manual*

---

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

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

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

#### **106.7 REVISIONS TO POLICIES**

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Division Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

## **Chapter 2 - Organization and Administration**

---

## Organizational Structure and Responsibility

### 200.1 PURPOSE AND SCOPE

The organizational structure of the Department is designed to create an efficient means to accomplish the mission and goals and to provide for the best possible service to the public.

### 200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the Steamboat Springs Police Services. There are two divisions in the Police Department:

- Operations Division
- Administration Division

#### 200.2.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the assigned Division Commander whose primary responsibility is to provide general management, direction and control for the Administration Division, including management of the Department budget and the designation of the custodian of records. The Administration Division consists of Technical Services and Administrative Services.

Annually, the Administration Division Commander shall develop and submit to the Chief of Police a budget and an inventory of capital property, equipment and assets. Property, equipment and assets with a beginning value of more than \$5,000, and other items specifically identified for inclusion regardless of value, are capital property, equipment and assets.

#### 200.2.2 OPERATIONS DIVISION

The Operations Division is commanded by the assigned Division Commander whose primary responsibility is to provide general management, direction and control for the Operations Division. The Patrol Division consists of Uniformed Patrol and Special Operations, which includes Traffic.Police

#### 200.2.3 INVESTIGATION DIVISION

The Investigation Division is commanded by the assigned Division Commander whose primary responsibility is to provide general management, direction and control for the Investigation Division. The Investigation Division consists of the Detective Division, Crime Analysis Unit, Evidence Room and Forensic Services.

#### 200.2.4 POLICE RECORDS DIVISION

The Police Records Division is commanded by the Chief of Police or his/her designee whose primary responsibility is to provide general management, direction and control for the Police Records Division. The Police Records Division consists of the Records Supervisor and Records Technicians. It is the primary responsibility of the Police Records Supervisor to maintain, transmit and produce accurate police records while complying with all applicable police records laws.

# Steamboat Springs Police Services

## Policy Manual

### *Organizational Structure and Responsibility*

---

The Chief of Police has the ultimate authority of police records and is the Custodian of Police Records.

#### **200.2.5 CODE ENFORCEMENT DIVISION**

The Code Enforcement Division is commanded by the Operations Commander whose primary responsibility is to provide general management, direction and control for the Code Enforcement Division. The Code Enforcement Division consists of a Community Service Officer Supervisor, who provides supervision to full-time and seasonal Community Service Officers and Parking Enforcement Officer(s). Community Service Officers are responsible for enforcement of Steamboat Springs Municipal Codes, managing traffic control and crowd control during special events and any other duties as assigned by the Operations Commander. The Parking Enforcement Officer(s) is responsible for the management and enforcement of all vehicle parking on public streets and in public parking lots within the City of Steamboat Springs.

#### **200.2.6 ANIMAL CONTROL DIVISION**

The Animal Control Division is commanded by the Administration Commander whose primary responsibility is to provide general management, direction and control for the Animal Control Division. The Animal Control Division consists of an Animal Control Supervisor, Animal Control Officer(s) and all Animal Shelter personnel, including volunteers. The Animal Control Supervisor is responsible for Animal Control Enforcement under the Steamboat Springs Municipal Code and Colorado Revised Statutes; the Supervision of Animal Control Officer(s); and the Supervision of Animal Shelter Personnel and Animal Shelter Operations.

### **200.3 COMMAND PROTOCOL**

#### **200.3.1 SUCCESSION OF COMMAND**

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate a Division Commander to act in the place of the Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Operations Commander
- (b) Administration Commander
- (c) Sergeant by rank seniority.

#### **200.3.2 UNITY OF COMMAND**

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

# Steamboat Springs Police Services

## Policy Manual

### *Organizational Structure and Responsibility*

---

#### 200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with lawful orders of superior officers and other proper authority.

#### 200.3.4 UNLAWFUL AND CONFLICTING ORDERS

No member is required to obey any order that outwardly appears to be in direct conflict with any federal law, state law or local ordinance. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or confer with a higher authority. Responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

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

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

## Interim Directive and General Orders

### 204.1 PURPOSE AND SCOPE

Interim Directives and General Orders establish interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure, in accordance with the current collective bargaining agreement. Interim Directives will immediately modify or change and supersede sections of this manual to which they pertain.

#### 204.1.1 INTERIM DIRECTIVE PROTOCOL

Interim Directives will be incorporated into the manual, as required upon approval of the staff. Interim Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Interim Directives have now been incorporated in the updated Policy Manual as of the revision date listed below.

Any Interim Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01." For example, 11-01 signifies the first Interim Directive for the year 2011.

#### 204.1.2 GENERAL ORDERS PROTOCOL

General Orders establish a temporary policy or procedure on a given subject for a specific length of time. General Orders are issued to the organization as a whole, to a division, to a unit or to an individual. General Orders become inoperative with the passing of the incident or situation that caused the order to be issued.

### 204.2 RESPONSIBILITIES

#### 204.2.1 STAFF

The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Interim Directive.

#### 204.2.2 CHIEF OF POLICE

The Chief of Police or the authorized designee shall issue all Interim Directives and General Orders.

### 204.3 ACCEPTANCE OF INTERIM DIRECTIVE

All employees are required to read and obtain any necessary clarification of all Interim Directive. All employees are required to acknowledge in writing the receipt and review of any new Interim Directive. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Training Coordinator.

---

## Emergency Management Plan

### 206.1 PURPOSE AND SCOPE

In compliance with the State of Colorado Emergency Operations Plan, the City has prepared or adopted an Emergency Operations Plan (CRS § 24-32-2107). This plan provides guidance and is to be used by all work groups and employees in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The plan provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

### 206.2 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Police Department, the Chief of Police or the highest ranking official on-duty may activate the Emergency Operations Plan in response to a major emergency.

#### 206.2.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Steamboat Springs Police Services are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

### 206.3 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the plan are available in Administration, the Shift Supervisor's office and in the Communications Center. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles personnel will play when the plan is implemented.

The State of Colorado Emergency Operations Plan and additional regional information can be found on the Colorado Department of Local Affairs, Division of Emergency Management website at <http://dola.colorado.gov/dem/index.html>.

### 206.4 UPDATING THE PLAN

The Chief of Police or the authorized designee shall review and update, if necessary, the Emergency Operations Plan at least once every two years to ensure it conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS), and that any needed revisions are appropriately addressed.

### 206.5 PLAN REVIEW

At least once every two years, the Department should conduct a review of the Emergency Operations Plan and responses, incorporating a full or partial exercise, tabletop or command staff discussion.

# Steamboat Springs Police Services

Policy Manual

## *Emergency Management Plan*

---

### **206.6 PLAN TRAINING**

The Department shall provide training in the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles police personnel will play when the plan is activated.

## Electronic Mail

### 212.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties. It is to be used in accordance with generally accepted business practices and current law. Messages transmitted over the email system must only be those that involve official business activities or that contain information essential to employees for the accomplishment of business-related tasks and/or communications directly related to the business, administration or practices of the Department.

The City recognizes that occasionally employees may need to conduct personal business via e-mail during regular business hours. Such activities should be limited and must be approved by supervisors or Department Heads.

### 212.2 EMAIL RIGHT OF PRIVACY

All email messages, including attachments, transmitted over the department networks or through a web browser accessing the department system are considered department records and therefore are the property of the Department. The Department reserves the right to access, audit and disclose for any lawful reason, all messages, including attachments, transmitted or received through its email system or placed into its storage.

The email system is not a confidential system and therefore is not appropriate for confidential communications. If a communication must be confidential, an alternate method to communicate the message should be used. Employees using the department email system shall have no expectation of privacy concerning communications transmitted over the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

### 212.3 RESTRICTIONS ON USE OF EMAIL

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

Prohibited uses of e-mail include, but are not limited to the following: threats, harassment, slander, defamation, obscene, suggestive or offensive messages, political endorsements, private commercial activities, etc.

Employees should never open an e-mail attachment from an unknown source.

Email messages addressed to the entire department are only to be used for official business-related items that are of particular interest to all users. All email is subject to review and scrutiny with regard to appropriate content or violation of any prohibitions. In the event that a user has questions about sending a particular email communication, the user should seek prior approval

# Steamboat Springs Police Services

## Policy Manual

### *Electronic Mail*

---

from the Chief of Police or a Division Commander. Personal advertisements or announcements are not permitted.

It is a violation of this policy to transmit a message under another user's name or email address or to use the password of another to log into the system. Users are required to log off the network or secure the workstation when the computer is unattended. This added security measure would minimize the misuse of an individual's email, name and/or password.

#### **212.4 EMAIL RECORD MANAGEMENT**

Email may, depending upon the individual content, be a record under the Colorado Open Records Act (CRS § 24-72-200.1 through § 24-72-206; CRS § 24-72-301 through CRS § 24-72-309) and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Computer Services Division shall ensure that email messages are retained and recoverable as outlined in the Information Services Security and Retention Policy.

## Administrative Communications

### 214.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

### 214.2 DEPARTMENT E-MAILS

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

### 214.3 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead requires approval of police administration.. Department letterhead may not be used for personal purposes.

Internal correspondence should use appropriate memorandum forms. These may be from line employee to employee, supervisor to employee or any combination of employees.

### 214.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or the authorized designee or a Division Commander.

### 214.5 OTHER COMMUNICATIONS

Interim Directives and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee or Division Commanders.

---

## Supervision Staffing Levels

### 216.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against its need and inherent managerial right to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet the operational requirements of the Department.

#### 216.1.1 MANPOWER AVAILABILITY

As a primary provider of emergency services to the community, the Police Department has a responsibility to remain ready and able to perform necessary functions at all times. The Department, therefore, has established numerous control measures to assure that sufficient human and material resources can be marshaled to meet routine and emergency demands.

Specific scheduling of factors, which affect manpower availability, such as watch assignment, vacations, days off, and holidays will be done by the Commander responsible for the division involved.

The Chief of Police, working in conjunction with division managers/supervisors, is accountable for ensuring that sufficient personnel are available to meet reasonably predictable demands and that contingency planning for emergency demands is both current and adequate. Guidelines in the present Policy are applicable to the entire Department.

**TELEPHONE REQUIRED:** Department employees will maintain a telephone in their residence.

**CHANGE OF ADDRESS OR TELEPHONE NUMBER:** Employees will, through their immediate supervisor, keep the Assistant to the Director of Public Safety notified of their correct address and telephone number and will report any change within 48 hours. A memo for this purpose will be completed, and the immediate supervisor will forward the memo through command channels.

**OVERTIME:** In certain instances, sworn or non-sworn employees may be required to work past the end of a scheduled tour of duty or perform duties at special times or in special circumstances. At such times, paid overtime may be appropriate but must first be authorized by a supervisor or the officer in charge.

**RECALL TO DUTY:** Department personnel are subject to recall to duty and will report for duty if so called, unless exempted by proper authority.

**ON CALL PROCEDURES:** Certain specialized units have a possibility of being called out when off duty. When needed, members will be contacted by telephone or pager until sufficient personnel and resources are available for the situation. Employees in specialized units are not in any way restricted in their movements or activities and are not compensated with on call pay. Detectives on-call shall be granted on-call pay for each period of time up to 24 hours they are placed on-call. The Detective shall receive on-call compensation equivalent to one and one-half times the Detectives' normal salary rate for one hour's work, regardless of whether or not the Detective is

# Steamboat Springs Police Services

## Policy Manual

### *Supervision Staffing Levels*

---

actually called in. City Manager approval must be given before employees are placed on-call. While on-call, the Detective's conduct shall always be above reproach. Consumption of alcoholic beverages while on-call is strictly prohibited. The Commander will keep a record of what members of the Detective Division are on-call and on-call time will be listed on the Detective's time sheet. All on-call positions are designated as on-call by the City Manager.

**SCHEDULING OF WORK TIME AND ABSENCES:** The Operations Commander maintains an accurate and current schedule, which is posted at a location all police personnel can review. Distribution and allocation of personnel are based upon careful analysis of workload demands and are reassessed as needed to match resources with needs as closely as possible.

Within the limitations set by City Personnel and Administrative Regulations Manual (P.A.R.M.) and Department guidelines, use of Paid Time Off ("PTO", days off, and other absences from duty will be approved through Police Department chain of command.

The Command Officers will schedule their vacations and holidays at the discretion of the Chief of Police.

**MILITARY LEAVE:** In accordance with federal and state laws, the Department grants time off from regularly scheduled work days to fulfill the military obligations of sworn and non-sworn employees who are affiliated with the National Guard or any reserve branch of the military services of the United States. Employees receive full pay from the Department up to a maximum of 15 days (120 hours) per year for regularly scheduled workdays missed due to military obligations. Employees shall be guaranteed their position upon return.

**NOTIFICATION OF MILITARY LEAVE:** Written notice should be given through command channels using the City's REQUEST/NOTIFICATION FOR LEAVE FORM. The REQUEST FOR LEAVE FORM should be submitted to the Command Officer responsible for the division the employee is assigned at least one month before taking military leave. A copy of the official military orders shall be attached to the REQUEST/NOTIFICATION FOR LEAVE FORM. If circumstances do not permit a one month notification, notice shall be given as soon as possible after the employee becomes aware of the need for military leave.

**CROSS REF:** Policy 6.2, "Off Duty Enforcement Actions"

City of Steamboat Springs P.A.R.M.

## **216.2 MINIMUM STAFFING LEVELS**

Minimum staffing levels should result in scheduling at least one Sergeant on-duty whenever possible. Sergeants will ensure that at least one Patrol Officer is deployed during each shift, in addition to the Shift Supervisor.

### **216.2.1 SUPERVISION DEPLOYMENTS**

In order to accommodate training and other unforeseen circumstances, an officer may be used as a field supervisor (Officer in Charge) in place of a field sergeant.

# Steamboat Springs Police Services

Policy Manual

## *Supervision Staffing Levels*

---

With prior authorization from the Operations Commander, an officer may act as the Officer in Charge for a limited period of time.

## Retiree Concealed Firearms

### 220.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Steamboat Springs Police Services identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and Colorado law (18 USC § 926C).

### 220.2 POLICY

It is the policy of the Steamboat Springs Police Services to provide identification cards to qualified former or retired officers as provided in this policy.

### 220.3 LEOSA

The Chief of Police should issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

#### 220.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Steamboat Springs Police Services qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

### 220.4 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Shift Supervisor of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

#### 220.4.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts

# Steamboat Springs Police Services

## Policy Manual

### *Retiree Concealed Firearms*

---

taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.

- (b) Remain subject to all applicable Department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check (including National Crime Information Center (NCIC) and Criminal Justice Information Services (CJIS) queries) indicating that he/she is not prohibited by law from receiving or possessing a firearm (CRS § 24-33.5-112; CRS § 30-10-524; CRS § 31-30-106; CRS § 23-5-142).
- (e) Pay a fee not to exceed the direct and indirect costs for issuing the card (CRS § 24-33.5-112; CRS § 30-10-524; CRS § 31-30-106; CRS § 23-5-142).

#### **220.5 DENIAL, SUSPENSION OR REVOCATION**

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

The former officer shall be provided a written statement setting forth the reason for a denial or revocation (CRS § 24-33.5-112; CRS § 30-10-524; CRS § 31-30-106; CRS § 23-5-142).

#### **220.6 FIREARM QUALIFICATIONS**

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

---

## Training Policy

### 221.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will meet the standards of federal, state, local and POST training requirements. It is a priority of this department to provide continuing education and training for the professional growth and progressive development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the public.

#### 221.1.1 PRE-APPOINTMENT TRAINING

This department requires all candidates for employment as officers to complete an approved Colorado basic academy pursuant to CRS § 24-31-305 before performing duties of a certified peace officer, as defined by CRS § 16-2.5-102. Officers may alternatively obtain a provisional certificate prior to appointment or otherwise meet the training and certification standards within the parameters, extensions and exceptions set by POST (CRS § 24-31-308 and CRS § 30-10-501.6 (1)).

### 221.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels and legal mandates. Whenever reasonably possible, the Department will use courses certified by the Colorado POST Board or other regulatory or nationally recognized entities.

### 221.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of Department personnel.
- (c) Provide for continued professional development of Department personnel.
- (d) Assist in compliance with statutory requirements.

### 221.4 TRAINING PLAN

It is the responsibility of the Training Coordinator to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all employees. The plan shall include a systematic and detailed method for recording and logging of all training for all personnel. While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Training Coordinator shall review the entire training plan on an annual basis. The plan will include information on curriculum, training material, training facilities, course and student scheduling. The plan will address the state-required, minimum-mandated training of certified officers or hiring of non-sworn employees.

# Steamboat Springs Police Services

## Policy Manual

### *Training Policy*

---

Training listed may be provided in basic training programs. The Training Coordinator is responsible for ensuring members of the Department have been trained as required.

The Administrative Officer will act as the Training Coordinator.

#### 221.4.1 MANDATED TRAINING

(a) Federally mandated training:

1. National Incident Management System (NIMS) training (once depending upon position and rank)

(b) State-mandated training:

1. DNA evidence collection (CRS § 24-31-311) (once)
2. Racial profiling (CRS § 24-31-309) (once)
3. Basic CPR/First aid
4. Eyewitness identification training (CRS § 16-1-109)
5. Annual completion of any additional training required by POST (CRS § 24-31-315)

(c) Department-mandated training:

1. Emergency Operations Plan (supervisors every two years)
2. CPR/First aid refresher (every two years)
3. Pursuit driving (all certified employees yearly)
4. Firearms training (all certified employees quarterly)
5. Defensive tactics (all certified employees yearly)
6. TASER, impact weapon, chemical weapon or other less-lethal weapon (yearly)
7. Use of force policies (all certified employees review yearly)
8. Search, seizure and arrest (all certified employees yearly)
9. Use of body armor (all certified employees every two years)
10. Ethics (all certified employees every three years)

# Steamboat Springs Police Services

## Policy Manual

### *Training Policy*

---

#### **221.5 TRAINING NEEDS ASSESSMENT**

The Training Section will conduct an annual training needs assessment and complete a report of the training needs assessment, including recommendations from the Training Committee. The training needs assessment report will be provided to the Chief of Police and staff and the Training Review Board. Upon review and approval by the Chief of Police, the needs assessment will form the basis for the training plan for the following fiscal year.

#### **221.6 TRAINING COMMITTEE**

The Training Coordinator shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Training Coordinator may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Review Board should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of an employee.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Chief of Police or the authorized designee to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Training Coordinator. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Training Coordinator will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

#### **221.7 TRAINING PROCEDURES**

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
  - 1. Court appearances

# Steamboat Springs Police Services

## Policy Manual

### *Training Policy*

---

2. First choice vacation
  3. Sick leave
  4. Physical limitations preventing the employee's participation
  5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
  2. Document his/her absence in a memorandum to his/her supervisor.
  3. Make arrangements through his/her supervisor and the Training Coordinator to attend the required training on an alternate date.

#### **221.8 DAILY TRAINING BULLETINS**

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Steamboat Springs Police Services Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Coordinator.

Personnel assigned to participate in DTBs shall only use login credentials assigned to them by the Training Coordinator. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

#### **221.9 TRAINING RECORDS**

The Training Coordinator is responsible for the creation, filing and storage of all training records. Training records shall be retained in compliance with the current records retention schedule.

#### **221.10 FIELD TRAINING PROGRAM**

The Field Training Program will be administered by a designated supervisor who shall establish a field training program for recruit police officers that is of sufficient duration to provide for

# Steamboat Springs Police Services

Policy Manual

## *Training Policy*

---

the adequate orientation and training of the new peace officer in the lawful operations of the Department. The program shall establish procedures for the selection, appointment and training of Field Training Officers (FTO) and supervisors, the daily evaluation of recruits participating in the program and the rotation of FTO personnel to provide for the objective evaluation of recruit performance.

## **Chapter 3 - General Operations**

---

## Use of Force

### 300.1 PURPOSE AND SCOPE

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

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

### 300.2 POLICY

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

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

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

#### 300.2.1 DUTY TO INTERCEDE

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

#### 300.2.2 REPORTING

An officer who witnesses another peace officer using force in excess of that permitted pursuant to CRS § 18-8-802 must report such use of force to a supervisor. Subsequent written notification shall be within 10 days of the occurrence and include the date, time and place of the occurrence, the identity, if known, and description of the participants, and a description of the events and the force used (CRS § 18-8-802(1)(b)).

# Steamboat Springs Police Services

## Policy Manual

### *Use of Force*

---

#### **300.3 USE OF FORCE**

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

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

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

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

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

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

Any officer is justified in using reasonable and appropriate physical force upon another person when and to the extent that he/she reasonably believes it necessary (CRS § 18-1-707(1)):

- (a) To effect an arrest or to prevent the escape from custody of an arrested person, unless he/she knows that the arrest is unauthorized.
- (b) To defend him/herself or a third person from what the officer reasonably believes to be the use, or imminent use, of physical force while effecting or attempting to effect the arrest of a suspect or while preventing or attempting to prevent the escape of a suspect.

Officers shall not apply force in excess of the force permitted by CRS § 18-8-803 to a person who has been rendered incapable of resisting arrest.

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

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

- (a) Immediacy and severity of the threat to officers or others.

# Steamboat Springs Police Services

## Policy Manual

### *Use of Force*

---

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

#### **300.3.3 PAIN COMPLIANCE TECHNIQUES**

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques that are reasonable. Officers utilizing any pain compliance technique should consider:

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

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

#### **300.4 DEADLY FORCE APPLICATIONS**

Use of deadly force is justified in the following circumstances:

# Steamboat Springs Police Services

## Policy Manual

### *Use of Force*

---

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

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

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

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

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

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

#### **300.5.1 NOTIFICATION TO SUPERVISORS**

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

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.

# Steamboat Springs Police Services

## Policy Manual

### *Use of Force*

---

- (d) The individual indicates intent to pursue litigation.
- (e) Any application of an TASER ® device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.

#### **300.6 MEDICAL CONSIDERATION**

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

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

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

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

#### **300.7 SUPERVISOR RESPONSIBILITY**

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

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.

# Steamboat Springs Police Services

## Policy Manual

### *Use of Force*

---

- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
  - 1. The content of the interview should not be summarized or included in any related criminal charges.
  - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
  - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the subject may pursue civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

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

#### 300.7.1 SHIFT SERGEANT RESPONSIBILITY

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

## Use of Force Review

### **302.1 PURPOSE AND SCOPE**

This policy establishes a process for the Steamboat Springs Police Services to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

### **302.2 POLICY**

The Steamboat Springs Police Services will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

### **302.3 REMOVAL FROM LINE DUTY ASSIGNMENT**

Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a administrative leave pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

---

## Firearm Discharge Policy

### 304.1 PURPOSE AND SCOPE

The purpose of the Firearm Discharge Policy is to establish procedures for the use and reporting of incidents involving the discharge of firearms. This policy is for internal use only and does not increase the civil or criminal liability of the Department and/or an officer in any way. Violations of this policy can only form the basis for administrative actions by the Department.

### 304.2 POLICY

Firearms may be discharged only as outlined within this policy. Where practicable, a warning or notification should be given before an officer discharges a firearm.

#### 304.2.1 DISCHARGE AGAINST A PERSON

It is the policy of this department to resort to the use of a firearm against a person when it reasonably appears to be necessary under the circumstances, and generally (CRS § 18-1-707(2)):

- (a) An officer may protect him/herself or others from what he/she reasonably believes would be an imminent use of force that could result in serious bodily injury or death.
- (b) An officer may use deadly physical force to effect an arrest, or to prevent the escape from custody, of a person whom he/she reasonably believes:
  1. Has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon.
  2. Is attempting to escape by the use of a deadly weapon.
  3. Otherwise indicates, except through a motor vehicle violation, that he/she is likely to endanger human life or to inflict serious bodily injury to another unless apprehended immediately.

Any firearm discharge against a person shall also comply with the Use of Force Policy.

#### 304.2.2 DISCHARGE RELATED TO MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and are generally discouraged. Unless it reasonably appears that it would endanger officers or the public, officers are expected to move to avoid the path of any approaching vehicle.

This is not intended to restrict an officer's right to use deadly physical force on the operator of a vehicle when it is reasonably perceived that the vehicle is being used as a deadly weapon against the officer or others. Such a discharge shall also comply with the Discharge Against a Person Policy and the Use of Force Policy.

#### 304.2.3 DISCHARGE AGAINST ANIMALS

An officer is authorized to use a firearm to stop or destroy an animal:

# Steamboat Springs Police Services

## Policy Manual

### *Firearm Discharge Policy*

---

- (a) When necessary to protect the safety of any person in imminent danger of being attacked by an animal and alternative methods to neutralize the threat are not reasonably available or would likely be ineffective.
- (b) When necessary to protect livestock in imminent danger of being attacked and alternative methods to neutralize the threat are not reasonably available or would likely be ineffective. Dogs may be euthanized when it is necessary to prevent them from inflicting death or injury to big game, small game, birds and mammals. Any wildlife killed shall be reported to the Colorado Division of Wildlife within five days (CRS § 33-3-106(3)).
- (c) Under circumstances in which officers have sufficient advanced notice that a potentially vicious or dangerous domestic animal (e.g. dog) may be encountered, such as in the serving of a search warrant, officers should develop reasonable contingency plans for dealing with the animal (e.g. fire extinguisher, control devices, TASER® device, OC spray, animal control officer). Nothing in this policy shall prohibit any officer from destroying a dangerous animal if a contingency plan has failed or becomes impractical.
- (d) With the notification of a supervisor, an officer may euthanize any animal when it is reasonably believed the animal is experiencing extreme pain or suffering, or is severely injured, disabled or diseased past recovery (CRS § 35-42-110).
  - 1. When reasonable, an attempt should be made to contact the owner to make a determination regarding euthanasia. If the owner asks an officer to euthanize livestock, a written certificate with the owner's and the officer's signatures authorizing euthanasia shall be completed.
  - 2. When practicable, a licensed veterinarian should be contacted to make the determination of euthanasia, which should be performed by the licensed veterinarian.
  - 3. If neither the owner nor a licensed veterinarian is available, the officer should obtain the written certificate of two persons regarding the need for euthanasia.
- (e) With the notification of a supervisor, an officer may euthanize injured wildlife when no other action is practicable, humane or effective for the rehabilitation of the animal (2 CCR § 406-14:1405(F)).

A gunshot to the head is an accepted method of euthanasia by the American Veterinary Medical Association, taking into consideration people and nearby animals. The procedure should be performed outdoors and away from public access or visibility.

If disease such as rabies or chronic wasting disease is suspected, euthanasia by gunshot to the head should not be performed.

#### 304.2.5 DISCHARGE FOR TRAINING OR RECREATION

Officers may discharge firearms for target practice or recreational shooting at an approved range or any area where firing a weapon would be safe and not a violation of law.

# Steamboat Springs Police Services

## Policy Manual

### *Firearm Discharge Policy*

---

#### **304.3 REPORT OF WEAPON DISCHARGE**

Except during training or recreational shooting, any officer who discharges a duty weapon negligently or intentionally, on- or off-duty, shall make an initial verbal report to his/her supervisor as soon as circumstances permit. If on-duty at the time of the incident, the officer shall also file a written report with his/her Division Commander prior to the end of shift. If off-duty, the officer shall file a written report as directed by the supervisor but no later than the end of the next regularly scheduled shift.

#### **304.4 SCREENING TESTS**

Under the Drug and Alcohol Use Policy, the Department may request an employee to submit to a drug or alcohol screening test if the employee discharges a firearm during the performance of his/her duties.

## Restraint Devices

### 306.1 PURPOSE AND SCOPE

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

### 306.2 POLICY

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

### 306.3 USE OF RESTRAINTS

Only members who have successfully completed Steamboat Springs Police Department approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

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

#### 306.3.1 RESTRAINT OF DETAINEES

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

#### 306.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety.

No person who is in labor shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary to prevent escape or injury.

# Steamboat Springs Police Services

## Policy Manual

### *Restraint Devices*

---

#### 306.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

#### 306.3.4 NOTIFICATIONS

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

#### **306.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS**

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

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

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

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

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

#### **306.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS**

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

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

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

# Steamboat Springs Police Services

## Policy Manual

### *Restraint Devices*

---

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

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

#### **306.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

#### **306.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

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

##### **306.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS**

When applying leg restraints the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

# Steamboat Springs Police Services

## Policy Manual

### *Restraint Devices*

---

- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

#### **306.8 REQUIRED DOCUMENTATION**

If an individual is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If an individual is arrested, the use of restraints other than handcuffs shall be documented in the related report. The officer should include, as appropriate:

- (a) The amount of time the suspect was restrained.
- (b) How the suspect was transported and the position of the suspect.
- (c) Observations of the suspect's behavior and any signs of physiological problems.
- (d) Any known or suspected drug use or other medical problems.

---

## Control Devices and Techniques

### 308.1 PURPOSE AND SCOPE

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

### 308.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Steamboat Springs Police Services authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

### 308.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

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

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

### 308.4 RESPONSIBILITIES

#### 308.4.1 SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

#### 308.4.2 RANGEMASTER RESPONSIBILITIES

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

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

#### 308.4.3 USER RESPONSIBILITIES

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

# Steamboat Springs Police Services

## Policy Manual

### *Control Devices and Techniques*

---

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

#### **308.5 BATON GUIDELINES**

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

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

#### **308.6 TEAR GAS GUIDELINES**

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

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

#### **308.7 OLEORESIN CAPSICUM (OC) GUIDELINES**

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

##### **308.7.1 OC SPRAY**

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

##### **308.7.2 PEPPER PROJECTILE SYSTEMS**

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

# Steamboat Springs Police Services

## Policy Manual

### *Control Devices and Techniques*

---

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

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

#### **308.7.3 TREATMENT FOR OC SPRAY EXPOSURE**

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

#### **308.8 POST-APPLICATION NOTICE**

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

#### **308.8.1 DEPLOYMENT**

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

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

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Control Devices and Techniques*

---

#### 308.8.2 DEPLOYMENT CONSIDERATIONS

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

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

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

Officers should keep in mind the manufacturer's recommendations and their training regarding deployment distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

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

#### 308.8.3 SAFETY PROCEDURES

Shotguns designated for the use of kinetic energy projectiles will be specially marked as such.

Officers carrying these shotguns will inspect the shotgun at the beginning of each shift to ensure that it is in proper working order and loaded only with approved projectiles.

#### **308.9 KINETIC ENERGY PROJECTILE GUIDELINES**

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

##### 308.9.1 DEPLOYMENT AND USE

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

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The

# Steamboat Springs Police Services

## Policy Manual

### *Control Devices and Techniques*

---

safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

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

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

#### 308.9.2 DEPLOYMENT CONSIDERATIONS

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

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

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

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

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

#### 308.9.3 SAFETY PROCEDURES

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

# Steamboat Springs Police Services

## Policy Manual

### *Control Devices and Techniques*

---

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

When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

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

#### **308.10 TRAINING FOR CONTROL DEVICES**

The Training Coordinator shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

#### **308.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES**

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

---

## Conducted Energy Device

### 309.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASER ® devices.

### 309.2 POLICY

The TASER device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

### 309.3 ISSUANCE AND CARRYING TASER DEVICES

Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform, officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

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

### 309.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

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

# Steamboat Springs Police Services

## Policy Manual

### *Conducted Energy Device*

---

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

#### **309.5 USE OF THE TASER DEVICE**

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

##### **309.5.1 APPLICATION OF THE TASER DEVICE**

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

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

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

##### **309.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS**

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

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.

# Steamboat Springs Police Services

## Policy Manual

### *Conducted Energy Device*

---

- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

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

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

#### 309.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

#### 309.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

#### 309.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all TASER device discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence.

# Steamboat Springs Police Services

## Policy Manual

### *Conducted Energy Device*

---

The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

#### 309.5.6 DANGEROUS ANIMALS

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

#### 309.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

### **309.6 DOCUMENTATION**

Officers shall document all TASER device discharges in the related arrest/crime report and the TASER device report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form.

#### 309.6.1 TASER DEVICE FORM

Items that shall be included in the TASER device report form are:

- (a) The type and brand of TASER device and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Training Coordinator should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Coordinator should also conduct audits of data

# Steamboat Springs Police Services

## Policy Manual

### *Conducted Energy Device*

---

downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

#### **309.6.2 REPORTS**

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

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

#### **309.7 MEDICAL TREATMENT**

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

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

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

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

## *Conducted Energy Device*

---

### **309.8 SUPERVISOR RESPONSIBILITIES**

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.

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

### **309.9 TRAINING**

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by department-approved TASER device instructors prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Coordinator. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Coordinator is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Coordinator should ensure that all training includes:

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

# Steamboat Springs Police Services

## Policy Manual

### *Conducted Energy Device*

---

- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER device.

## Officer-Involved Shootings and Deaths

### 310.1 PURPOSE AND SCOPE

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

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

### 310.2 POLICY

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

### 310.3 TYPES OF INVESTIGATIONS

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

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

### 310.4 CONTROL OF INVESTIGATIONS

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

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

#### 310.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

#### 310.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

#### 310.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

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

### **310.5 INVESTIGATION PROCESS**

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

#### 310.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

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

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

#### 310.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved SSPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
  1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any SSPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
  1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Shift Supervisor and the Communications Center. If feasible, sensitive information should be communicated over secure networks.
  - (d) Take command of and secure the incident scene with additional SSPD members until properly relieved by another supervisor or other assigned personnel or investigator.
  - (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
    1. Each involved SSPD officer should be given an administrative order not to discuss the incident with other involved officers or SSPD members pending further direction from a supervisor.
    2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

#### 310.5.3 SHIFT SUPERVISOR RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Shift Supervisor shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police or a Division Commander.

All outside inquiries about the incident shall be directed to the Shift Supervisor.

#### 310.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Operations Commander
- Administration Commander
- Critical Incident Team
- Outside agency investigators (if appropriate)
- Civil Liability Response Team (City Manager, City Attorney, Human Resources Manager, CIRSA)
- Psychological/peer support personnel
- Coroner (if necessary)
- Officer representative (if requested)

#### 310.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal representation will be accommodated.

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

1. Involved SSPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
  2. Requests from involved non-SSPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved SSPD officer. A licensed psychotherapist may also be provided to any other affected SSPD members, upon request.
1. Interviews with a licensed psychotherapist will be considered privileged.
  2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
  3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

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

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

#### **310.6 CRIMINAL INVESTIGATION**

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

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

- (a) SSPD supervisors and Internal Affairs personnel should not participate directly in any voluntary interview of SSPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

#### 310.6.1 REPORTS BY INVOLVED SSPD OFFICERS

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

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

Nothing in this section shall be construed to deprive an involved SSPD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

#### 310.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

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

- (a) Identification of all persons present at the scene and in the immediate area.

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
  2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

#### **310.6.3 INVESTIGATIVE PERSONNEL**

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

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Detective Division supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.

#### **310.6.4 MULTI-AGENCY INVESTIGATION**

Officer-involved shootings that result in injury or death shall be investigated by a multi-agency team. The multi-agency team shall include at least one other police or sheriff's agency or the Colorado Bureau of Investigation. The Chief of Police or the authorized designee shall ensure this protocol is posted on the Steamboat Springs Police Services website and is available to the public upon request (CRS §16-2.5-301).

#### **310.7 ADMINISTRATIVE INVESTIGATION**

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

Interviews of members shall be subject to department policies (see the Personnel Complaints Policy) and applicable laws.

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
  - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
  - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
  - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
  - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
  - 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
  - 5. The Internal Affairs shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
  - 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
  - 7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

### **310.8 CIVIL LIABILITY RESPONSE**

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

#### **310.9 AUDIO AND VIDEO RECORDINGS**

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

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

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

#### **310.10 DEBRIEFING**

Following an officer-involved shooting or death, the Steamboat Springs Police Services should conduct both a critical incident/stress debriefing and a tactical debriefing.

##### **310.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING**

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

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

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

##### **310.10.2 TACTICAL DEBRIEFING**

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

# Steamboat Springs Police Services

## Policy Manual

### *Officer-Involved Shootings and Deaths*

---

#### **310.11 MEDIA RELATIONS**

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Shift Supervisor, Investigation Division Commander and Public Information Officer in the event of inquiries from the media.

No involved SSPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Division Commander.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

#### **310.12 REPORTING**

The Records Supervisor, with the assistance of the Investigation Division Commander, shall report the data required by CRS § 24-33.5-517 regarding officer-involved shootings to the Colorado Department of Public Safety by September 1 each year.

---

## Firearms

### 312.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

#### 312.1.1 AUTHORIZATION TO CARRY FIREARMS

Only certified personnel who have met all state and Colorado Peace Officer Standards and Training (POST) requirements and have been authorized by the Chief of Police shall have the peace officer privilege to carry a firearm both on- and off-duty (CRS § 16-2.5-101).

### 312.2 POLICY

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

### 312.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

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

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

#### 312.3.1 DUTY FIREARMS

Current issued duty weapons are:

# Steamboat Springs Police Services

## Policy Manual

### Firearms

---

MAKE	MODEL	CALIBER
Glock	21	.45ACP
Glock	22	.40 S&W
Glock	23	.40 S&W
Remington	870	12 Gauge
Various	AR15 /M-4	5.56 mm

#### 312.3.2 SHOTGUNS

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

MAKE	MODEL	CALIBER
Remington	870	12 ga

When not deployed, the shotgun shall be properly secured in a locking weapons rack in the patrol vehicle with the magazine loaded, the action closed on an empty chamber, the trigger pulled to release the hammer and the safety in the safe position.

#### 312.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the M4 223. The following additional patrol rifles are approved for on-duty use:

MAKE	MODEL	CALIBER
Various	Ar15/M16/M4	.223

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

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

When not deployed, the patrol rifle shall be properly secured in a locking weapons rack in the patrol vehicle with the chamber empty, magazine loaded and inserted into the magazine well, the

# Steamboat Springs Police Services

## Policy Manual

### *Firearms*

---

bolt forward with the dust cover closed, the trigger pulled to release the hammer and the selector lever in the fire position (selector lever cannot be in the safe position with the hammer released).

#### 312.3.4 PERSONALLY OWNED DUTY FIREARMS

Only department issued firearms may be carried on full uniform duty, when wearing a duty belt.

Members desiring to carry personally owned handguns for special assignments, plain clothes assignments, tactical operations, and other situations approved by the Chief of Police, are subject to the following restrictions:

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

#### 312.3.5 AUTHORIZED SECONDARY HANDGUN

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

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.

# Steamboat Springs Police Services

## Policy Manual

### *Firearms*

---

- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

#### **312.3.6 AMMUNITION**

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

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

#### **312.4 EQUIPMENT**

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

##### **312.4.1 REPAIRS AND MODIFICATIONS**

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

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

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

##### **312.4.2 HOLSTERS**

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

##### **312.4.3 TACTICAL LIGHTS**

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

Officers with a tactical light shall have, on their person, a secondary flashlight for illumination purposes.

# Steamboat Springs Police Services

## Policy Manual

### *Firearms*

---

#### 312.4.4 OPTICS OR LASER SIGHTS

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

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

#### **312.5 SAFE HANDLING, INSPECTION AND STORAGE**

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

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

#### 312.5.1 INSPECTION AND STORAGE

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

# Steamboat Springs Police Services

## Policy Manual

### *Firearms*

---

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

#### **312.5.2 STORAGE AT HOME**

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

#### **312.5.3 ALCOHOL AND DRUGS**

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

#### **312.6 FIREARMS TRAINING AND QUALIFICATIONS**

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least annually with their duty firearms. Members will qualify with off-duty and secondary firearms at least once a year. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

#### **312.6.1 NON-CERTIFICATION OR NON-QUALIFICATION**

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

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Firearms*

---

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

#### **312.7 FIREARM DISCHARGE**

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

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

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or a recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

##### **312.7.1 DESTRUCTION OF ANIMALS**

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective. Officers should follow their training to identify animal behaviors that may reasonably put local law enforcement officers or other individuals in imminent danger, in addition to animal behaviors that do not reasonably suggest or pose an imminent danger.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

Subject to safety concerns or other exigent circumstances, officers should consider alternatives to the use of firearms. Such alternatives include using the officer's TASER device or allowing the owner to control or remove the animal from the immediate area.

##### **312.7.2 INJURED ANIMALS**

Officers may euthanize an animal when, in his/her judgment and in the opinion of a licensed veterinarian, the animal is experiencing extreme pain or suffering or is severely injured, disabled or diseased past recovery and where other dispositions are impractical. In the event a licensed veterinarian is not available, the animal may be euthanized at the request of the owner or by the written certificate of two persons called to view the animal (CRS § 35-42-110).

# Steamboat Springs Police Services

## Policy Manual

### *Firearms*

---

Injured wildlife may be euthanized whenever the officer determines that no other reasonable action would be practical, humane or effective for the rehabilitation of the wildlife (2 CCR 406-14:1405).

#### **312.7.3 WARNING AND OTHER SHOTS**

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

#### **312.8 RANGEMASTER DUTIES**

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Coordinator after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

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

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until it has been inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

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

#### **312.9 FLYING WHILE ARMED**

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

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

# Steamboat Springs Police Services

## Policy Manual

### Firearms

---

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

#### **312.10 CARRYING FIREARMS OUT OF STATE**

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Firearms*

---

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

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

#### **312.11 TRAINING**

In addition to general training regarding the use of firearms, the Training Coordinator shall ensure that training is provided on encounters with dogs in the course of duty as required by CRS § 29-5-112. At a minimum, the training must cover the policies and procedures adopted by this department.

##### **312.11.1 ADDITIONAL REQUIREMENTS**

Before being authorized to carry any firearm, members will be given access to and receive training on this policy and the Use of Force Policy. Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review and understand both policies.

---

## Vehicle Pursuits

### 314.1 PURPOSE AND SCOPE

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

#### 314.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

**Ramming** - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

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

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

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

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

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

### 314.2 POLICY

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

### 314.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law (CRS § 42-4-213).

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

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

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit (CRS § 42-4-108(2)(c)).
- (c) Disregard regulations governing direction of movement or turning in specified directions.

#### 314.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit only when it is known that a suspect is attempting to evade arrest or detention by fleeing in a vehicle that has been given a signal to stop by a peace officer and that the suspect is or was involved in an armed and violent crime (CRS § 42-4-107).

The following factors individually and collectively shall be considered in deciding whether to initiate or continue a pursuit:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The apparent nature of the fleeing suspect (e.g., whether the suspect represents a serious threat to public safety).
- (d) The identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (e) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (f) The pursuing officer's familiarity with the area of the pursuit, the quality of radio communication between the pursuing units and the dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (g) The weather, traffic and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (h) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as aircraft assistance.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

- (l) The police unit is carrying passengers other than on-duty police officers. No officer with a non-sworn rider on board or any unit transporting a prisoner will participate in a vehicle pursuit.
- (m) No Steamboat Springs Officer will initiate a pursuit of any misdemeanor violator for an offense that occurs outside the Steamboat Springs city limits.

#### **314.3.2 WHEN TO TERMINATE A PURSUIT**

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

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

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

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

#### **314.4 PURSUIT UNITS**

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

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

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

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

#### 314.4.1 MOTORCYCLES

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

#### 314.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit (CRS § 42-4-213). Officers in such vehicles may provide support to pursuing units as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

#### 314.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close enough to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or other persons.

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

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

Until relieved by a supervisor or secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable,

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

#### **314.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES**

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

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

#### **314.5 PURSUIT DRIVING**

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

#### **314.5.1 PURSUIT TRAILING**

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

#### **314.5.2 AIR SUPPORT ASSISTANCE**

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

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

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

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

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

#### **314.6 SUPERVISORY CONTROL AND RESPONSIBILITIES**

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

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

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

#### **314.6.1 SHIFT SUPERVISOR RESPONSIBILITIES**

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

The Shift Supervisor shall review all pertinent reports for content and forward them to the Division Commander.

When possible the Shift Supervisor should respond to the termination point of the pursuit.

#### **314.7 THE COMMUNICATIONS CENTER**

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

##### **314.7.1 RESPONSIBILITIES**

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of nonemergency traffic.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

#### **314.8 LOSS OF PURSUED VEHICLE**

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

#### **314.9 INTERJURISDICTIONAL CONSIDERATIONS**

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

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

##### **314.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY**

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

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

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

#### 314.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Steamboat Springs Police Services, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Shift Supervisor should review a request for assistance from another agency. The Shift Supervisor or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

#### 314.9.3 OTHER CONSIDERATIONS

Assistance to an outside pursuing agency by officers from this department shall be provided in accordance with any agreements or memorandums of understanding in place that address vehicle pursuit assistance.

#### **314.10 PURSUIT INTERVENTION**

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

##### 314.10.1 WHEN USE IS AUTHORIZED

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

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

#### 314.10.2 USE OF FIREARMS

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

#### 314.10.3 INTERVENTION STANDARDS

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

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
  - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers or others.
  - 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
  - 3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
  - 4. The suspect vehicle is stopped or traveling at a low speed.
  - 5. Only law enforcement vehicles should be used in this tactic.
- (b) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
  - 1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
  - 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

- (c) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (d) Tire deflation devices should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:
  - 1. Should reasonably only affect the pursued vehicle.
  - 2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
  - 3. Takes into account the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
  - 4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.
- (e) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public.

#### **314.11 CAPTURE OF SUSPECTS**

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

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

#### **314.12 REPORTING REQUIREMENTS**

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.
- (c) After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete a supervisor's log or interoffice memorandum, briefly

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Pursuits*

---

summarizing the pursuit to the Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:

1. Date and time of the pursuit.
  2. Initial reason and circumstances surrounding the pursuit.
  3. Length of pursuit in distance and time, including the starting and termination points.
  4. Involved vehicles and officers.
  5. Alleged offenses.
  6. Whether a suspect was apprehended, as well as the means and methods used.
    - (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
  7. Arrestee information, if applicable.
  8. Any injuries and/or medical treatment.
  9. Any property or equipment damage.
  10. Name of supervisor at the scene or who handled the incident.
  11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
- (d) After receiving copies of reports, logs and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
- (e) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

#### **314.13 REGULAR AND PERIODIC PURSUIT TRAINING**

In addition to initial and supplementary training on pursuits, all officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

#### **314.14 POLICY REVIEW**

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

---

## Officer Response to Calls

### 316.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to all emergency and non-emergency situations.

### 316.2 RESPONSE TO CALLS

Officers responding to any call shall proceed with due regard for the safety of all persons and property.

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

Officers responding to a call as an emergency response shall continuously operate emergency lighting equipment and shall sound the siren as reasonably necessary (CRS § 42-4-108(3) and CRS § 42-4-213).

Responding with emergency lights and siren does not relieve the an officer of the duty to drive with due regard for the safety of all persons and property and does not protect the officer from the consequences of reckless disregard for the safety of others (CRS § 42-4-108(4)).

The use of any other warning equipment without emergency lights and siren does not generally provide an exemption from the vehicle laws (CRS § 42-4-108(3)).

Officers should only respond to a call as an emergency response when so dispatched or when responding to circumstances the officer reasonably believes involves the potential for immediate danger to persons or property. Examples of such circumstances may include:

- An officer who requires urgent assistance.
- A burglary in process that appears to involve a threat to any person's safety.
- A robbery in progress.
- A person brandishing a weapon.
- An apparent homicide.
- A suicide in progress.
- A fight, riot or other large disturbance involving or injuries.
- An assault or other violence in progress.
- A domestic dispute where injury is reasonably believed to be imminent, or has just occurred and the suspect is present.
- A kidnapping in progress.
- A traffic collision or other event involving a serious injury or the possibility of injury that may reasonably require immediate medical aid.

# Steamboat Springs Police Services

## Policy Manual

### *Officer Response to Calls*

---

#### **316.3 REQUESTING EMERGENCY ASSISTANCE**

Officers may request emergency assistance when they reasonably believe that there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen.

An officer making a request for emergency assistance, when possible, should use the following procedure:

- Clear the radio by broadcasting, "clear the channel for emergency traffic only".
- Broadcast "officer needs help at (location)"

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

Where a situation has stabilized and emergency response is not required, the requesting officer shall promptly notify the Communications Center.

#### **316.3.1 NUMBER OF UNITS PARTICIPATING**

Normally, only those units reasonably necessary should respond to a call with an emergency response. The Shift Supervisor or the field supervisor should monitor all emergency responses and reduce or enhance the response as warranted.

#### **316.4 INITIATING EMERGENCY CALL RESPONSE**

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify the Communications Center. An emergency response of more than one unit should initiate notification of and coordination by the Communications Center to avoid any unanticipated intersecting of response routes.

An emergency response of more than one unit should initiate notification by the Communications Center to the Shift Supervisor or field supervisor. The Shift Supervisor or field supervisor will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

#### **316.5 RESPONSIBILITIES OF THE RESPONDING OFFICER**

Officers shall exercise sound judgment and care with due regard for life and property when responding to a call with an emergency response. During a call involving an emergency response officers may (CRS § 42-4-108(2)):

- (a) Disregard regulations governing parking or standing when using a warning lamp.

# Steamboat Springs Police Services

## Policy Manual

### *Officer Response to Calls*

---

- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- (c) Exceed any speed limits provided this does not endanger life or property.
- (d) Disregard regulations governing direction of movement or turning in specified directions.

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

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

The first officer arriving at an emergency response scene should determine whether to increase or reduce the level of the response and notify the Communications Center of their determination. Any subsequent change in the appropriate response level should be communicated to the Communications Center by the officer in charge of the scene unless a supervisor assumes this responsibility.

#### **316.5.1 EMERGENCY RESPONSE SPECIAL CONDITIONS**

While performing certain emergency response tasks, the use of emergency lights or sirens may increase the danger to the responding officers or the public. In the following circumstances, officers may consider the appropriateness of an emergency response without siren, emergency lights or both:

- (a) An officer is attempting to confirm his/her suspicion that a driver has violated the traffic code and there is no other reasonable suspicion or probable cause to stop the driver (CRS § 42-4-108(3)).
- (b) An emergency response requires an element of stealth that would be defeated by the use of emergency lighting or siren. This response should use a siren and emergency lights until a stealth response without lights and siren is required, and the response should then continue accordingly.

Any emergency response without the use of emergency lights and siren shall be conducted with due regard for the safety of the public and property and the recognition that such a response may not provide an exemption from the vehicle laws (CRS § 42-4-108(3)).

Any emergency response without the use of lights or siren shall cease if the circumstances no longer warrant such a response.

#### **316.6 COMMUNICATIONS RESPONSIBILITIES**

A dispatcher shall ensure acknowledgment and response of assisting units when an officer requests emergency assistance or when the available information reasonably indicates that the

# Steamboat Springs Police Services

## Policy Manual

### *Officer Response to Calls*

---

public is threatened with serious injury or death and an immediate law enforcement response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Shift Supervisor or a field supervisor prior to assigning an emergency response. The dispatcher shall:

- Broadcast "clear county law for emergency traffic only".
- Attempt to assign the closest available unit to the location requiring assistance.
- Immediately notify the Shift Supervisor.
- Confirm the location from which the unit is responding.
- Notify and coordinate outside emergency services (e.g., fire and ambulance).
- Continue to obtain and broadcast information as necessary concerning the response, and monitor the situation until it is stabilized or terminated.
- Control all radio communication during the emergency and coordinate assistance under the direction of the Shift Supervisor or field supervisor.

#### **316.7 SUPERVISORY RESPONSIBILITIES**

Upon being notified that an emergency response has been initiated, the Shift Supervisor or the field supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall, whenever practicable, monitor the response until it has been stabilized or terminated, and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Shift Supervisor or the field supervisor should consider the following:

- The type of call or crime involved
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

# Steamboat Springs Police Services

## Policy Manual

### *Officer Response to Calls*

---

#### **316.8 FAILURE OF EMERGENCY EQUIPMENT**

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly.

The officer shall notify the Shift Supervisor, field supervisor or the Communications Center of the equipment failure so that another unit may be assigned to the emergency response.

---

## Domestic Violence

### 320.1 PURPOSE AND SCOPE

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

#### 320.1.1 DEFINITIONS

Definitions related to this policy include:

**Domestic violence-** Means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic violence also includes any other crime against a person or crime against property or any municipal ordinance violation against a person, or against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

**Intimate relationship-** Means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

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

### 320.2 POLICY

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

### 320.3 OFFICER SAFETY

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

### 320.4 INVESTIGATIONS

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

# Steamboat Springs Police Services

## Policy Manual

### *Domestic Violence*

---

- (a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence. This documentation shall include written statement forms and Steamboat Springs Police Services Domestic Violence Worksheets.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, officers should use department issued audio recorders or digital cameras in their video mode to preserve significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the investigating officer in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign a City of Steamboat Springs Police Services Authorization for Disclosure of Protected Health Information Release of medical records related to the incident when applicable.
- (g) All property damage resulting from domestic violence should be photographed.
- (h) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (i) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
- (j) When completing an incident or arrest report for violation of a court order, officers shall review CCIC and NCIC court order printouts to confirm their validity. Officers investigating reported violations shall also adhere to the Routt County Court policy regarding protection orders and conditions of bond. Refer to the policy memorandum from Chief Deputy District Attorney Rusty Prindle dated August 22, 2011. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (k) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
  - 1. Marital status of suspect and victim.
  - 2. Whether the suspect lives on the premises with the victim.

# Steamboat Springs Police Services

## Policy Manual

### *Domestic Violence*

---

3. Claims by the suspect that the victim provoked or perpetuated the violence.
4. The potential financial or child custody consequences of arrest.
5. The physical or emotional state of either party.
6. Use of drugs or alcohol by either party.
7. Denial that the abuse occurred where evidence indicates otherwise.
8. A request by the victim not to arrest the suspect.
9. Location of the incident (public/private).
10. Speculation that the complainant may not follow through with the prosecution.
11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect.

#### **320.4.1 IF A SUSPECT IS ARRESTED**

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff, by entering their information in the "non-custody booking" module in Spillman. This will enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

#### **320.4.2 IF NO ARREST IS MADE**

If no arrest is made, the officer should:

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

#### **320.5 VICTIM ASSISTANCE**

Victims may be traumatized or confused. Officers should:

- Provide emergency first aid and notify an ambulance to be dispatched as soon as practicable for the victim if he/she has sustained injury or complains of injury and requests treatment. The officer should follow-up with the victim at the hospital and obtain evidence, statements, and a medical release from the victim if they are transported from the scene by ambulance.
- Recognize that a victim's behavior and actions may be affected.

# Steamboat Springs Police Services

## Policy Manual

### *Domestic Violence*

---

- Advise the victim of the services available through Advocates Building Peaceful Communities which include: Supportive counseling, Safe houses, Assistance through the judicial process, Confidentiality of information, the District Attorney and District Attorney's Victim/Witness Coordinator.
- Before returning to service or as soon as practicable, the officer shall make an advocate referral and advise Routt County Communications to page the on call advocate to telephone the victim at their location as soon as possible.
- Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- If there is evidence of child or at risk adult abuse or neglect, the officer will make a referral to the on-call caseworker from the Routt County Department of Human Services as soon as practicable.

#### **320.6 DISPATCH ASSISTANCE**

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

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

#### **320.7 FOREIGN COURT ORDERS**

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

#### **320.8 VERIFICATION OF COURT ORDERS**

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

# Steamboat Springs Police Services

## Policy Manual

### *Domestic Violence*

---

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

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

### **320.9 LEGAL MANDATES AND RELEVANT LAWS**

Colorado law provides for the following:

#### **320.9.1 STANDARDS FOR ARRESTS**

Officers investigating a domestic violence report should consider the following:

- (a) If an officer has probable cause to believe an offender has committed an offense of domestic violence, an arrest shall be made (CRS § 18-6-803.6).
- (b) An officer is not required to arrest both parties involved in an alleged act of domestic violence when both claim to have been victims of such domestic violence (CRS § 18-6-803.6). If an officer receives complaints of domestic violence from two or more opposing persons, the officer shall evaluate each complaint separately to determine if a crime has been committed by one or more persons.
- (c) In determining whether a crime has been committed by one or more persons, the officer shall consider the following (CRS § 18-6-803.6):
  - 1. Any prior complaints of domestic violence.
  - 2. The relative severity of the injuries inflicted on each person.
  - 3. The likelihood of future injury to each person.
  - 4. The possibility that one of the persons acted in self-defense.
- (d) Unless impractical, if probable cause exists to believe an offender has violated a court order and that such offender had notice of the court order, an arrest shall be made (CRS § 18-6-803.5). If the circumstances make arrest impractical, the officer shall seek a warrant of arrest for the offender (CRS § 18-6-803.5).
- (e) If a restrained person is arrested for violating or attempting to violate any provision of a court order, the arresting officer shall make all reasonable efforts to contact the protected party to notify him/her of such arrest (CRS § 18-6-803.5).

# Steamboat Springs Police Services

## Policy Manual

### *Domestic Violence*

---

#### 320.9.2 REPORTS AND RECORDS

The Records Supervisor will maintain records on the number of domestic violence-related calls reported to the Steamboat Springs Police Services and forward such records to the state as required (CRS § 18-6-803.9).

In the event that an individual is arrested by the Steamboat Springs Police Services for violating a court order, the Records Supervisor shall forward to the issuing court a copy of the arrest report, a list of witnesses to the violation, and, if applicable, a list of any charges filed or requested against the restrained person. The Records Supervisor shall also ensure that a copy of the same information is provided to the protected party. The agency shall delete the address and telephone number of a witness from the list sent to the court upon request of such witness, and such address and telephone number shall not thereafter be made available to any person, except law enforcement officials and the prosecuting agency, without order of the court (CRS § 18-6-803.5).

If a restrained person is on bond in connection with a violation or attempted violation of a protection order in this or any other state and is subsequently arrested by the Steamboat Springs Police Services for violating or attempting to violate a protection order, the Records Supervisor shall notify the prosecuting attorney so that a motion may be filed with the court that issued the prior bond for the revocation of the bond and for the issuance of a warrant, if appropriate (CRS § 18-6-803.5).

#### 320.9.3 SERVICE OF COURT ORDERS

Officers responding to a domestic violence call who encounter a person named in a court order that has not been otherwise served shall serve the person with a copy of the order (CRS § 13-14-102).

## Search and Seizure

### 322.1 PURPOSE AND SCOPE

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

### 322.2 POLICY

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

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

### 322.3 SEARCHES

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

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

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

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

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

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

# Steamboat Springs Police Services

## Policy Manual

### *Search and Seizure*

---

#### **322.4 SEARCH PROTOCOL**

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

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

#### **322.5 DOCUMENTATION**

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

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

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and Department policy have been met.

---

## Temporary Custody of Juveniles

### 324.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Steamboat Springs Police Services (42 USC § 5633).

#### 324.1.1 DEFINITIONS

Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. Juvenile non-offenders include a juvenile taken into protective custody for being intoxicated or incapacitated by alcohol and clearly dangerous to the health and safety of him/herself under CRS § 27-81-111, and any runaway taken into temporary custody under CRS § 19-3-401. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

**Juvenile offender** - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (CRS § 19-1-103(18); CRS § 19-1-103(68)). Juvenile offenders include juveniles taken into custody for possession of a handgun under CRS § 18-12-108.5 (28 CFR 31.303).

**Non-secure custody** - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

**Secure custody** - When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

**Sight and sound separation** - Located or arranged to prevent physical, visual or auditory contact.

**Status offender** - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

#### **324.2 POLICY**

The Steamboat Springs Police Services is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Steamboat Springs Police Services. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

#### **324.3 JUVENILES WHO SHOULD NOT BE HELD**

Juveniles who exhibit certain behaviors or conditions should not be held at the Steamboat Springs Police Services. These include:

- (a) Unconsciousness or having been unconscious while being taken into custody or transported.
- (b) Serious injuries or a medical condition requiring immediate medical attention.
- (c) A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance (see the Civil Commitments Policy).
  - 1. If the officer taking custody of a juvenile believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or transfer to an appropriate facility is completed.
- (d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (e) Extremely violent or continuously violent behavior.
- (f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Steamboat Springs Police Services unless they have been evaluated by a qualified medical and/or mental health professional.

#### **324.4 CUSTODY OF JUVENILES**

Officers should take custody of a juvenile and temporarily hold the juvenile at the Steamboat Springs Police Services when there is no other lawful and practicable alternative to temporary

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at the Steamboat Springs Police Services without authorization of the arresting officer's supervisor or the Shift Supervisor. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable. In no event shall a juvenile be held beyond six hours from the time of his/her entry into the Steamboat Springs Police Services (42 USC § 5633).

#### 324.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Steamboat Springs Police Services. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (42 USC § 5633).

#### 324.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (42 USC § 5633).

#### 324.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Steamboat Springs Police Services unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

#### 324.4.4 REQUIREMENTS FOR CUSTODY OF JUVENILE OFFENDERS

A juvenile offender may be taken into temporary custody (CRS § 19-2-502):

- (a) When there are reasonable grounds to believe that he/she has committed a violation of a statute, ordinance or court order that would subject an adult to an arrest.
- (b) Pursuant to a lawful warrant issued by a court pursuant to CRS § 19-2-503.

A juvenile offender shall not be held longer than is reasonably necessary to obtain basic identification information and to contact the juvenile's parents, guardian or legal custodian (CRS § 19-2-507(4)).

The juvenile shall be released to the care of the juvenile's parents or other responsible adult unless a determination is made in accordance with CRS § 19-2-507(2) that the juvenile's immediate welfare or the protection of the community requires that the juvenile be detained.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

If the juvenile is not released to the care of his/her parents or other responsible adult, the juvenile shall be taken directly to the court, a detention facility or a shelter designated by the court, without unnecessary delay (CRS § 19-2-507(4)).

As an alternative to taking a juvenile offender to a detention facility or shelter, an officer may, if authorized by policy of the court, serve a written promise to appear for juvenile proceedings upon the juvenile and the juvenile's parent, guardian or legal custodian (CRS § 19-2-507(5)).

When a juvenile is not released pending charges, the officer shall notify the screening team for the judicial district in which the juvenile was taken into custody (CRS § 19-2-507(1)).

#### **324.4.5 PETTY OFFENSE TICKETS**

Offenders 10 years of age or older who have committed an offense that would be a petty offense or municipal ordinance violation if committed by an adult may be issued a petty offense ticket. The Steamboat Springs Police Services shall maintain annual data on the petty offense tickets issued, including the age, ethnicity and gender of each juvenile ticketed and the disposition of each ticket (CRS § 19-2-302.5).

#### **324.5 ADVISEMENTS**

The screening team for the judicial district generally notifies the juvenile's parent, guardian or legal custodian that, if the juvenile is placed in detention or a temporary holding facility, all parties have a right to a prompt hearing to determine whether the juvenile is to be further detained. The notification may be made to a person with whom the juvenile is residing if a parent, guardian or legal custodian cannot be located. If the screening team is unable to make the notification, officers may make it (CRS § 19-2-507).

#### **324.5.1 NON-SECURE CUSTODY**

All juveniles detained for misdemeanors, truancy, traffic offenses, an unruly child or any juvenile under the age of 14 years who is taken into custody for a criminal violation, regardless of the seriousness of the offense, may be temporarily detained in the police facility. However, the custody must be non-secure.

Non-secure custody means juveniles shall be placed in an unlocked room or open area. Juveniles may be handcuffed but not to a stationary or secure object, including but not limited to the steel bench in the booking area. Juveniles shall receive constant personal visual supervision by law enforcement personnel. Monitoring juveniles using audio, video or other electronic devices does not replace constant personal visual supervision.

#### **324.5.2 FORMAL BOOKING**

Whenever the juvenile is taken into custody for a runaway or is apprehended for one of the following offenses, fingerprints and photographs shall be made:

Any felony offense.

Any misdemeanor sexual offense or indecent exposure.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

Any juvenile apprehended on a juvenile court warrant.

Any offense involving the possession or use of a weapon.

Any juvenile identified as a "serious habitual offender" who has committed any offense other than a traffic offense and has not been previously photographed and fingerprinted.

#### 324.5.3 DISPOSITIONS

Appropriate juvenile dispositions include:

- (a) After an officer has taken a juvenile into temporary custody, the following dispositions are authorized:
  1. If probable cause is lacking, the arresting officer may counsel or admonish the juvenile and recommend no further action be taken. The juvenile will then be released to a responsible person described above.
  2. If probable cause is minimal and the arresting officer or the Shift Supervisor believes that further action is needed, the juvenile may be released to a responsible person as listed above. The juvenile will be advised that follow-up action will be taken by the investigator assigned to the case. The investigator assigned to the case will then determine the best course of action, such as diversion or referral to the court. The investigator assigned to the case will contact the parents and advise them of the course of action, if any.
- (b) Any juvenile arrested for a crime shall be released to one of the following, unless a determination has been made that the juvenile's immediate welfare or protection of the community requires further detention (CRS § 19-2-507(3)).
  1. Parent or legal guardian
  2. An adult member of his/her immediate family
  3. A responsible adult person specified by the parent/guardian
  4. Any responsible adult person willing to sign a written agreement and accept responsibility when the juvenile's parents are unavailable, as approved by the Shift Supervisor
- (c) As an alternative to taking a juvenile to a detention facility, a law enforcement officer may, if authorized by the court, serve a written promise to appear for juvenile proceedings upon the juvenile and the juvenile's parent, guardian or legal custodian (CRS § 19-2-507(5)).
- (d) If the juvenile is going to be transported to the juvenile court or designated juvenile detention facility, it must be done without delay. The following forms shall accompany the juvenile:
  1. Three copies of the applicable reports for each juvenile transported; in certain cases the detention facility may accept custody of the juvenile based on the charges and the agreement that facsimile copies will be forwarded as soon as completed.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

2. Any personal property taken from the juvenile at the time of detention

#### **324.5.4 REPORTING**

The Records Supervisor shall ensure incidents that result in a citation, summons, arrest or custody of a juvenile that occurs on public school grounds or vehicles, or at school activities or events are reported to the Division of Criminal Justice (DCJ) as required by CRS § 22-32-146. The reports shall be in the format provided by DCJ and include:

- (a) The juvenile's full name, date of birth, race, ethnicity and gender.
- (b) The name of the school where the incident occurred or the name of the school that either operated the vehicle or held the activity or event.
- (c) The date the juvenile was arrested, taken into custody or issued a summons or ticket.
- (d) The arrest or incident report number assigned by the Steamboat Springs Police Services.
- (e) The most serious offense for which the juvenile was arrested, issued a summons or ticket, based on the National Crime Information Center (NCIC) crime code.
- (f) The type of weapon involved, if any, for offenses classified under the NCIC incident-based reporting system as group A offenses.
- (g) The originating reporting identifier of the Steamboat Springs Police Services.

#### **324.6 JUVENILE CUSTODY LOGS**

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Steamboat Springs Police Services.
- (c) Shift Supervisor notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status (e.g., emergency situations, unusual incidents).
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Shift Supervisor shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

#### 324.6.1 CONTACT OF SUSPECTED JUVENILE ABUSE VICTIMS

An officer should not involuntarily detain a juvenile suspected of being a victim of abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless:

- (a) Exigent circumstances exist. For example:
  - 1. A reasonable belief that medical issues need to be addressed immediately.
  - 2. It is reasonably believed that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
- (b) A court order or warrant has been issued.
- (c) The parent or guardian is suspected of committing the abuse

In all circumstances in which a suspected child abuse victim is contacted, it will be incumbent upon the investigating officer to articulate in the related reports the overall basis for the contact and what, if any, exigent circumstances exist.

Any juvenile student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship.

#### **324.7 NO-CONTACT REQUIREMENTS**

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (42 USC § 5633). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Steamboat Springs Police Services shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

#### 324.7.1 RELEASE OF INFORMATION TO OTHER AGENCIES

Colorado law authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Supervisor and the appropriate Detective Division supervisor to ensure that personnel of the Records Section and the Detective Division act within legal guidelines.

#### **324.8 TEMPORARY CUSTODY REQUIREMENTS**

Members and supervisors assigned to monitor or process any juvenile at the Steamboat Springs Police Services shall ensure the following:

- (a) The Shift Supervisor should be notified if it is anticipated that a juvenile may need to remain at the Steamboat Springs Police Services more than four hours. This will enable the Shift

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

Supervisor to ensure no juvenile is held at the Steamboat Springs Police Services more than six hours.

- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (c) Personal visual checks and significant incidents/activities shall be noted on the log.
- (d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
- (e) Juveniles shall have reasonable access to toilets and wash basins.
- (f) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (g) Juveniles shall have reasonable access to a drinking fountain or water.
- (h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (i) Juveniles should have privacy during family, guardian and/or lawyer visits.
- (j) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Blankets should be provided as reasonably necessary.
- (l) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
- (m) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (n) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

#### 324.8.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

When emergency medical attention is required for a juvenile who is either in secure or non-secure custody, the paramedics will be called. The Shift Supervisor shall be notified of the need for medical attention for the juvenile.

In cases where injury or illness is life threatening and where lost minutes may be the deciding factor, the arresting officer or the discovering officer should administer first aid prior to the arrival of the paramedics. The juvenile will then be transported to a medical facility.

In the event of a serious illness, suicide attempt, injury or death of a juvenile, the following persons shall be notified as soon as reasonably possible:

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

- (a) The parent, guardian or custodian of the juvenile.
- (b) The Chief of Police, Operations Commander, or Administration Commander.

#### 324.8.2 SUICIDE PREVENTION OF JUVENILES IN TEMPORARY CUSTODY

The arresting officer should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself or any unusual behavior that may indicate the juvenile may harm him/herself while in temporary custody, in either secure or non-secure detention.

The detaining or transporting officer is responsible to notify the Shift Supervisor if he/she believes the juvenile may be a suicide risk. The Shift Supervisor will then arrange to contact a mental health team for evaluation, or the juvenile detention facility to arrange for the transfer of the juvenile, providing the juvenile meets the intake criteria. The juvenile shall be under constant in-person supervision until the transfer is completed.

#### 324.8.3 USE OF RESTRAINT DEVICES

The Restraint Device Policy refers to the only authorized restraint device. It is the policy of this department that restraints will not generally be used for inmates retained in custody. This policy also applies to juveniles held in temporary custody.

The use of a restraint is an extreme measure and only for a temporary measure pending transportation to another facility or until other custodial arrangements can be made.

The exceptions for use of a restraint device are when the juvenile:

- (a) Displays bizarre behavior that results in the destruction of property or shows intent to cause physical harm to self or others.
- (b) Is a serious and immediate danger to him/herself or others.

Restraint devices include those that immobilize a juvenile's extremities and/or prevent the juvenile from being ambulatory. Restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Supervisor.

Restraints shall only be used as long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Direct visual inspection shall be conducted at least twice every 30 minutes to ensure that the restraints are properly employed and to ensure the safety and well-being of the juvenile.

The Shift Supervisor shall arrange to have the juvenile evaluated by a mental health team as soon as possible if there is evidence of mental impairment. When mental impairment is suspected, constant in-person visual supervision shall be maintained to ensure that restraints are properly employed and to ensure the safety and well-being of the juvenile. Such supervision shall be documented in the report.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

Juveniles who have been placed in restraint devices shall be isolated to protect them from abuse. Restraints shall not be used as a punishment or as a substitute for treatment.

#### **324.8.4 DISCIPLINE OF JUVENILES WHILE IN TEMPORARY CUSTODY**

Police personnel are prohibited from administering discipline to any juvenile while the juvenile is in temporary custody.

#### **324.8.5 DEATH OF A JUVENILE WHILE DETAINED**

The District Attorney and the Coroner's Office will conduct the investigation of the circumstances surrounding the death of any juvenile being detained at this department. The Support Services Division Commander or the authorized designee will conduct an administrative review of the incident.

In any case in which a juvenile dies while detained at the Steamboat Springs Police Services, the following shall apply:

- (a) The Chief of Police or the authorized designee shall provide and prepare all reports required by the state.
- (b) Upon receipt of a report from the Chief of Police or the authorized designee about the in-custody death of a juvenile, the state may inspect and evaluate the juvenile facility where the juvenile was being held.
- (c) A medical and operational review of every in-custody death of a juvenile shall be conducted. The review team shall include the following:
  1. The Chief of Police or the authorized designee
  2. The health administrator
  3. The responsible physician and other health care and supervision staff who are relevant to the incident

#### **324.9 USE OF RESTRAINT DEVICES**

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Steamboat Springs Police Services when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

#### **324.9.1 MONITORING INTOXICATED JUVENILES**

A juvenile detained and brought to the Steamboat Springs Police Services who displays symptoms of intoxication as a result of alcohol or drugs shall be directly and carefully monitored as outlined below until the juvenile no longer displays symptoms of intoxication. The juvenile will still be monitored on a 30-minute basis, as outlined in this policy

An intoxicated juvenile in secure or non-secure custody will be monitored as follows:

- (a) Personal observation shall be conducted on a frequent basis while the juvenile is in the custody of the Steamboat Springs Police Services, and no less than once every 15 minutes until such time as the symptoms are no longer present.
  - 1. For juveniles held in secure detention inside a locked enclosure, officers will ensure constant audio monitoring is maintained in addition to conducting in-person visual checks.
  - 2. All other forms of detention require the officer to maintain constant visual supervision of the juvenile.
- (b) Observation of the juvenile's breathing to determine that breathing is regular; breathing should not be erratic or indicate that the juvenile is having difficulty breathing.
- (c) Observation of the juvenile to ensure that there has not been any vomiting while sleeping; ensuring that intoxicated juveniles remain on their sides rather than their backs to prevent the aspiration of stomach contents.
- (d) An arousal attempt to ensure that the juvenile will respond to verbal or pressure stimulation (shaking to awaken). This is the most important monitoring procedure.
- (e) The 15-minute checks of the juvenile shall be documented on the juvenile detention log in the Shift Supervisor's office.

Any juvenile who displays symptoms suggestive of a deepening comatose state (increasing difficulty or inability to arouse, irregular breathing patterns or convulsions), shall be considered an emergency. Paramedics should be called and the juvenile taken to a medical facility.

Juveniles undergoing acute withdrawal reactions shall immediately be transported to a medical facility for examination by a physician.

#### **324.9.2 PREGNANT JUVENILES**

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

#### **324.10 PERSONAL PROPERTY**

The officer taking custody of a juvenile offender or status offender at the Steamboat Springs Police Services shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Steamboat Springs Police Services.

#### **324.11 SECURE CUSTODY**

Only juvenile offenders 14 years of age or older may be placed in secure custody. Shift Supervisor approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

##### **324.11.1 LOCKED ENCLOSURES**

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
- (b) Juveniles shall have constant auditory access to department members.
- (c) Initial placement into and removal from a locked enclosure shall be logged.
- (d) Random personal visual checks of the juvenile by a staff member, no less than every 15 minutes, shall occur.
  1. All checks shall be logged.
  2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
  3. Requests or concerns of the juvenile should be logged.
- (e) Males and females shall not be placed in the same locked room.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

- (f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

#### **324.12 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE**

The Shift Supervisor will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Steamboat Springs Police Services. The procedures will address:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the on-duty supervisor, Chief of Police and Detective Division supervisor.
- (c) Notification of the parent, guardian or person standing in loco parentis of the juvenile.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the City Attorney.
- (f) Notification of the Coroner if appropriate.
- (g) Notification of the juvenile court.
- (h) Evidence preservation.

#### **324.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS**

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

In any case where a juvenile is taken into temporary custody, officers should not attempt to interview or interrogate a juvenile offender or status offender unless either of the following occurs:

- (a) A public defender or other counsel representing the juvenile is present.
- (b) A parent, guardian, or legal or physical custodian of the juvenile is present and the juvenile and his/her parent, guardian, or legal or physical custodian are advised of the following:
  - 1. The juvenile's right to remain silent
  - 2. That any statements made may be used against him/her in a court of law
  - 3. The juvenile's right to the presence of an attorney during the interrogation
  - 4. The juvenile's right to have counsel appointed if he/she so requests at the time of the interrogation (CRS § 19-2-511)

#### **324.14 RESTRICTION ON FINGERPRINTING**

The following juvenile offenders may be fingerprinted (CRS § 19-2-503.5):

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Juveniles*

---

- (a) A juvenile offender held for committing any of the following:
  - 1. A felony
  - 2. A Class 1 misdemeanor
  - 3. A misdemeanor under CRS § 42-4-1301 (driving under the influence or while impaired)
  - 4. A crime that includes an act of domestic violence as defined in CRS § 18-6-800.3(1)
- (b) A juvenile who has not been fingerprinted prior to his/her first appearance before the court and has been ordered by the court to report for fingerprinting

#### **324.15 RELIGIOUS ACCOMMODATION**

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

## Adult Abuse

### 326.1 PURPOSE AND SCOPE

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

#### 326.1.1 DEFINITIONS

Definitions related to this policy include:

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

### 326.2 POLICY

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

### 326.3 MEDICAL EXAMINATIONS

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

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

### 326.4 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact the county department of social services. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

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

# Steamboat Springs Police Services

## Policy Manual

### *Adult Abuse*

---

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

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

#### **326.5 INVESTIGATIONS AND REPORTING**

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

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

An ombudsman should be called to the scene if the abuse occurred in a long-term care facility (CRS § 26-11.5-101 et seq.).

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

#### **326.6 MANDATORY NOTIFICATION**

Members of the Steamboat Springs Police Services shall notify the county department of social services when the member observes or has reasonable cause to believe that an at-risk adult has been abused or is at imminent risk of abuse (CRS § 26-3.1-102).

# Steamboat Springs Police Services

## Policy Manual

### *Adult Abuse*

---

For purposes of notification, abuse includes mistreatment, exploitation and caretaker neglect or self-neglect as provided in CRS § 26-3.1-101. At-risk adult means any person who is age 18 or older and who is susceptible to abuse due to their inability to care for themselves or a diminished capacity (CRS § 26-3.1-101; CRS § 18-6.5-108).

#### **326.6.1 NOTIFICATION PROCEDURE**

Notification should occur using the county department of human services intake telephone number within 24 hours and shall include when known or available (CRS § 26-3.1-102):

- (a) The name, address and age of the adult victim.
- (b) The name and address of the adult's caretaker, if any.
- (c) The nature and extent of any injuries.
- (d) The nature and extent of the condition that may reasonably result in abuse.

#### **326.7 QUALIFIED INVESTIGATORS**

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

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, human service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (CRS § 26-3.1-103).

#### **326.8 DRUG-ENDANGERED VICTIMS**

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

##### **326.8.1 SUPERVISOR RESPONSIBILITIES**

The Detective Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including the county department of human services, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

# Steamboat Springs Police Services

## Policy Manual

### *Adult Abuse*

---

- (b) Activate any available interagency response when an officer notifies the Detective Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

#### **326.8.2 OFFICER RESPONSIBILITIES**

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

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Division supervisor so an interagency response can begin.

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

Colorado requires or permits the following:

##### **326.9.1 RECORDS SECTION RESPONSIBILITIES**

The Records Section is responsible for (CRS § 26-3.1-102; CRS § 18-6.5-108):

- (a) Providing a copy of the adult abuse report to county department of human services and the District Attorney's Office within 24 hours of the completion of the written report.
- (b) When the victim is age 70 or older, providing a copy of an investigative summary report to the county department of human services where the victim resides and to the District Attorney's Office where the abuse or exploitation occurred.
- (c) Retaining the original adult abuse report with the initial case file.

##### **326.9.2 RELEASE OF REPORTS**

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (CRS § 26-3.1-102).

#### **326.10 TRAINING**

The Department shall provide training on best practices in adult abuse investigations to members tasked with investigating these cases (CRS § 24-31-313; CRS § 26-3.1-106). The training should include:

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

## *Adult Abuse*

---

### **326.11 INTERVIEWS**

#### **326.11.1 PRELIMINARY INTERVIEWS**

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

#### **326.11.2 DETAINING VICTIMS FOR INTERVIEWS**

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

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

## **Discriminatory Harassment**

### **328.1 PURPOSE AND SCOPE**

This policy is intended to prevent department members from being subjected to discrimination or sexual harassment.

### **328.2 POLICY**

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

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

### **328.3 DISCRIMINATION PROHIBITED**

#### **328.3.1 DISCRIMINATION**

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

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an Individual's work performance or creating a hostile or abusive work environment.

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

#### **328.3.2 RETALIATION**

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

# Steamboat Springs Police Services

## Policy Manual

### *Discriminatory Harassment*

---

#### 328.3.3 SEXUAL HARASSMENT

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

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

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

#### 328.3.4 ADDITIONAL CONSIDERATIONS

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

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

### **328.4 RESPONSIBILITIES**

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

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, Human Resources Manager or the City Manager.

Any member who believes, in good faith, that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

#### 328.4.1 SUPERVISOR RESPONSIBILITIES

Each supervisor and manager shall:

# Steamboat Springs Police Services

## Policy Manual

### *Discriminatory Harassment*

---

- (a) Continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including sexual harassment or retaliation.
- (b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.
- (c) Ensure subordinates understand their responsibilities under this policy.
- (d) Ensure that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Notify the Chief of Police or Human Resources Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

#### 328.4.2 SUPERVISOR'S ROLE

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

- (a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.
- (c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.
- (d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

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

#### 328.4.3 RESPONSIBILITIES UPON RECEIPT OF COMPLAINT

Upon receipt or notification of a complaint filed with the Colorado Civil Rights Division, the Chief of Police or the authorized designee shall assign the complaint for action. The person assigned the complaint is responsible to ensure completion of the following (CRS § 24-34-301, et seq.):

- (a) Provide a written answer to the complaint within the time required after receiving it.
- (b) Supply and explain all relevant information, data or papers upon request.
- (c) Respond to all telephone or mail inquiries from the Colorado Civil Rights Division.
- (d) Attend all meetings, hearings or fact-finding conferences when requested.

## *Discriminatory Harassment*

---

### **328.5 INVESTIGATION OF COMPLAINTS**

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

#### **328.5.1 SUPERVISORY RESOLUTION**

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

#### **328.5.2 FORMAL INVESTIGATION**

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

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

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

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

#### **328.5.3 ALTERNATIVE COMPLAINT PROCESS**

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

# Steamboat Springs Police Services

## Policy Manual

### *Discriminatory Harassment*

---

#### **328.6 NOTIFICATION OF DISPOSITION**

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

#### **328.7 DOCUMENTATION OF COMPLAINTS**

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

- Approved by the Chief of Police or the authorized designee, Human Resources Manager or the City Manager if more appropriate.
- Maintained for the period established in the department's records retention schedule.

#### **328.8 TRAINING**

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

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

##### **328.8.1 QUESTIONS OR CLARIFICATION**

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, manager, the Division Commander, the Human Resources Manager or the City Manager for further information, direction or clarification.

## Child Abuse

### 330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Steamboat Springs Police Services members are required to notify the county department of human services of suspected child abuse.

#### 330.1.1 DEFINITIONS

Definitions related to this policy include:

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

**Child abuse** - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a human service agency or law enforcement (CRS § 19-3-304; CRS § 19-1-103).

### 330.2 POLICY

The Steamboat Springs Police Services will investigate all reported incidents of alleged criminal child abuse and ensure the county department of human services is notified as required by law.

### 330.3 MANDATORY NOTIFICATION

Members of the Steamboat Springs Police Services shall notify the county department of human services when (CRS § 19-1-103; CRS § 19-3-308):

- (a) They receive a report of a known or suspected incident of interfamilial abuse or neglect.
- (b) They reasonably believe that the protection and safety of a child is at risk due to an act or omission on the part of persons responsible for the child's care.
- (c) They receive a report of third-party abuse or neglect in which the person allegedly responsible for such abuse or neglect is under age 10.

For purposes of notification, abuse and neglect is an act or omission that threatens the health or welfare of a child, including suspicious injuries, such as bruising, bleeding, burns; a sex offense; emotional abuse; failure to provide adequate food, clothing or care; exposure to a dangerous environment, etc. (CRS § 19-1-103).

Interfamilial abuse includes acts by a child's parent, stepparent, guardian, legal custodian or relative, by a spousal equivalent or by any other person who resides in the child's home or who is regularly in the child's home for the purpose of exercising authority over or care for the child (CRS § 19-1-103).

Officers shall take into account accepted child-rearing practices of the culture in which the child participates including, but not limited to, accepted work-related practices of agricultural communities in determining abuse. Abuse does not include a reasonable exercise of parental

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

discipline or acts that are reasonably necessary to subdue a child who is being taken into custody by law enforcement officers (CRS § 19-1-103).

#### 330.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (CRS § 19-3-308):

- (a) Notifications shall be made immediately to the county department of human services.
- (b) A written summary of the investigation or case report shall be forwarded without delay to the county department of human services upon completion of any investigation undertaken.
- (c) Notification, when possible, shall include (CRS § 19-3-307):
  1. The name, address, age, sex and race of the child.
  2. The nature and extent of the child's injuries, including any evidence of previous cases of known or suspected abuse or neglect of the child or the child's siblings.
  3. The names and addresses of the persons responsible for the suspected abuse or neglect, if known.
  4. The family composition.
  5. The source of the report and the name, address and occupation of the person making the report.
  6. Any action taken by the reporting source.
  7. Any other information that the person making the report believes may be helpful.

An investigating officer and his/her supervisor shall notify the school district superintendent when there is a reasonable belief that an incident of abuse or neglect has been committed by a person acting in his/her official capacity as an employee of the school district (CRS § 19-3-308).

#### 330.3.2 POLICE REPORTS

Employees responding to incidents of suspected child abuse where it cannot initially be shown that a crime occurred shall document the incident in a general report. No additional suspected child abuse report is required if the incident is documented in a general or miscellaneous report.

#### 330.3.3 CONTACTING SUSPECTED CHILD ABUSE VICTIMS

An officer should not involuntarily detain a juvenile suspected of being a victim of abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless any of the following apply:

- (a) Exigent circumstances exist. For example:
  1. A reasonable belief that medical issues need to be addressed immediately.
  2. It is reasonably believed that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

- (b) A court order or warrant has been issued.

In all circumstances in which a suspected child abuse victim is contacted, it will be incumbent upon the investigating officer to articulate in the related reports the overall basis for the contact and what, if any, exigent circumstances exist.

Any juvenile student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any adult member of the school staff who is responsible for the child's health and welfare to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship.

#### **330.3.4 RELEASE OF REPORTS**

Reports of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and Security and Release of Records Policy (CRS § 19-1-307).

#### **330.4 QUALIFIED INVESTIGATORS**

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

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

#### **330.5 INVESTIGATIONS AND REPORTING**

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Unless unavailable, the county department of social services shall be the agency responsible for the coordination of all investigations of all reports of known or suspected incidents of interfamilial abuse or neglect (CRS § 19-3-308).
- (l) This agency shall have the responsibility for the coordination and investigation of all reports of third-party abuse or neglect alleged to have been committed by persons 10 years of age or older (CRS § 19-3-308).
- (m) When the investigation involves a suspect who was acting in his/her official capacity as an employee of a school district, the investigating officer shall coordinate such investigation with any concurrent abuse investigation being conducted by the department of education or the school district to the extent that such coordination is possible and deemed appropriate (CRS § 19-3-308).

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

#### 330.5.1 INTERVIEWING JUVENILES

State law grants officers the authority to interview a juvenile who is the alleged victim of abuse or neglect and any other minors, who currently reside or have resided with the alleged victim, without parental consent. The interview of the alleged child abuse victim should be audio- or video-recorded as permitted by state law (CRS § 19-3-308.5(1)(a)). Interviews concerning reports of sexual child abuse are strongly encouraged to be video-recorded.

The interview shall be conducted by a competent interviewer at a child advocacy center or by a competent interviewer for the agency responsible for the investigation. The interview may take place outside the presence of the alleged offender or parent, legal custodian, guardian or school official.

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

- (a) As soon as reasonably practicable after the interview, unless the juvenile court has determined that reasonable cause exists to withhold the information, the officer shall notify the parent, legal custodian or guardian that the interview has occurred.
- (b) Prior to conducting an interview on school property, the investigating officer shall provide written notification to school officials. The notification shall include the name of the child, the purpose and a reference to the statutory authority that allows the interview to be conducted on school property.
- (c) The investigating officer shall determine who may attend the interview, although school officials may set reasonable conditions as to the time, place and manner of the interview.

#### **330.6 PROTECTIVE CUSTODY**

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

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

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

Children may only be removed from a parent or guardian in the following situations (CRS § 19-3-401):

- (a) When a court order has been issued authorizing the removal of a child.
- (b) Without a court order when the child is seriously endangered in his/her surroundings or seriously endangers others and immediate removal appears to be necessary for the child's protection or the protection of others.
  - 1. A child shall be removed from his/her home and placed in protective custody if an emergency exists because the child is seriously endangered, as described above, the safety or well-being of the child is immediately at issue and there is no other reasonable way to protect the child without removing the child from his/her home.
- (c) Without a court order when an arrest warrant has been issued for the child's parent or guardian on the basis of an alleged violation of CRS § 18-3-304.

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

- (d) A seriously endangered newborn child (less than 72 hours old) may be detained in a hospital, without a warrant, by an officer upon the recommendation of the county department of social services, a physician, a registered nurse, a licensed practical nurse or a physician's assistant, while an order of the court pursuant to CRS § 19-3-405(1) is being pursued. The newborn child must be released if a court order is denied.

#### 330.6.1 COURT ORDERS

Unless already being addressed by the county department of human services, an officer should apply for a court order prior to taking a child into protective custody or as soon as practical thereafter when the officer (CRS § 19-3-405):

- (a) Believes that the circumstances or conditions of the child are such that continuing in his/her place of residence or in the care and custody of the person responsible for the child's care and custody would present a danger to that child's life or health in the reasonably foreseeable future, or
- (b) Believes that the child is able to remain safely in his/her place of residence or in the care and custody of the person responsible for the child's care and custody only if certain emergency protection orders are entered.

#### 330.6.2 RELATED NOTIFICATIONS

If the county department of human services is unable to take custody of a child, officers taking a child into protective custody shall (CRS § 19-3-402):

- (a) Deliver the child, without unnecessary delay, directly to the court or to a place designated by the court.
- (b) At the earliest opportunity, notify the court that the child has been taken into protective custody.
- (c) Promptly file a brief written report with the court and any agency or person so designated by the court stating the facts that led to the child being taken into custody and the reason why the child was not released.

Whenever a child is taken into temporary protective custody, the child's parent, guardian or legal custodian shall be notified without unnecessary delay (CRS § 19-3-402(1)). The notification shall include information regarding the right to a hearing.

#### 330.6.3 SAFE HAVEN ACT PROVISIONS

Any newborn infant (72 hours old or younger) who has been surrendered by a parent to an on-duty firefighter or hospital staff member under the safe haven provisions of CRS § 19-3-304.5 shall be taken into temporary protective custody by an officer pursuant to CRS § 19-3-401. A supervisor and the county department of human services should be notified without delay.

### **330.7 INTERVIEWS**

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

#### 330.7.1 PRELIMINARY INTERVIEWS

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

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

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

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

#### **330.8 MEDICAL EXAMINATIONS**

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

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

#### 330.8.1 SUPERVISOR RESPONSIBILITIES

The Detective Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including child welfare services, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

- (b) Activate the interagency response when an officer notifies the Detective Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

#### **330.8.2 OFFICER RESPONSIBILITIES**

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

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

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

Colorado requires or permits the following:

##### **330.9.1 RELEASE OF REPORTS**

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (CRS § 19-1-307).

##### **330.9.2 CHILD FATALITY PREVENTION REVIEW TEAMS**

Local review teams are entitled to access all investigative information of law enforcement agencies regarding the death of a child. This department shall cooperate fully with any such team and investigation (CRS § 25-20.5-404; CRS § 25-20.5-408(1)).

#### **330.10 DRUG-ENDANGERED CHILDREN**

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

##### **330.10.1 SUPERVISOR RESPONSIBILITIES**

The Detective Division Supervisor should:

- (a) Work with professionals from the appropriate agencies, including the county department of human services, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

# Steamboat Springs Police Services

## Policy Manual

### *Child Abuse*

---

- (b) Activate any available interagency response when an officer notifies the Detective Division Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

#### **330.10.2 OFFICER RESPONSIBILITIES**

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

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

#### **330.11 TRAINING**

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

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

## Missing Persons

### 332.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

#### 332.1.1 DEFINITIONS

Definitions related to this policy include:

**At risk** - Includes persons who either have a developmental disability or who are 60 years of age or older and have a verified impaired mental condition, whose whereabouts are unknown and whose disappearance poses a credible threat to the safety and health of the person (CRS § 24-33.5-415.8). This term also includes persons who:

- (a) Are 13 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
  - 1. Out of the zone of safety for his/her chronological age and developmental stage.
  - 2. Mentally or behaviorally disabled.
  - 3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
  - 4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
  - 5. In a life-threatening situation.
  - 6. In the company of others who could endanger his/her welfare.
  - 7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
  - 8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
- (c) Are children under the legal custody of the Colorado Department of Human Services or a county department of human or social services (CRS § 19-1-115.3).

**Missing person** - Any person who is reported missing to law enforcement when that person's location is unknown. This includes persons whose safety or welfare is the subject of concern (CRS § 16-2.7-101(2)).

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Colorado Crime Information Center (CCIC) and the Colorado Bureau of Investigation (CBI).

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

#### **332.2 POLICY**

The Steamboat Springs Police Services does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Steamboat Springs Police Services gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

#### **332.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS**

The Detective Division supervisor shall ensure the following forms and kits are developed and available:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification form
- Medical records release form
- Biological sample collection kits

#### **332.4 ACCEPTANCE OF REPORTS**

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

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

##### **332.4.1 INVESTIGATIVE RESOURCES AND SUPPORT**

Additional support, investigative and supervisory assistance should be requested as reasonably necessary. Personnel providing assistance should be properly briefed and updated on the investigation status.

The lead investigator is responsible for seeing that all appropriate law enforcement agencies in the state are promptly notified. If deemed appropriate, law enforcement agencies in adjacent states or jurisdictions should be provided with any information that may aid in the location and return of the missing or a person whose safety appears endangered. If necessary, use the International Justice & Public Safety Network (NLETS), the AMBER™ Alert network and the Silver Alert network to alert state, regional and federal law enforcement agencies.

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

#### 332.4.2 INVESTIGATION OF MISSING SENIOR CITIZENS AND MISSING PERSONS WITH DEVELOPMENTAL DISABILITIES

If it is determined that the missing person is a senior citizen or a person who is developmentally disabled, the handling officer shall immediately:

- (a) Obtain documentation regarding the person's mental condition (CRS § 24-33.5-415.8).
- (b) Ensure that identifying and descriptive information about the person and involved suspects and vehicles is immediately entered into the National Crime Information Center (NCIC) system for persons under 21 years of age (42 USC 5779(a)).
- (c) Ensure the information is broadcast regionally, statewide and nationally, or solicit the assistance of the Colorado Bureau of Investigation to make the broadcasts.
- (d) Consult with the Colorado Bureau of Investigation and request assistance as necessary.
- (e) Secure the crime scene and/or the last known position of the missing person and, if not already completed, attempt to identify and interview persons in the area at the time of the incident.
- (f) Implement multijurisdictional coordination and mutual aid plans when necessary. Factors to consider include:
  1. Inadequate Department resources.
  2. The investigation crosses jurisdictional lines.
  3. Existence of pre-established task forces or investigative teams.
- (g) Notify the family of services provided by the Colorado Bureau of Investigation.
- (h) Obtain and protect uncontaminated missing person scent articles for possible use by search canines.
- (i) Activate protocols for working with the media including AMBER Alert and/or Silver Alert.

#### 332.4.3 CRIME AND SCENE INVESTIGATION AND MANAGEMENT

If a crime scene is identified, it should be secured and if necessary a command post or operation base placed into operation a reasonable distance from the crime scene. Staff and assign the responsibilities for Command Post Supervisor, Public Information Officer, Search Coordinator, Investigative Coordinator, Communication Officer and Support Unit Coordinator. Provide two liaison officers (one at the command post and one at the home). The role of the liaison at the home will include facilitating support and advocacy for the family.

The investigation of the crime should consider various elements, including:

- (a) Establishing the ability to "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for Department use and follow up on all leads.
- (b) Compilation of a list of known sex offenders in the region.
- (c) In cases of infant abduction, investigate claims of home births made in the area.

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

- (d) In cases involving children, obtain child protective agency records for reports of child abuse.
- (e) Review of records for previous incidents related to the missing person and prior police activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
- (f) Obtaining the missing person's medical and dental records, fingerprints and DNA when practical or within 30 days.
- (g) Creating a missing person profile with detailed information obtained from interviews of family and friends, and records describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment.
- (h) Update the NCIC file, as necessary, with any additional information, regarding the missing person, suspect and vehicle.
- (i) Interview of delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers and others.
- (j) For persons under the age of 21, contacting the National Center for Missing and Exploited Children for photo dissemination and other case assistance.
- (k) Determination if outside help is needed and the merits of utilizing local, state and federal resources related to specialized investigative needs, including:
  - 1. Available search and rescue resources
  - 2. Investigative resources
  - 3. Interpretive services
  - 4. Telephone services, such as traps, traces and triangulation
  - 5. Media assistance from local and national sources
- (l) Use of secure electronic communication information, such as the missing person's cell phone number, e-mail address and social networking site information.
- (m) Appointing an officer and the department chaplain if available who shall be responsible to communicate with the family/reporting party or their designee, and who will be the primary point of contact for the family/reporting party or the designee. Provide contact information and the family information packet (if available) to the family/reporting party or the designee.

#### **332.5 INITIAL INVESTIGATION**

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

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 18 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at risk.
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
  - 1. Immediately, when the missing person is at risk.
  - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
  - 1. A photograph and fingerprint card of the missing person, if available.
  - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
  - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
  - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier (CRS § 18-9-312).
  - 1. If the officer has probable cause to believe the missing person is at risk of death or serious bodily injury, a supervisor should be notified and should determine whether to order the telecommunication provider to disclose the missing person's location information without a court order.
  - 2. The supervisor shall ensure that a court order is obtained within 48 hours of the initial request for the location information.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

#### 332.5.1 TRANSMITTING REPORTS TO OTHER JURISDICTIONS

When the Steamboat Springs Police Services takes a missing person report on a person who lives outside of this jurisdiction, the Records Section shall promptly notify and forward a copy of the report to the agencies having jurisdiction over the missing person's residence and where the missing person was last seen. If the missing person is under 18 or there is evidence that the person may be at-risk, the reports must also be forwarded within no more than 24 hours to the jurisdiction of the agency where the missing person was last seen.

#### 332.5.2 ELECTRONIC NOTIFICATIONS

When a missing person is under the age of 21, Records Section personnel shall send electronic notification to the Department of Public Safety and the NCIC within two hours after accepting the report (42 USC § 5779(a) and 42 USC § 5780(3)). To assist the Department of Public Safety, the electronic notification must note if the case involves a person whose safety appears to be endangered.

### **332.6 REPORT PROCEDURES AND ROUTING**

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

#### 332.6.1 SUPERVISOR RESPONSIBILITIES

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

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

#### 332.6.2 RECORDS SECTION RESPONSIBILITIES

The responsibilities of the Records Section receiving member shall include, but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Detective Division.
- (e) Coordinating with the NCIC Terminal Contractor for Colorado to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (42 USC § 5780).

#### **332.7 DETECTIVE DIVISION FOLLOW-UP**

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

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
  - 1. The notice shall be in writing and should also include a photograph.
  - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should re-contact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update CCIC, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (42 USC § 5780).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (42 USC § 5780).
- (g) Should make appropriate inquiry with the Coroner.
- (h) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Colorado Bureau

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

of Investigation and enter the photograph into applicable missing person networks (42 USC § 5708).

- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

#### **332.7.1 RECOVERED MISSING DATA ENTRY**

When a missing person who was reported by another jurisdiction is located, the Department shall notify the original law enforcement agency having jurisdiction over the investigation and that agency shall cancel the entry from the NCIC computer.

When this department discovers that a missing person whose investigation is being handled by this Department has been found, the Records Section shall cancel the entry in the NCIC. If a missing person under the age of 21 is located, the detective must ensure that an electronic notification is sent within 24 hours to the USDOJ.

#### **332.7.2 DECEASED FOUND TO BE A MISSING PERSON**

If a deceased person has been identified as a missing person, the Colorado Bureau of Investigation or this department shall attempt to locate family members and inform them of the death and the location of the deceased's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained.

#### **332.8 WHEN A MISSING PERSON IS FOUND**

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

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

- (a) Notification is made to CBI.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to CBI.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

#### **332.8.1 UNIDENTIFIED PERSONS**

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

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

#### **332.9 CASE CLOSURE**

The Detective Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Steamboat Springs or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

#### **332.10 TRAINING**

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

- (a) The initial investigation:
  - 1. Assessments and interviews
  - 2. Use of current resources, such as Mobile Audio Video (MAV)
  - 3. Confirming missing status and custody status of minors
  - 4. Evaluating the need for a heightened response
  - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

# Steamboat Springs Police Services

## Policy Manual

### *Missing Persons*

---

- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

---

## Public Alerts

### 334.1 PURPOSE AND SCOPE

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

### 334.2 POLICY

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

### 334.3 RESPONSIBILITIES

#### 334.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Steamboat Springs Police Services should notify their supervisor, Shift Supervisor, Public Information Officer or Detective Division Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

#### 334.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

### 334.4 AMBER ALERTS

America's Missing: Broadcast Emergency Response (AMBER Alert™) is the recruitment of public assistance to locate an abducted child via a widespread media alert using the statewide Emergency Alert System (EAS). Utilizing local radio, television and press affiliates, the public will be notified of the circumstances of a child's abduction and how it can assist law enforcement in the child's recovery.

# Steamboat Springs Police Services

## Policy Manual

### *Public Alerts*

---

The goal of the AMBER Alert program is the safe return of an abducted child by establishing an effective partnership between the community, the media and law enforcement (CRS § 24-33.5-415.7).

#### 334.4.1 CRITERIA

An AMBER Alert may be activated by a law enforcement agency if (CRS § 24-33.5-415.7(2)):

- (a) The child is 17 years of age or younger.
- (b) The Department determines the child has been abducted.
- (c) There is a credible threat to the safety and health of the child.
- (d) The Department has sufficient descriptive information about the child or the person who is suspected of abducting the child, or other pertinent information, to believe a broadcast will assist in the recovery of the child.

#### 334.4.2 PROCEDURE

In the event of a confirmed child abduction, the following procedures shall be followed:

- (a) The Public Information Officer, Shift Supervisor or Detective Division Supervisor will prepare an initial press release that includes all available information that might aid in locating the child, such as:
  - 1. The child's identity, age and description.
  - 2. Photograph if available.
  - 3. The suspect's identity, age and description, if known.
  - 4. Pertinent vehicle description.
  - 5. Details regarding time of the abduction, location of incident, direction of travel, potential destinations, if known.
  - 6. Whether there is reason to believe the suspect has a relationship to the victim.
  - 7. Name and telephone number of the Public Information Officer or other authorized individual to handle the media.
  - 8. Telephone number of the Colorado Bureau of Investigation to call for further information.
  - 9. A telephone number for the public to call with leads or information.
- (b) The Public Information Officer, Shift Supervisor or Detective Division Supervisor will notify the Colorado Bureau of Investigation. After the information is checked, an AMBER Alert will be issued and the Colorado statewide EAS will be activated.
- (c) Fax the press release to the local television and radio stations.

# Steamboat Springs Police Services

## Policy Manual

### *Public Alerts*

---

- (d) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:
  - 1. Colorado State Patrol
  - 2. FBI local office
  - 3. Prompt entry of information into the U.S. Department Of Justice Missing Person System/National Crime Information Center (NCIC)
  - 4. National Center for Missing and Exploited Children (NCMEC) (800-843-5678)
  - 5. Department Internet sites, communications and resources
- (e) As additional information pertinent to the case becomes available, it shall be forwarded to the Colorado Bureau of Investigation.
- (f) The investigation unit supervisor investigating the abduction or other individual responsible for making notifications shall prepare and forward to the previously described locations additional information regarding the search and investigation.
- (g) Upon closure of the child abduction, because the child has been found, or the end of the notification period, the investigation unit supervisor shall immediately notify the Colorado Bureau of Investigation with pertinent information (CRS § 24-33.5-415.7(4)).
- (h) After 24 hours the investigation unit supervisor investigating the abduction or other individual responsible for making notifications shall assess the need to continue the AMBER Alert.

### **334.5 BLUE ALERTS**

Blue Alerts are for those instances where a person has killed or inflicted a life-threatening injury upon a peace officer. The Blue Alert program is a coordinated effort among the Colorado Bureau of Investigation, local law enforcement agencies and the state's public and commercial television and radio broadcasters (CRS § 24-33.5-416.5; 8 CCR 1507-27).

#### 334.5.1 CRITERIA

Supervisors may request a Blue Alert when a peace officer has been killed or has received a life-threatening injury and the suspect or suspects have fled the scene of the offense (CRS § 24-33.5-416.5).

#### 334.5.2 PROCEDURE

A supervisor, after confirming that the criteria for a Blue Alert have been met, may notify the Colorado Bureau of Investigation and request a Blue Alert broadcast.

### **334.6 SENIOR CITIZEN/PERSON WITH DEVELOPMENTAL DISABILITIES ALERT**

To aid in the identification and location of missing senior citizens and missing persons with developmental disabilities, the Colorado legislature created the Missing Senior Citizen and Missing Person with Developmental Disabilities Alert Program. This program is a coordinated

# Steamboat Springs Police Services

## Policy Manual

### *Public Alerts*

---

effort among the Colorado Bureau of Investigation, local law enforcement agencies and the state's public and commercial television and radio broadcasters.

#### **334.6.1 CRITERIA**

These alerts apply to the following missing persons (CRS § 24-33.5-415.8):

(a) "Missing person with developmental disabilities" means a person:

1. Whose whereabouts is unknown.
2. Who was a resident of Colorado at the time he/she was reported missing.
3. Who has a verified developmental disability.
4. Whose disappearance poses a credible threat to his/her health and safety, as determined by a local law enforcement agency.

(b) "Missing senior citizen" means a person:

1. Whose whereabouts is unknown.
2. Who was a resident of Colorado at the time he/she was reported missing.
3. Whose age at the time he/she was first reported missing was 60 years of age or older and who has a verified impaired mental condition.
4. Whose disappearance poses a credible threat to his/her health and safety, as determined by a local law enforcement agency.

Confirmation, in the form of a signed statement from the family member, close friend, caregiver, doctor or medical facility that verifies the missing person is a senior citizen with an impaired mental condition or is a person with developmental disabilities, is required to meet the criteria for the alert (CRS § 24-33.5-415.8; 8 CCR 1507-26).

#### **334.6.2 PROCEDURE**

A supervisor, acting upon confirmation of a report of a missing senior citizen or a person with developmental disabilities, may notify the Colorado Bureau of Investigation and request a Missing Senior Citizen/Person with Developmental Disabilities Alert broadcast. Supervisors should ensure that all criteria for the alert are met prior to the request (8 CCR 1507-26).

#### **334.7 MEDINA ALERTS**

Medina Alerts are for those instances where a driver of a vehicle has killed or inflicted a serious bodily injury on a person in a hit-and-run accident. The Medina Alert program is a coordinated effort among the Colorado Bureau of Investigation, local law enforcement agencies and the state's public and commercial television and radio broadcasters (CRS § 24-33.5-416.7).

#### **334.7.1 CRITERIA**

Medina Alerts apply when (CRS § 24-33.5-416.7):

# Steamboat Springs Police Services

## Policy Manual

### *Public Alerts*

---

- (a) A person has been killed or suffered serious bodily injury as the result of a hit-and-run accident.
- (b) There is additional information concerning the suspect or suspect's vehicle, including one of the following:
  - 1. A complete license plate of the suspect's vehicle.
  - 2. A partial license plate of the suspect's vehicle along with the make, style and color of the suspect's vehicle.
  - 3. The identity of the suspect.

#### 334.7.2 PROCEDURE

A supervisor, after confirming that the criteria for a Medina Alert have been met, may notify the Colorado Bureau of Investigation and request a Medina Alert broadcast (8 CCR 1507-33).

---

## Bias-Motivated Crimes

### 338.1 PURPOSE AND SCOPE

The Steamboat Springs Police Services recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

#### 338.1.1 FEDERAL JURISDICTION

Federal law prohibits discrimination-based acts. The U.S. Department of Justice (DOJ) may obtain jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC 245).

### 338.2 DEFINITIONS

Definitions related to this policy include:

**Bias-motivated crime** - A person commits a bias-motivated crime if, with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation, he/she (CRS § 18-9-121(2)):

- (a) Knowingly causes bodily injury to another person.
- (b) By words or conduct, knowingly places another person in fear of imminent lawless action directed at that person or that person's property, and such words or conduct are likely to produce bodily injury to that person or damage to that person's property.
- (c) Knowingly causes damage to or destruction of the property of another person.

### 338.3 PREVENTING AND PREPARING FOR LIKELY BIAS-MOTIVATED CRIMES

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

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of bias-motivated crimes to form, and cooperate with, prevention and response networks.
- (b) Providing victim assistance and follow-up as outlined below, including community follow-up.
- (c) Educating community and civic groups about bias-motivated crime laws.

# Steamboat Springs Police Services

## Policy Manual

### *Bias-Motivated Crimes*

---

#### **338.4 PROCEDURE FOR INVESTIGATING BIAS-MOTIVATED CRIMES**

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

- (a) Officers will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims or apprehension of present suspects), the assigned officers will take all reasonable steps to preserve available evidence that may tend to establish that a bias-motivated crime was involved.
- (d) The assigned officers will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a bias-motivated crime.
- (e) Depending on the situation, the assigned officers or supervisor may request additional assistance from investigators or other resources to further the investigation.
- (f) The assigned officers will include all available evidence indicating the likelihood of a bias-motivated crime in the relevant reports. All related reports will be clearly marked as "Bias-Motivated Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officers before the end of the shift.
- (g) The assigned officers should also make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim Assistance Policy.
- (h) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid, e.g., a possible Temporary Restraining Order through the courts or District Attorney or City Attorney.

#### **338.5 DETECTIVE DIVISION RESPONSIBILITIES**

If a case is assigned to the Detective Division, the assigned investigator will be responsible for following up on the reported bias-motivated crime by:

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

# Steamboat Springs Police Services

## Policy Manual

### *Bias-Motivated Crimes*

---

#### **338.5.1 FEDERAL BIAS-MOTIVATED CRIME REPORTING**

The Records Supervisor should include bias crime data reporting within the National Incident Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Summary Reporting System (SRS) reports pursuant to Records Section procedures and in compliance with (28 USC § 534(a)).

#### **338.6 TRAINING**

All officers of this department shall receive training on bias-motivated crime recognition and investigation and shall attend annual training which incorporates a bias-motivated crime training component.

---

## Standards of Conduct

### 340.1 PURPOSE AND SCOPE

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

### 340.2 POLICY

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

#### 340.2.1 LAWFUL ORDERS

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

An employee who believes any written or verbal order to be unlawful or in conflict with another order shall:

- (a) Immediately inform the supervisor issuing the order, the employee's immediate supervisor or the Shift Supervisor of the conflict or error of the order.
- (b) Provide details explaining the grounds for the belief of the conflict or error of the order.
- (c) Request clarification, guidance and direction regarding following the order.
- (d) Request the order in writing should the conflict or error be unresolved.
- (e) Respectfully inform the supervisor if he/she intends to disobey what he/she reasonably believes to be an unlawful order.

An employee's election to disobey an order he/she believes to be unlawful is not a bar to discipline should the order be determined as lawful.

### 340.3 CONDUCT THAT MAY RESULT IN DISCIPLINE

The following causes for disciplinary action constitute a portion of the disciplinary standards of this department. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for specific action or inaction that is detrimental to efficient department service.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

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

Any of the following actions may be deemed sufficient cause for the discipline, discharge, suspension, demotion or removal of any employee:

- (a) Failure to abide by the standards of ethical conduct for employees, including fraud in securing appointment or hire.
- (b) Activity that is incompatible with an employee's conditions of employment as established by law or that violates a provision of any agreement or contract.
- (c) Violation of any rule, order, requirement or the failure to follow instructions contained in Department or City manuals.
- (d) Willful disobedience to any legal order properly issued by any superior officer of the Department.
- (e) Willful neglect of duty.
- (f) Making public any active investigation information or other data classified as confidential to any unauthorized person.
- (g) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (h) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (i) Improper political activity including unauthorized attendance while on-duty at official legislative or political sessions.
- (j) Willful and inexcusable destruction or loss of Department property.
- (k) Violations of federal, state, local or administrative laws that are willful or inexcusable or involve moral turpitude.
- (l) Acceptance of fees, gifts or money contrary to the rules of the Department and/or laws of the state.
- (m) Any act on- or off-duty which brings discredit to the Department.
- (n) Bias-based policing.
- (o) Any use of marijuana or marijuana products either medicinal or recreational is prohibited.

#### 340.3.1 ATTENDANCE

- (a) Leaving the job to which assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Tardiness on scheduled work day.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (c) Failure to report to work or to a place of assignment at the time specified and fully prepared to perform duties without a reasonable excuse.
- (d) Failure to notify the Department within 24 hours of any change in residence address, contact phone number or emergency contact information.
- (e) Unauthorized absence from duty or abuse of leave privileges.

#### 340.3.2 CONDUCT

- (a) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily injury on another.
- (b) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment without first notifying the Chief of Police of such action.
- (c) Using Department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.
- (d) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.
- (e) Unauthorized possession of, loss of, or damage to Department property or the property of others, or endangering it through unreasonable carelessness or maliciousness.
- (f) Failure of any employee to promptly and fully report activities on his/her part or the part of any other employee where such activities may result in criminal prosecution or discipline.
- (g) Failure of any employee to promptly and fully report activities that have resulted in official contact by any other law enforcement agency.
- (h) Using or disclosing one's status as an employee with the Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (i) The use of any information, photograph or video obtained or accessed as a result of employment with the Department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee may result in discipline under this policy.
- (j) Seeking restraining orders against individuals encountered in the line of duty without the express permission of the Chief of Police.
- (k) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (l) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (m) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (n) Subjecting another to sexual harassment.

#### 340.3.3 DISCRIMINATION, OPPRESSION, HARASSMENT OR FAVORITISM

- (a) Discrimination, oppression or favoritism of any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, with the knowledge that the conduct is unlawful.

#### 340.3.4 INTOXICANTS

- (a) Reporting for work or being at work following the use of intoxicants, where such use may impair the employee's ability to perform assigned duties or where there is an immediate suspicion of ineffectiveness during public contact resulting from the use of intoxicants.
- (b) Unauthorized possession or use of, or attempting to bring intoxicants to the work site, except as authorized in the performance of an official assignment. An employee who is authorized to consume intoxicants is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Reporting for work or being at work following the use of a controlled substance or any drug (whether legally prescribed or otherwise), where such use may impair the employee's ability to perform assigned duties, without prior notification of a supervisor.
- (d) Unauthorized possession, use of, or attempting to bring a controlled substance or other illegal drug to any work site.

#### 340.3.5 PERFORMANCE

- (a) Unauthorized sleeping during on-duty time or assignments without permission.
- (b) Careless workmanship resulting in spoilage or waste of materials or unacceptable work as applicable to the nature of the work assigned.
- (c) Unsatisfactory work performance, including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors without a reasonable and bona fide justification.
- (d) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (e) Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority.
- (f) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (g) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of the Department or subverts the good order, efficiency and discipline of the Department, or that would tend to discredit any member thereof.
- (h) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm or destroy the reputation, authority or official standing of the Department or members thereof.
- (i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any Department record, public record, book or paper document.
- (j) Wrongfully loaning, selling, allowing unauthorized use, giving away or appropriating any Department badge, uniform, identification card or property for personal use, personal gain or any other improper or unauthorized use or purpose.
- (k) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not required for the performance of the employee's current job duties or authorized by his/her appointing authority.
- (l) The unauthorized use of any badge, uniform, identification card or other Department equipment or property for personal gain or any other improper purpose.
- (m) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the employee's duties (lawful subpoena fees and authorized work permits excepted).
- (n) Any knowing or negligent violation of the provisions of the Department Policy Manual, operating procedures or other written directive of an authorized supervisor. The Department shall make the Policy Manual available to all employees. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.
- (o) Attempted or actual theft of Department property, misappropriation or misuse of public funds, property, personnel or services or the property of others, or the unauthorized removal or possession of Department property or the property of another person.
- (p) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on- or off-duty.
- (q) Failure to disclose or misrepresenting material facts or the making of any false or misleading statement on any application, examination form or other official document, report or form, or during the course of any work-related investigation.
- (r) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved Department practices or procedures.
- (s) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by the Department.

- (t) Offer or acceptance of a bribe or gratuity.
- (u) Misappropriation or misuse of public funds, property, personnel or services.
- (v) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (w) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions: While on Department premises, at any work site, while on-duty or while in uniform, or while using any Department equipment or system. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (x) Substantiated, active, continuing association on a personal rather than official basis with persons who engage in or are continuing to engage in serious violations of state or federal laws, where the employee has or reasonably should have knowledge of such criminal activities, except where specifically directed and authorized by the Department.
- (y) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on Department property or while in any way representing him/herself as a member of this department, except as expressly authorized by the City policy, or the Chief of Police.
- (z) Engaging in political activities during assigned working hours except as expressly authorized by the City policy or the Chief of Police.
- (aa) Violating a law related to employment or any misdemeanor or felony statute.
- (ab) Any other on- or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale or which tends to reflect unfavorably upon the Department or its members.
- (ac) Any failure or refusal of an employee to properly perform the function and duties of an assigned position.
- (ad) Failure to maintain required and current licenses (e.g. driver's license) and certifications (e.g. first aid).
- (ae) Failing to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (af) Establishing an inappropriate social relationship, as a result of an investigation, with a known victim, witness, suspect or defendant of a Department case while such case is being investigated or prosecuted.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

#### 340.3.6 SAFETY

- (a) Failure to observe posted rules, signs and written or oral safety instructions while on-duty and/or within Department facilities or to use required protective clothing or equipment.
- (b) Knowingly failing to report any on-the-job or work-related accident or injury within 24 hours.
- (c) Substantiated employee record of unsafe or improper driving habits or actions in the course of employment.
- (d) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (e) Any personal action contributing to involvement in a preventable traffic collision, or other unsafe or improper driving habits or actions in the course of employment.
- (f) Violating Department safety standards or safe working practices.

#### 340.3.7 SECURITY

- (a) Unauthorized and inappropriate intentional release of confidential information, materials, data, forms or reports.

#### 340.3.8 SUPERVISOR RESPONSIBILITIES

If an employee's conduct is a cause of action for discipline, the supervisor shall inform the employee promptly and specifically of the improper conduct.

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

- (a) Failure to take appropriate action to ensure that employees adhere to the policies and procedures of this department and that the actions of all personnel comply with all laws.
- (b) Failure to report in a timely manner any known misconduct of an employee to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.

#### **340.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS**

Regardless of the source of an allegation of misconduct, all such matters will be investigated pursuant to state or local law and in accordance with the Personnel Administrative Regulations Manual (P.A.R.M.) . The investigation should be completed within six months of the discovery of the allegation or within a reasonable time thereafter based upon the complexity or conditions of the investigation.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

#### 340.4.1 WRITTEN REPRIMANDS

Any employee wishing to formally appeal a written reprimand must submit a written request to his/her Division Commander within 30 days of receipt of the written reprimand. The Division Commander will review the original written reprimand and formal appeal.

The decision of the Division Commander to sustain, modify or dismiss the written reprimand shall be considered final. A copy of the formal appeal shall be placed with the original written reprimand in the employee's file.

Reprimands may only be placed in a peace officer personnel file in compliance with state law.

#### **340.5 POST INVESTIGATION PROCEDURES**

##### 340.5.1 DIVISION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Division Commander of the involved employee shall review the entire investigative file, the employee's personnel file and any other relevant materials. The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

- (a) Prior to forwarding recommendations to the Chief of Police, the Division Commander may return the entire investigation to the assigned detective or supervisor for further investigation or action.
- (b) When forwarding any written recommendation to the Chief of Police, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

##### 340.5.2 RESPONSIBILITIES OF THE CHIEF OF POLICE

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials.

The Chief of Police may modify any recommendations and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by the staff, the Chief of Police shall determine the amount of discipline, if any, to be imposed.

In the event disciplinary action is recommended, the Chief of Police shall provide the employee with written notice that includes:

- (a) Specific charges set forth in separate counts, describing the conduct underlying each count.
- (b) A separate recommendation of proposed discipline for each charge.
- (c) A statement that the employee has been provided with or given access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (d) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
  - 1. Upon a showing of good cause by the employee, the Chief of Police may grant a reasonable extension of time for the employee to respond.
  - 2. If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

#### **340.6 EMPLOYEE RESPONSE**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to the imposition of any recommended discipline. The employee shall consider the following:

- (a) This response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative and/or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results of the subsequent investigation prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.
- (f) Once the employee has completed his/her response or, if the employee has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall thereafter render a timely written decision to the employee imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the employee of the reasons for termination and the process to receive all remaining fringe and retirement benefits.
- (g) The discipline shall become effective once the Chief of Police has issued a written decision.

#### **340.7 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

#### **340.8 POST-DISCIPLINE APPEAL PROCEDURE**

An employee has the right to formally appeal the Chief of Police imposition of a suspension, punitive transfer, demotion, termination of a nonprobationary employee:

- (a) All members of the Department who receive formal disciplinary action amounting to a suspension, demotion, termination or transfer where the individual will receive lesser compensation, may appeal the disciplinary decision through the grievance procedure as outlined in chapter 8 of the City of Steamboat Springs P.A.R.M.
- (b) Individuals wishing to appeal disciplinary actions shall do so in writing within five days of receiving notice of discipline.
- (c) The decision of the City Manager in the matter is final.
- (d) An officer may seek judicial relief after exhausting Department grievance procedures and other administrative remedies through application to the district court.

#### **340.9 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES**

In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet Department standards, the employee shall have no right to appeal and the following shall be considered:

- (a) Termination of a probationary employee for such failure to pass probation shall be so reflected in the employee's personnel file.
- (b) In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the appeal procedure above. This appeal process may be held prior to or within a reasonable time after the imposition of discipline.
- (c) At all times during any investigation of allegations of misconduct involving a probationary officer, such officer shall be afforded all procedural rights set forth in applicable Department policies.
- (d) A probationary employee's appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in or right to the employee's continuation of employment.
- (e) The burden of proof for any probationary employee's appeal of disciplinary action shall rest with the employee and will require proof by a preponderance of the evidence.
- (f) In the event that a probationary employee meets his/her burden of proof in such a disciplinary appeal, the Department shall remove all reference to the underlying allegations of misconduct from the employee's personnel file.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (g) In the event that a probationary employee fails to meet his/her burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Chief of Police.

#### **340.10 DIRECTIVES AND ORDERS**

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

##### **340.10.1 UNLAWFUL OR CONFLICTING ORDERS**

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

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

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

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

##### **340.10.2 SUPERVISOR RESPONSIBILITIES**

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

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

#### **340.11 GENERAL STANDARDS**

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

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

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

#### **340.12 CAUSES FOR DISCIPLINE**

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

##### **340.12.1 LAWS, RULES AND ORDERS**

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

##### **340.12.2 ETHICS**

- (a) Using or disclosing one's status as a member of the Steamboat Springs Police Services in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

#### 340.12.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

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

#### 340.12.4 RELATIONSHIPS

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

#### 340.12.5 ATTENDANCE

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

#### 340.12.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Steamboat Springs Police Services badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

#### 340.12.7 EFFICIENCY

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

#### 340.12.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work--related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department--related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  - 1. While on department premises.
  - 2. At any work site, while on--duty or while in uniform, or while using any department equipment or system.

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
1. Unauthorized attendance while on--duty at official legislative or political sessions.
  2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on--duty or, on department property except as expressly authorized by City policy, the collective bargaining agreement or contract, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement or contract, or the Chief of Police.
- (i) Any act on-- or off--duty that brings discredit to this department.

#### 340.12.9 CONDUCT

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

# Steamboat Springs Police Services

## Policy Manual

### *Standards of Conduct*

---

- (m) Any other on-- or off--duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

#### 340.12.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related disease, injury or death as soon as practicable but no later than 24 hours (CRS § 8-43-102).

---

## Information Technology Use

### 342.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

#### 342.1.1 DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Steamboat Springs Police Department Steamboat Springs Police Services that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Steamboat Springs Police Department Department or Steamboat Springs Police Department department funding.

**Hardware** - Includes, but is not limited to, desktop computers, mobile computers, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications, including "shareware." This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

### 342.2 POLICY

It is the policy of the Steamboat Springs Police Services that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

### 342.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

## *Information Technology Use*

---

### **342.4 RESTRICTED USE**

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Supervisors.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

#### **342.4.1 SOFTWARE**

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

#### **342.4.2 HARDWARE**

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

#### **342.4.3 INTERNET USE**

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to,

# Steamboat Springs Police Services

## Policy Manual

### *Information Technology Use*

---

adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

#### **342.4.4 OFF-DUTY USE**

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

#### **342.5 PROTECTION OF AGENCY SYSTEMS AND FILES**

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

#### **342.6 INSPECTION OR REVIEW**

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

# Steamboat Springs Police Services

## Policy Manual

### *Information Technology Use*

---

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

#### **342.7 MOBILE DATA TERMINAL (MDT)**

##### PURPOSE:

The purpose of this policy is to define the guidelines for the proper operation of the Steamboat Springs Police Department's (SSPD) Mobile Data Terminal (MDT) system. The MDT system is not designed, nor is it intended to replace voice communications transmissions. The MDT system is intended to enhance the officer's ability while in the field to obtain necessary computerized information in a timely manner, reduce radio traffic, and increase officer safety.

##### POLICY:

It is the policy of the SSPD to authorize the use of MDTs, and the use of these MDTs will be accomplished in a lawful, safe, and effective manner.

#### **342.7.1 DEFINITIONS**

##### DEFINITIONS:

Mobile Data Terminal (MDT): Any laptop or portable computer issued for the purpose of field reporting, data collection, or any other field use.

Field Use: Any use of a MDT connected to a computer system or network for the purpose of information exchange.

User: Any member of the SSPD utilizing any SSPD computer system or network for the purpose of information exchange, storage, or reporting.

Hits: Indicates information contained in an inquiry matches information in NCIC/CCIS hot files.

NCIC/CCIC: National Crime Information Center/ Colorado Crime Information Center .

Automatic Vehicle Location (AVL): Any device attached to a police vehicle or MDT which provides Routt County Communications with the geographic location of the vehicle.

#### **342.7.2 PROCEDURES**

##### **A. General guidelines and limitations**

1. All transmissions of data and/or queries via the MDT system are limited to official SSPD business pertinent to legitimate and lawful law enforcement function.

2. The content of all transmissions over the MDT system shall comply with the same requirements as with voice radio transmissions, which are governed by the FCC, CBI/FBI, CJIS and SSPD policies and procedures. Additionally, MDT transmissions shall comply with requirements described in SSPD E-mail and computer use policies.

# Steamboat Springs Police Services

## Policy Manual

### *Information Technology Use*

---

3. Obscene, derogatory, racial, demeaning or sexual remarks shall not be transmitted. Transmitting data or identifying information of persons will be restricted to terminology listed in the drop down fields in Field Reporting.
4. The MDT shall not be used to conduct personal business for any reason. The MDT shall not access the internet or e-mail, except to connect with NCIC/CCIS.
5. Communications or other information accessible by the MDT is not intended for distribution to the public.
6. All MDT messages are recorded and retained as official records of the SSPD. As such they are subject to release pursuant to the Colorado Open Records Act.
7. Inappropriate use of the MDT system is strictly prohibited. To insure compliance with this policy, the Chief of Police may order periodic random or specific audits of MDT messages.
8. The safe operation of the police vehicle takes priority over the operation of the MDT. Operation of the MDT will not be considered a mitigating justification in the event of a traffic accident. While undertaking MDT operations, personnel will maintain a conscious awareness of their surroundings, remain alert to potential hazards, and employ safe tactics. Officers will stop at a secure parking location when MDT usage is anticipated.
9. Only authorized personnel will make modifications to the MDT hardware or software. Downloading, installing, or utilization of any personal programs, CDs, flash drives, and/or software is strictly unauthorized without the approval of the Chief of Police and the City of Steamboat Springs IT Department. Screen savers and backgrounds used on city computers should be appropriate for a business office and not contain offensive material .
10. For purposes of uniformity, all MDT's will be configured the same. Personal setting will not be authorized. Users are responsible for maintaining security of their passwords. Sharing of passwords with another user is expressly prohibited.
11. Officers will be required to "log on" to the system at the start of their shift using a designated password.
12. Instructions regarding procedural operations of the MDT, such as how to log on, how to run inquiries, or commands for operating the MDT should not be broadcast by voice radio transmissions.
13. All users will be required to receive OSN certification by the Colorado Crime Information System prior to being issued a password to the MDT system.
14. In the event of an operational failure of an MDT, the user will notify RCC of the failure and the shift supervisor. The officer will continue to function in their normal role as a patrol officer.
15. In order to maintain compliance with FBI/CBI CJIS Security Policy version 5.0 section 5.6.2, advanced authentication will be required to access records management system data on MDTs. SSPD will comply with this requirement by issuing each user a unique Spillman Passkey for system access on any MDT.

# Steamboat Springs Police Services

## Policy Manual

### *Information Technology Use*

---

#### B. Communication by voice and MDT

1. Calls for service, traffic stops, or officer initiated events should be communicated between Routt County Communications (RCC) and officers via voice radio transmissions. However, if an emergency situation is in progress, non-essential communications with RCC that is unrelated to the emergency can be transmitted via the MDT.

2. Certain investigations and/or sensitive operations requiring confidentiality or security should be communicated via the MDT or cell phone.

3. Low priority calls can be dispatched with "partial voice". The call type and the location of the call shall be aired to the appropriate officer. All other details of the call will be transmitted through the MDT.

Examples:

"P-6-4 vandalism at 1234 Hilltop Rd, info on your MDT"

"P-6-3 phone message on your MDT"

4. When an officer receives a warrant or property "hit" on the MDT, the officer will notify RCC by voice radio transmission to confirm the "hit". This will also allow other officers to hear the information and respond to the officer's location for backup.

5. When dispatched to routine calls, officers will, if possible, activate the "enroute" button on the MDT. During high priority or emergency calls, officers will use voice radio transmissions to advise they are "enroute" and "on scene".

6. Whenever possible, subsequent transmissions between RCC and the assigned officer(s) should be accomplished via the MDT. This would include requesting wreckers, support information, etc.

7. Upon completion of the call, the primary officer is responsible for entering the disposition code for the call into the MDT.

8. When clearing from a call in which multiple units were dispatched, each unit must clear the call individually.

9. When a change of status occurs (meal break, out of car, etc), officers will update RCC via MDT or voice radio communications.

#### 342.7.3 VIOLATIONS

Security of the MDT system is of extreme importance to the Steamboat Springs Police Department. Any actions by users which may compromise the security of the system will not be tolerated. Security of the MDT is the responsibility of the officer logged on.

Intentionally disconnecting or disabling the AVL system without prior approval by a supervisor is a violation of this policy.

# Steamboat Springs Police Services

## Policy Manual

### *Information Technology Use*

---

Any violation(s) of this policy is considered a serious violation. Particularly those policies put in place to maintain the security of the MDT system. Violation(s) may result in discipline, up to and including termination.

#### 342.7.4 POLICY

It is the policy of the Steamboat Springs Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Steamboat Springs Police Department in a professional manner and in accordance with this policy.

#### 342.7.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any Steamboat Springs Police Department computer system. The Steamboat Springs Police Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Steamboat Springs Police Department, including the Steamboat Springs Police Department email system, computer network and/or any information placed into storage on any Steamboat Springs Police Department system or device. This includes records of all keystrokes or Web browsing history made at any Steamboat Springs Police Department computer or over any Steamboat Springs Police Department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through Steamboat Springs Police Department computers, electronic devices or networks.

#### 342.7.6 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or watch Commanders.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

#### 342.7.7 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any SSPD computer. Members shall not install personal copies of any software onto any SSPD computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

# Steamboat Springs Police Services

## Policy Manual

### *Information Technology Use*

---

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the SSPD while on SSPD premises, computer systems or electronic devices. Such unauthorized use of software exposes the SSPD and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of SSPD- or City of Steamboat Springs-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

#### 342.7.8 HARDWARE

Access to technology resources provided by or through the SSPD shall be strictly limited to SSPD-related activities. Data stored on or available through SSPD computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or SSPD-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

#### 342.7.9 INTERNET USE

Internet access provided by or through the SSPD shall be strictly limited to SSPD -related activities. Internet sites containing information that is not appropriate or applicable to SSPD use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

The City understands that occasionally employees need to use the Internet during business hours for personal correspondences or business transactions. These can include but are not limited to brief e-mail correspondence with family, brief business transactions, travel reservations, etc. Lengthy research for personal items or business is prohibited and supervisors or Department Heads must approve all personal Internet use. Internet use from a city owned computer for a private business owned or operated by an employee is strictly prohibited. No employee should use the Internet to participate in non-business Internet Chat or play Internet games at any city facility during work or non-work hours.

#### 342.7.10 OFF-DUTY USE

Members shall only use technology resources provided by the SSPD while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access SSPD resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

# Steamboat Springs Police Services

## Policy Manual

### *Information Technology Use*

---

#### 342.7.11 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure SSPD computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

#### 342.7.12 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the SSPD involving one of its members or a member's duties, an alleged or suspected violation of any SSPD policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the SSPD computer system when requested by a supervisor or during the course of regular duties that require such information.

---

## Report Preparation

### 344.1 PURPOSE AND SCOPE

Report preparation is a major part of each employee's job. The purpose of reports is to document sufficient information to refresh the employee's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formal and on-the-job training.

#### 344.1.1 REPORT PREPARATION

Employees should ensure that their reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty, unless permission to delay submission of the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be delayed.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, witnesses, all pertinent information seen, heard or assimilated by any other sense and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

### 344.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department-approved form unless otherwise approved by a supervisor.

#### 344.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:
  1. Use of Force Policy

# Steamboat Springs Police Services

## Policy Manual

### *Report Preparation*

---

2. Domestic Violence Policy
3. Child Abuse Policy
4. Adult Abuse Policy
5. Bias-Motivated Crimes Policy
6. Suspicious Activity Reporting Policy

(e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

#### 344.2.2 NON-CRIMINAL ACTIVITY

Incidents that shall be documented using the appropriate approved report include:

- (a) Anytime an officer points a firearm at any person.
- (b) Any use of physical force against any person by a member of this department (see the Use of Force Policy).
- (c) Any firearm discharge (see the Firearms Policy) except during approved range training.
- (d) Anytime a person is reported missing (regardless of jurisdiction) (see the Missing Persons Policy).
- (e) Any found property or found evidence.
- (f) Any traffic collisions above the minimum reporting level (see the Traffic Accident Response and Reporting Policy).
- (g) Suspicious incidents that may indicate a potential for crimes against children, or that a child's safety is in jeopardy.
- (h) All protective custody detentions.
- (i) Suspicious incidents that may place the public or others at risk.
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

#### 344.2.3 DEATH REPORTS

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths
- (b) Suicides

# Steamboat Springs Police Services

## Policy Manual

### *Report Preparation*

---

- (c) Homicide or suspected homicide
- (d) Unattended deaths (no physician or qualified hospice care during the period immediately preceding death)
- (e) Found dead bodies or body parts

#### **344.2.4 INJURY OR DAMAGE BY CITY PERSONNEL**

Reports shall be taken if an injury occurs that is a result of an act of a City employee. Reports also shall be taken when there is damage to City property or City equipment.

#### **344.2.5 MISCELLANEOUS INJURIES**

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of a drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

### **344.3 GENERAL POLICY OF EXPEDITIOUS REPORTING**

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

#### **344.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS**

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for Department consistency.

#### **344.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS**

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

### **344.4 REPORT CORRECTIONS**

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor shall workflow the report back to the appropriate officer, stating the reasons

# Steamboat Springs Police Services

## Policy Manual

### *Report Preparation*

---

for rejection. It shall be the responsibility of the originating employee to ensure that any report returned for correction is corrected and workflowed back to the supervisor in a timely manner.

#### **344.5 REPORT CHANGES OR ALTERATIONS**

Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor.

---

## News Media Relations

### 346.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

### 346.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. However, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Shift Supervisors and the designated Public Information Officer may prepare and release information to the media in accordance with this policy and the applicable law.

#### 346.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated Department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated Department media representative.
- (b) In situations involving multiple law enforcement agencies or other criminal justice agencies including, but not limited to, prosecutors and coroners, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

### 346.3 MEDIA ACCESS

Authorized members of the media should be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities. Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
  - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation

# Steamboat Springs Police Services

## Policy Manual

### *News Media Relations*

---

operations. All information released to the media should be coordinated through the Public Information Officer or other designated spokesperson.

- (c) No member of this department shall be required to submit to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted unless in compliance with a jail facility policy. Exceptions are only permitted with the approval of the Chief of Police and the express written consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

#### **346.3.1 TEMPORARY FLIGHT RESTRICTIONS**

Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Supervisor. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident. It should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

#### **346.3.2 PROVIDING ADVANCE INFORMATION**

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

#### **346.4 SCOPE OF INFORMATION SUBJECT TO RELEASE**

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Shift Supervisor. This log will consist of data classified as public and should generally contain:

- (a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this

# Steamboat Springs Police Services

## Policy Manual

### *News Media Relations*

---

jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

At no time shall identifying information pertaining to a juvenile arrestee be publicly released without prior approval of a competent court or as permitted by state law.

At no time shall identifying information pertaining to a juvenile victim be publicly released without prior approval of a competent court when access to the data would reveal the identity of a victim or alleged victim.

At no time shall identifying information pertaining to a juvenile witness be publicly released without prior approval of a competent court when this department has determined that the identity of a juvenile witness reasonably requires protection.

Information concerning incidents involving persons whose identities are classified as private or confidential under state law shall be restricted from disclosure. Further detail is available in the Records Maintenance and Release Policy.

Identifying information concerning deceased individuals should only be released to the media when the decedent's identity has been verified, the decedent's family has been notified when feasible and the release is approved by a supervisor.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated media representative, the custodian of records, or if unavailable, to the Shift Supervisor. Such requests will be processed in accordance with policy and state law.

#### 346.4.1 STATE RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (See the Records Maintenance and Release and the Personnel Files policies). When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

- (a) The identities of involved officers when the release hinders a law enforcement purpose or reveals the identity of an undercover law enforcement officer and as otherwise required by law .
- (b) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

# Steamboat Springs Police Services

## Policy Manual

### *News Media Relations*

---

- (c) Information pertaining to pending litigation involving this department.
- (d) Information obtained in confidence or that uniquely describes stolen, lost, confiscated or recovered property.
- (e) Any information that is otherwise privileged or restricted under state or federal law.

#### 346.4.2 FEDERAL RESTRICTED INFORMATION

Information protected by the National Driver Privacy Protection Act (18 USC 2721(c)) is restricted under federal law, except as authorized or waived.

---

## Subpoenas and Court Appearances

### 348.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Steamboat Springs Police Services to cover any related work absences and keep the Department informed about relevant legal matters.

### 348.2 POLICY

Steamboat Springs Police Services members will respond appropriately to all subpoenas and any other court-ordered appearances.

#### 348.2.1 SERVICE OF SUBPOENA OR DELIVERY OF COURT NOTICES

Service of a subpoena or court notice requiring the appearance of any employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished only by personal service on the employee unless the employee has signed a written admission or waiver of personal service (CRCP Rule 45(c)).

### 348.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

Civil subpoenas should be served by delivering a copy to the named member or as otherwise ordered by a court consistent with due process (CRCP Rule 4; CRCP Rule 45).

Criminal subpoenas should be delivered to the member named in the subpoena unless substituted service is otherwise authorized by local court rules (Crim. P. Rule 17).

Subpoenas should not be accepted without properly posted fees pursuant to applicable law (CRCP Rule 45; Crim. P. Rule 17).

#### 348.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the Chief of Police or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Steamboat Springs Police Services.

# Steamboat Springs Police Services

## Policy Manual

### *Subpoenas and Court Appearances*

---

- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Steamboat Springs Police Services.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

#### **348.3.2 CIVIL SUBPOENA**

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

#### **348.3.3 OFF-DUTY RELATED SUBPOENAS**

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

#### **348.4 FAILURE TO APPEAR**

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

#### **348.5 STANDBY**

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

#### **348.5.1 PREPARATION FOR TESTIMONY**

Before the date of testifying, the subpoenaed employee shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

#### **348.6 COURTHOUSE PROTOCOL**

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

# Steamboat Springs Police Services

## Policy Manual

### *Subpoenas and Court Appearances*

---

#### **348.6.1 TESTIMONY**

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

#### **348.7 OVERTIME APPEARANCES**

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding.

---

## Mutual Aid and Outside Agency Assistance

### 352.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to officers in the request of or answering the request for assistance from another law enforcement agency.

It is the policy of this department to provide assistance whenever reasonably possible. Assistance shall be consistent with the applicable laws and policies of this department when another law enforcement agency requests assistance with an arrest or detention of any person. This department may also request an outside agency to provide assistance (CRS § 29-5-104).

The Department may at the discretion of the Chief of Police establish an agreement for reciprocal law enforcement with another agency, including those of neighboring states, provided those agreements meet statutory requirements pursuant to CRS § 29-1-206. An agreement may include:

- (a) Assisting other peace officers in the line of their duties and within the course of their employment.
- (b) Exchanging Department peace officers with peace officers of another agency on a temporary basis.

### 352.2 ASSISTING OUTSIDE AGENCIES

Generally, calls for assistance from other agencies are received via radio transmission and are routed to the Shift Supervisor's office or an on-duty supervisor for approval. Any such response to assist an outside agency should be considered for authorization pursuant to law or an established mutual aid plan (see generally CRS § 33.5-713).

When an authorized employee of an outside agency requests the assistance of this department in taking a person into custody, available officers shall respond and assist in making a lawful arrest. If an officer receives a request in the field for assistance, that officer shall notify a supervisor. Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this department provide transportation of arrestees to another agency's facilities.

When such assistance is rendered, a case number will be issued to report action taken by Steamboat Springs Police Services personnel.

### 352.3 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES

If assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor of his/her intentions. The handling officer or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting officer should secure radio frequencies for use by all involved agencies so that communication can be coordinated as needed. If necessary, reasonable effort should be taken to

# Steamboat Springs Police Services

## Policy Manual

### *Mutual Aid and Outside Agency Assistance*

---

provide radio equipment capable of communicating on the assigned frequency to any personnel who do not have compatible radios.

A resource to consider for obtaining mutual aid assistance could include the State of Colorado All Hazards Emergency Resource Mobilization Annex available from the Colorado Division of Homeland Security and Emergency Management.

#### **352.4 HAZARDOUS MATERIAL EMERGENCIES MUTUAL AID**

The Incident Commander, in cooperation with other agencies, is charged with making an immediate appraisal of the situation and its potential. Responders should:

- Establish scene management.
- Detect the presence of hazardous materials.
- Begin identification of hazardous materials.
- Begin evacuation or direct in-place sheltering.
- Consider personal protection/decontamination.
- Isolate the incident and identify zones of activity.
- Contain the incident without risking exposure.
- Perform fire fighting, rescue, emergency medical and other critical life-saving response activities in accordance with the City Emergency Operations Plan.
- Contact the local Colorado state dispatch and request support if it occurs on any federal, state or county highway located outside of municipal city limits.
- Seek additional resources if the event exceeds, or is expected to exceed, the capability of local resources, including mutual aid and state or federal assistance. When requesting local, state or federal assistance, this Department should clarify if it is requesting assistance only or complete scene management.

#### **352.5 MANDATORY SHARING**

Equipment and supplies purchased with federal funds or grants with contingent sharing requirements should be documented and updated as necessary by the Training Coordinator. The conditions relative to sharing, the training requirements connected to the use of the supplies and equipment, and those trained in the use of the supplies and equipment should be included in the documentation. Copies of the list should be provided to the Communications Center and the Shift Supervisor to ensure proper use in compliance with agreements.

---

## Handcuff Policy

### 354.1 PURPOSE AND SCOPE

This procedure provides guidelines for handling situations involving handcuffing during detentions and arrests. This policy is also applicable to disposable cuffs, which are considered synonymous with handcuffs for the purposes of this policy.

#### 354.1.1 PHILOSOPHY

The handcuffing of a person by an officer shall only occur when it reasonably appears necessary to gain control of the person while in the performance of the officer's lawful duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. It is also understood that vesting officers with the authority to use lawful and reasonable force and to protect the public welfare requires a careful balancing of all human interests.

#### 354.1.2 DEFINITIONS

Definitions related to this policy include:

**Reasonable** - An objective standard viewed from the perspective of a reasonable officer on the scene, without the benefit of 20/20 hindsight and within the limitations of the totality of the circumstances presented at the time of the incident.

Any interpretation of reasonableness about the amount of force that appears to be necessary in a particular situation must allow for the fact that police officers are often forced to make split-second decisions with limited information in circumstances that are tense, uncertain and rapidly evolving.

### 354.2 USE OF FORCE POLICY

It is the policy of this department that officers shall use only that amount of force that reasonably appears necessary, given the facts and circumstances perceived by the officer at the time of the event, to accomplish a legitimate law enforcement purpose.

Given that no policy can realistically predict every possible situation an officer might encounter in the field, it is recognized that each officer must be entrusted with well-reasoned discretion in determining the appropriate use of force in each incident. While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this policy requires an officer to actually sustain physical injury before applying reasonable force.

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

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

- (a) The conduct of the individual being confronted as reasonably perceived by the officer at the time.

# Steamboat Springs Police Services

## Policy Manual

### *Handcuff Policy*

---

- (b) The officer's and subject's factors that include, but are not limited to, age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue and the number of officers versus subjects.
- (c) The influence of drugs or alcohol and the subject's mental capacity.
- (d) The proximity of weapons.
- (e) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (f) Time and circumstances permitting, the availability of other options (resources that are reasonably available to the officer under the circumstances).
- (g) The seriousness of the suspected offense or reason for contact with the individual.
- (h) The training and experience of the officer.
- (i) The potential for injury to citizens, officers and suspects.
- (j) The risk and reasonably foreseeable consequences of escape.
- (k) Whether the conduct of the individual being confronted no longer poses an imminent threat to the officer or others.
- (l) The prior knowledge of the offender's propensity for violence.
- (m) Environmental awareness: An officer's response to a given situation may be dictated by conditions over which there is no control. Some of these may include: indoor/outdoor conditions, time of day, lighting conditions, weather conditions, and ground conditions.
- (n) Any other exigent circumstances.

It is recognized that officers are expected to make split-second decisions and that the amount of an officer's time available to evaluate and respond to changing circumstances may influence his/her decision.

While the type and degrees of force vary, each officer is expected to use only that amount of force that reasonably appears necessary under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this policy.

Circumstances may arise in which officers reasonably believe that it would be impracticable or ineffective to use any of the standard tools, weapons or methods provided by the Department. Officers may find it more effective or practicable to improvise their response to rapidly unfolding conditions. In such circumstance, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the extent that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

# Steamboat Springs Police Services

## Policy Manual

### *Handcuff Policy*

---

#### **354.3 HANDCUFFING POLICY**

Although recommended for most arrest situations, handcuffing is a discretionary procedure and not an absolute rule of the Department. When deciding whether to handcuff a person, officers should carefully balance officer safety concerns with factors including, but not limited to:

- The circumstances leading to the arrest or detention.
- The attitude and behavior of the person.
- The age, gender and health of the person.
- Whether the person has a hearing or speaking disability; in such cases consideration should be given, safety permitting, to handcuffing to the front to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

It is not the intent of the Department to dissuade officers from handcuffing all persons they believe warrant that degree of restraint, nor is it the intent of this policy to create the atmosphere that in order to avoid risk, an officer should handcuff all persons regardless of the circumstances. In most situations handcuffs should be applied with the hands behind the person. Handcuffs should be removed as soon as the arrested person is safely confined within the jail and has been searched, unless circumstances reasonably indicate otherwise.

##### **354.3.1 IMPROPER USE OF HANDCUFFS**

Handcuffing is never done to punish, to display authority or as a show of force. Persons are handcuffed to restrain their hands to ensure officer safety. While it is recognized that handcuffs are not designed for comfort, officers should make reasonable efforts to ensure that handcuffs are applied in a manner that will not intentionally inflict unreasonable pain or discomfort. When practicable, handcuffs shall be double-locked to prevent tightening that may cause undue discomfort or injury to the hands or wrists.

##### **354.3.2 JUVENILES**

Juveniles 14 years of age or older may be handcuffed when the act committed is of a felonious nature or when his/her acts have amounted to crimes where the officer has a reasonable suspicion that the suspect may have a desire to escape, injure him/herself, destroy property or pose a safety concern to the public or the officer.

Juveniles under 14 years of age generally will not be handcuffed unless their acts have amounted to a dangerous felony or when the officer perceives a reasonable probability of their desire to escape, to injure themselves, destroy property or pose a safety concern to the public or the officer.

##### **354.3.3 HANDCUFFING OF PREGNANT ARRESTEES IN LABOR**

No arrestee who is in labor shall be handcuffed or restrained by the wrists, ankles or both unless it is reasonably necessary for the safety of the arrestee, officers or others.

# Steamboat Springs Police Services

## Policy Manual

### *Handcuff Policy*

---

#### **354.3.4 HANDCUFFING OF DETAINEES**

Situations may arise where it may be reasonable to handcuff a person who may, after subsequent investigation, be released rather than arrested. Such a situation is considered a detention, rather than an actual arrest. Unless arrested, the use of handcuffs on detainees at the scene of a search warrant should continue for only as long as is reasonably necessary to assure the safety of officers and others.

When a person is handcuffed and released without an arrest, a written report of the incident shall be made to document the details of the detention and the need for the use of handcuffs.

#### **354.4 AUXILIARY HANDCUFF RESTRAINT DEVICES**

Auxiliary handcuff restraint devices are intended for long-term restraint and transportation of prisoners and to provide additional security and safety without impeding breathing, while permitting adequate movement, mobility and comfort of a prisoner. Auxiliary handcuff restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices.

Only department-authorized devices may be used by personnel and only after completion of department-approved training in the use of the specific device. Use of the devices as more restrictive immobilization devices, or to bind or immobilize legs, should only occur in compliance with the Leg Restraint Device Policy. A prisoner in restraints should be monitored as reasonably appears necessary.

---

## Registered Offender Information

### 356.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Steamboat Springs Police Services will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

### 356.2 POLICY

It is the policy of the Steamboat Springs Police Services to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

### 356.3 REGISTRATION

The Operations Commander shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the Records Division shall ensure that the registration information is provided to the Colorado Bureau of Investigation (CBI) (CRS § 16-22-109; CRS § 16-22-110; CRS § 16-13-903).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

#### 356.3.1 CONTENTS OF REGISTRATION

The registrant shall be required to complete the registration form provided by CBI.

Registration by a person who lacks a fixed residence shall be accepted unless it includes a location that would violate state law or local ordinance. The registrant shall be advised of any such violation and allowed five days to secure an alternate location (CRS § 16-22-108).

### 356.4 MONITORING OF REGISTERED OFFENDERS

The Operations Commander should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.
- (b) Review of information on the state website.

# Steamboat Springs Police Services

## Policy Manual

### *Registered Offender Information*

---

(c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the Operations Commander.

The Operations Commander should also establish a procedure to routinely disseminate information regarding registered offenders to Steamboat Springs Police Services personnel, including timely updates regarding new or relocated registrants.

#### **356.4.1 MANDATORY CONFIRMATION**

Following a registrant's first registration with the Department, the residence verification referenced above shall occur as soon as possible after the registration and annually thereafter. Residence confirmation shall occur quarterly if the registrant is a sexually violent predator (CRS § 16-22-109).

#### **356.5 DISSEMINATION OF PUBLIC INFORMATION**

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police or the authorized designee if warranted. A determination will be made by the Chief of Police or the authorized designee, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be provided the CBI's Convicted Sex Offender [website](#) or the Steamboat Springs Police Services's website.

The Records Division shall release local registered offender information to residents in accordance with state law (CRS § 16-22-112; CRS § 24-72-201 et seq.) and in compliance with a Colorado Open Records Act request.

#### **356.5.1 RELEASE NOTIFICATIONS**

Sex registrant information that is released shall include the written statement: "The Colorado sex offender registry includes only those persons who have been required by law to register and who are in compliance with the sex offender registration laws. Persons should not rely solely on the sex offender registry as a safeguard against perpetrators of sexual assault in their communities. The crime for which a person is convicted may not accurately reflect the level of risk." (CRS § 16-22-112(5)).

#### **356.5.2 MANDATORY DISSEMINATION**

The Department shall release local sex offender information to residents in accordance with Colorado law and the rules set forth by the CBI. Information released shall include, at a minimum, the name, address or addresses, and aliases of the registrant; the registrant's date of birth; a photograph of the registrant, if requested and readily available; and a history of the convictions of unlawful sexual behavior resulting in the offender being required to register pursuant to this article (CRS § 16-22-110; CRS § 16-22-112). Information concerning victims shall not be released.

# Steamboat Springs Police Services

## Policy Manual

### *Registered Offender Information*

---

The Department will also make the mandated community notifications regarding sexually violent predators. These community notifications shall only occur under the circumstances and in the manner specified by the Colorado Department of Public Safety Sex Offender Management Board (CRS § 16-13-904; CRS § 16-13-905; CRS § 16-13-906).

#### **356.5.3 DISCRETIONARY DISSEMINATION**

The Department may also provide local sex offender information to any other person the Department determines warrants notification. If the Department elects not to release registrant information to a non-resident, the Department may submit a request from the non-resident to CBI (CRS § 16-22-112).

#### **356.5.4 INFORMATION AVAILABLE VIA THE INTERNET**

The Department may post the following registered offender information on its website only if the person is adjudicated or convicted of the offenses in CRS § 16-22-112:

- (a) Offender information, including the offender's name or aliases, photograph, sex, height, weight, name, address and offenses committed, as allowed by law
- (b) Educational information concerning protection from sex offenders that has been developed in conjunction with the Sex Offender Management Board and a sexual assault victims' advocacy group, or a link to educational information included on the CBI website
- (c) A link to the national sex offender website
- (d) A link to the Colorado sex offender website
- (e) A link to other law enforcement agencies

#### **356.6 NOTIFICATION PRIOR TO RELEASE OR DISCHARGE**

Notification of a registrant's release on parole will be made by the sentencing court, the probation department, community corrections, the county jail or the Department of Corrections (CRS § 16-22-106; CRS § 16-22-107).

Prior to registrants being discharged from the Department of Corrections, this department shall verify that (CRS § 16-22-107(4)(a)):

- (a) The address provided by the person is a residence.
- (b) The occupants or owners of the residence know of the person's history of unlawful sexual behavior.
- (c) The occupants or owners of the residence have agreed to allow the person to reside at the address.
- (d) If the registrant is being released on parole, the address complies with any conditions of the parole.

# Steamboat Springs Police Services

## Policy Manual

### *Registered Offender Information*

---

If any of the information required for verification is not true, the Department shall notify the Department of Corrections that the person provided false information concerning the address at which he/she intends to reside (CRS § 16-22-107(4)(b)).

#### 356.6.1 CONFIDENTIAL INFORMATION

The forms completed by persons required to register pursuant to Colorado law shall be confidential and shall not be open to inspection by the public or any person other than law enforcement personnel except as provided by law (CRS § 16-22-109(4)).

---

## Major Incident Notification

### 358.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

### 358.2 POLICY

The Steamboat Springs Police Services recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

### 358.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Missing children or endangered missing adults
- Traffic collisions with fatalities or severe injuries
- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings and Deaths Policy for special notification)
- Significant injury or death to an employee, whether on- or off-duty
- Death of a prominent Steamboat Springs official
- Arrest of Department employee or prominent Steamboat Springs official
- Aircraft, train, boat or other transportation crashes with major damage and/or injury or death
- In-custody deaths
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults
- CAD, radio, network, facility system or utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident, which has or is likely to attract significant media attention

### 358.4 SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor is responsible for making the appropriate notification. The Shift Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification, and shall attempt to make the notification as soon as practicable. Notification should be made by using the call notification protocol posted in the Communications Center.

# Steamboat Springs Police Services

## Policy Manual

### *Major Incident Notification*

---

#### 358.4.1 STAFF NOTIFICATION

In the event an incident occurs as identified in the Minimum Criteria for Notification above, the Chief of Police shall be notified along with the affected Division Commander and the Detective Division Division Commander if that division is providing assistance.

#### 358.4.2 DETECTIVE NOTIFICATION

If the incident requires that an officer or investigator respond from home, the immediate supervisor of the appropriate detail shall be contacted.

#### 358.4.3 PUBLIC INFORMATION OFFICER (PIO)

After members of the staff have been notified, the Public Information Officer shall be called if it appears the media may have a significant interest in the incident.

#### 358.4.4 DETECTIVE ON-CALL STATUS

To insure major cases are appropriately investigated in a timely manner, a detective will be assigned to On-call status. On-call status covers seven (7) days per week and twenty-four (24) hour per day coverage. The On-call status is scheduled on a rotating basis, where each detective will be assigned equal shifts during a schedule period. PTO or any time off should be scheduled so it does not interfere with scheduled On-call status. If Modifications to the On-call schedule are required to satisfy PTO and/or other paid time off, then the detective requesting the modification is responsible for arranging and confirming their PTO was approved and the On-call schedule was modified and a copy of the modified schedule was received by Routt County Communication and the Detective Supervisor.

---

## Death Investigation

### 360.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural causes to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The importance of a thorough death investigation cannot be emphasized enough.

Death investigations shall be conducted pursuant to CRS § 30-10-606.

### 360.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency Medical Services shall be called in all suspected death cases, unless the death is obvious (e.g., the person has been decapitated or the body is decomposed). Officers are not authorized to pronounce death unless they are also a Coroner, a Deputy Coroner or an appointed Coroner Investigator. A supervisor shall be notified in all death investigations. The on-call detective will be notified and respond to investigate the circumstances of the death. The Detective Division commander will be notified as soon as possible.

#### 360.2.1 CORONER REQUEST

The Coroner shall be called in all deaths involving any of the following circumstances (CRS § 30-10-606(1)):

- (a) From external violence, unexplained cause or under suspicious circumstances
- (b) Where no physician is in attendance or where, though in attendance, the physician is unable to certify the cause of death
- (c) From thermal, chemical or radiation injury
- (d) From criminal abortion, including any situation where such abortion may have been self-induced
- (e) From a disease which may be hazardous or contagious or which may constitute a threat to the health of the general public
- (f) While in the custody of law enforcement officials or while incarcerated in a public institution
- (g) When the death was sudden and happened to a person who was in good health
- (h) From an industrial accident

#### 360.2.2 SEARCHING DEAD BODIES

The Coroner or an assistant and authorized investigators are generally the only persons permitted to move, handle or search a body. Should exigent circumstances exist an officer may move, handle or search a body to preserve evidence prior to the arrival of the Coroner. The investigating officer shall first obtain verbal consent from the Coroner when practicable.

# Steamboat Springs Police Services

## Policy Manual

### *Death Investigation*

---

Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Coroner. The name and address of this person shall be included in the death report. Whenever personal effects are removed from the body of the deceased by the Coroner, a receipt shall be obtained. This receipt shall be attached to the death report.

#### 360.2.3 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Coroner, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned officers/deputies may need to talk to the next-of-kin.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained.

#### 360.2.4 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

#### 360.2.5 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. If the on-scene supervisor, through consultation with the Public Information Officer or Detective Division supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The assigned investigator investigating a homicide or a death under suspicious circumstances may, with the approval of his/her supervisor, request the Coroner to conduct physical examinations and tests, and to provide a report.

#### 360.2.6 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment may ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified by telephone or teletype with all pertinent information.

## Identity Theft

### 362.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

### 362.2 REPORTING

- (a) To maintain uniformity in reporting, officers shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
  1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he/she resides (CRS § 16-5-103(3)).
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction that have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the fraud, usage of services or receipt of goods were acquired or occurred in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and Department of Motor Vehicles) with all known report numbers.
- (e) The reporting officer should inform victims of identity theft that an Order of Factual Innocence is available to help those who are wrongly linked to crimes (CRS § 16-5-103(c)). A court may order identifying information contained in criminal justice records to show that the information is not accurate and does not reflect the perpetrator's identity because of identity theft. Information can be obtained by contacting the Department of Revenue at 303-205-8383 or via e-mail at, [investigationsUnit@spike.dor.state.co.us](mailto:investigationsUnit@spike.dor.state.co.us).
- (f) Following supervisory review and Department processing, the initial report should be forwarded to the appropriate investigator for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

### 362.3 PREVENTIVE MEASURES

The victim should be advised to place a security freeze on his/her consumer report, as allowed by law. A victim may also access <http://www.colorado.gov/cs/Satellite/Revenue-MV/RMV/1206604920872> for further information.

# Steamboat Springs Police Services

## Policy Manual

### *Identity Theft*

---

#### **362.4 INFORMATION**

The victim should be encouraged to contact the Federal Trade Commission (FTC), which is responsible for receiving and processing complaints under the Identity Theft and Assumption Deterrence Act. The victim can contact the FTC online at <http://www.ftc.gov/bcp/menus/consumer/data/idt.shtm> or by telephone at 877-ID Theft (877-438-4338). Additional information may be found at the U.S. Department of Justice website, <http://www.usdoj.gov>, or the FBI at <http://denver.fbi.gov>.

---

## Private Persons Arrests

### 364.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for handling private person's arrests and detentions made pursuant to CRS § 16-3-201, CRS § 16-3-202(2) and CRS § 16-19-115.

### 364.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Officers should use sound discretion in determining whether to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest, as listed below.
- (b) Private individuals should be discouraged from using force to effect a private person's arrest. Absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

### 364.3 ARRESTS BY PRIVATE PERSONS

A private person may arrest another under the following circumstances (CRS § 16-3-201, CRS § 16-3-202(2) and CRS § 16-19-115):

- (a) For any crime that has been or is being committed or attempted in his/her presence
- (b) When directed by any peace officer to assist a peace officer
- (c) When there is reasonable information that the accused has been charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year
  1. The accused shall be taken before a judge without unnecessary delay and a complaint must be made against the accused under oath by the private person making the arrest.

### 364.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person who has made a private person's arrest must determine whether there is reasonable cause to believe that such an arrest would be lawful.

- (a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, to determine the lawfulness of the arrest and protect the public safety.
  1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.

# Steamboat Springs Police Services

## Policy Manual

### *Private Persons Arrests*

---

2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:
1. Take the individual into physical custody for booking.
  2. Release the individual upon a misdemeanor citation or pending formal charges.

#### **364.5 REPORTING REQUIREMENTS**

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a written statement documenting the circumstances of the private persons arrest. If the person fails or refuses to do so, the arrested subject shall be released unless the officer has an independent reason to take the person into custody.

In addition to the written statement (and any other related documents, such as citations and booking forms), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

---

## Anti-Reproductive Rights Crimes

### 366.1 PURPOSE AND SCOPE

This policy shall establish a procedure for reporting and documenting Anti-Reproductive Rights Crimes (ARRC).

### 366.2 ANTI-REPRODUCTIVE RIGHTS CRIMES VIOLATIONS

The following acts would be considered an ARRC when committed by any person, except a parent or guardian acting toward his/her minor child or ward (18 USC § 248(a)):

- (a) By force, threat of force or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with or attempts to injure, intimidate or interfere with any person or entity because that person or entity is a reproductive health services client, provider or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider or assistant.
- (b) By nonviolent physical obstruction, intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with any person or entity because that person or entity is a reproductive health services client, provider or assistant, or in order to intimidate any person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider or assistant.
- (c) Intentionally damages or destroys the property of a person, entity or facility, or attempts to do so, because the person, entity or facility is a reproductive health services client, provider, assistant or facility.

### 366.3 REPORTING

- (a) Officers shall investigate all ARRC thoroughly using available resources as necessary. The appropriate criminal section will be used based on the elements of the crime.
- (b) Officers shall use "ARRC" as the tracking offense code so that information may be gathered and stored properly in the records management system.

## Limited English Proficiency Services

### 368.1 PURPOSE AND SCOPE

Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from gaining meaningful access to, or an understanding of important rights, obligations and services. It is the policy of this department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language (Title VI of the Civil Rights Act of 1964, § 601, 42 USC § 2000 d).

#### 368.1.1 DEFINITIONS

Definitions related to this policy include:

**Authorized interpreter** - Any employee of the Steamboat Springs Police Services who is bilingual and has successfully completed department-prescribed interpreter training and is authorized to act as an interpreter or translator.

**Bilingual** - The ability to communicate in two languages fluently, including the ability to communicate technical and law enforcement terminology. Bilingual includes a variety of skill levels. Some bilingual individuals may be fluent enough to engage in direct communication in a non-English language but insufficiently fluent to interpret or translate from one language into another. A bilingual individual, depending on skill level, could be utilized to communicate fluently in a non-English language but not to interpret between two languages if he/she does not possess the necessary specialized skills. To be utilized to interpret or translate from one language into another, an individual must possess the skill, training and demonstrated competence. For purposes of this policy, employees, in order to be identified as bilingual, must initially and periodically demonstrate, through a procedure to be established by the Department, the level of skill and competence such that the Department is able to determine the purposes for which an employee's language skills may be used.

**Interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

**Limited English Proficient (LEP)** - Designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific. An individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

**Person disabled in communication** - A person who cannot fully understand legal proceedings or charges involving him/her because of difficulty in speaking or comprehending the English language.

**Translation** - The replacement of written text from one language (source language) into an equivalent written text (target language).

# Steamboat Springs Police Services

## Policy Manual

### *Limited English Proficiency Services*

---

#### **368.2 FOUR-FACTOR ANALYSIS**

Since there are potentially hundreds of languages that Department personnel could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) LEP *Guidance to Federal Financial Assistance Recipients* available at the DOJ website, <http://www.lep.gov/resources/resources.html>, to determine which measures will provide reasonable and meaningful access to various rights, obligations, services and programs to everyone. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis must remain flexible and requires an ongoing balance of the following four factors:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by Department personnel, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.
- (b) The frequency with which LEP individuals are likely to come in contact with Department personnel, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

As indicated above, the intent of this analysis is to create a balance that reasonably ensures meaningful access by LEP individuals to critical services, while not imposing undue burdens on the Department or its personnel.

While this department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right, the above analysis will be utilized to determine the availability and level of assistance provided to any LEP individual or group.

#### **368.2.1 IDENTIFICATION OF LEP INDIVIDUAL'S LANGUAGE**

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language in an effort to avoid mistakes when identifying a language.

#### **368.3 TYPES OF LEP ASSISTANCE AVAILABLE**

Depending on the balance of the four factors listed above, this department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where reasonably available. LEP individuals may elect to accept interpreter services offered by the Department at no cost or choose to provide their own interpreter services at their own expense. Department personnel should document in any related report whether the LEP individual elected to use interpreter services provided by the Department or some other source. Department-provided interpreter services may include, but are not limited to, the assistance methods described in this section.

# Steamboat Springs Police Services

## Policy Manual

### *Limited English Proficiency Services*

---

#### 368.3.1 BILINGUAL PERSONNEL

Personnel utilized for LEP services need not be certified as interpreters but must have demonstrated, through established Department procedures, a level of competence to ascertain whether his/her language skills are best suited to monolingual communication, interpretation, translation, or all or none of these functions.

All personnel used for communication with LEP individuals must demonstrate knowledge of the functions of an interpreter and the ethical issues involved when functioning as a language conduit. In addition, employees who serve as interpreters and/or translators must have demonstrated competence in both English and the non-English language. When bilingual personnel from this department are not available, personnel from other City departments who have the requisite training may be used.

#### 368.3.2 WRITTEN FORMS AND GUIDELINES

This department will determine the most frequently used and critical forms and guidelines, and translate these documents into the languages most likely to be requested. The department will make these translated forms available to department personnel and other appropriate individuals.

#### 368.3.3 AUDIO RECORDINGS

The Department may develop audio recordings of information that is either important to or frequently requested by LEP individuals for broadcast in a language most likely to be understood by them.

#### 368.3.4 TELEPHONE INTERPRETER SERVICES

The Shift Supervisor and Dispatch Supervisor will maintain a list of qualified interpreter services. These services shall be available, with the approval of a supervisor, to assist personnel in communicating with LEP individuals via official cellular telephones.

#### 368.3.5 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF INTERPRETATION

Where competent bilingual department personnel or other City-certified staff are unavailable to assist, responsible members of the community who have demonstrated competence in either monolingual (direct) communication and/or in interpretation and translation (as noted above) may be called upon to assist in communication efforts. Sources for these individuals may include neighboring law enforcement agencies, university language and linguistics departments, local businesses, banks, churches, neighborhood leaders and school officials. Department personnel should ensure that community members are able to provide unbiased assistance. The nature of the contact and relationship between the LEP individual and the individual offering services must be carefully considered (e.g., victim/suspect).

Except for exigent or very informal and non-confrontational circumstances, the use of an LEP individual's bilingual friends or family members, particularly children, are generally not recommended. Department personnel shall make case-by-case determinations on the appropriateness of using such individuals (for further guidance, see Section V(3) of the U.S. DOJ Final Guidance available at <http://www.justice.gov>).

# Steamboat Springs Police Services

## Policy Manual

### *Limited English Proficiency Services*

---

#### **368.4 LEP CONTACT SITUATIONS AND REPORTING**

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize language services so that these services may be targeted where they are most needed. A supervisor should be informed of any service requests other than those provided by the Department.

Whenever any member of this department is required to complete a report or when other documentation when interpretation or translation services are provided to any involved LEP individual, such services should be noted in the related report.

##### **368.4.1 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE**

To provide LEP individuals with meaningful access to law enforcement services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, this department has designated its 9-1-1 lines as its top priority for language services. Department personnel will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines through any or all of the above resources.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

##### **368.4.2 EMERGENCY CALLS TO 9-1-1**

When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker should quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in the Communications Center, the call-taker should immediately connect the LEP caller to the interpreter.

If an appropriate authorized interpreter is not available, the call-taker will promptly connect the LEP caller to the contracted telephonic interpretation service directly for assistance in completing the call. Dispatchers will make every reasonable effort to dispatch a bilingual officer to the assignment if one is available.

The Steamboat Springs Police Services will take reasonable steps and will work with the Department of Human Resources to hire and develop in-house language capacity in the Communications Center by hiring qualified personnel with specific language skills.

##### **368.4.3 FIELD ENFORCEMENT AND INVESTIGATIONS**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Department personnel must assess each situation to determine the need and availability for translation services and utilize the methods outlined above to provide appropriate language assistance.

# Steamboat Springs Police Services

## Policy Manual

### *Limited English Proficiency Services*

---

Although not every situation can be addressed in this policy, it is important that Department personnel are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action taken with an LEP individual. For example, it would be meaningless to request consent to search if the person requesting is unable to effectively communicate with an LEP individual.

#### 368.4.4 INVESTIGATIVE INTERVIEWS

In any situation where the translation of an interview may contain information that might be used in a criminal trial, it is important to take certain steps to improve the chances of admissibility. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. The identification and contact information for the interpreter (e.g., name, address) should be documented so the person can be subpoenaed for trial if necessary.

Any person selected as an interpreter and/or translator must have demonstrated competence in both English and the non-English language involved and knowledge of the functions of an interpreter that allow for correct and effective translation, and should not be a person with an interest in the case. The person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation to the court.

#### 368.4.5 CUSTODIAL INTERROGATIONS AND BOOKINGS

To protect the rights of LEP individuals during arrest and custodial interrogation, this department places a high priority on providing competent interpretation during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, Department personnel providing interpretation services or translated forms in these situations will have demonstrated competence in interpretation/translation and make every reasonable effort to accurately interpret/translate all communications with LEP individuals.

To ensure that translations during criminal investigations are documented accurately and are admissible as evidence, audio recordings of interrogations, victim interviews and witness interviews should be used whenever reasonably possible.

Employees providing interpretation or translation services shall also be aware of the inherent communication impediments to gathering information from the LEP individual throughout the booking process or any other situation in which an LEP individual is under the control of Department personnel. Medical screening questions are commonly used to elicit information on an individual's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, symptoms of withdrawal from certain medications or the need to segregate the arrestee from other prisoners. Therefore it is important for members of this department to make every reasonable effort to provide effective language services in these situations.

# Steamboat Springs Police Services

## Policy Manual

### *Limited English Proficiency Services*

---

#### 368.4.6 COMPLAINTS

The Department shall ensure access to LEP persons who wish to file a complaint regarding the discharge of Department duties. The Department may do so by providing interpretation assistance or translated forms to such individuals. If the Department responds to complaints filed by LEP individuals, the Department shall attempt to communicate its response in an accessible manner.

#### 368.4.7 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department have become increasingly recognized as important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to programs and services to LEP individuals and groups.

#### **368.5 TRAINING**

In an effort to ensure that all personnel in public contact positions or who have contact with those in custody are properly trained, the Department will provide periodic training to personnel about LEP policies and procedures, including how to access department-authorized, telephonic and in-person interpreters and other available resources.

The Training Coordinator shall be responsible for ensuring all new personnel receive LEP training and that all personnel receive refresher training at least once every two years thereafter. The Training Coordinator shall maintain records of all LEP training provided, with a copy in each member's training file, in accordance with established records retention schedules.

#### **368.6 SUPPLEMENTAL MATERIALS PROVIDED TO DEPARTMENT EMPLOYEES**

The following materials will be made available to employees to assist in providing access and service to LEP individuals:

- (a) A list of bilingual employees, languages spoken and contact and shift information
- (b) A list of department-certified interpretation services, bilingual interpreters, languages spoken and contact and availability information
- (c) The telephone number and access code of telephonic interpretation services
- (d) Language identification cards
- (e) Translated *Miranda* warning cards and other frequently used documents
- (f) Audio recordings/warnings that are developed in non-English languages

---

## Communications with Persons with Disabilities

### 370.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

#### 370.1.1 DEFINITIONS

Definitions related to this policy include:

**Auxiliary aids** -These are used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of a computer or typewriter; use of an assistive listening system or device to amplify sound; use of a teletypewriter (TTY), videophones (video relay service or VRS); use of taped text; use of qualified readers; or use of a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102). This includes a person who has a functional hearing loss of sufficient severity to prevent aural comprehension, even with the assistance of hearing aids (CRS § 13-90-202).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters should have a valid certification of competency accepted by the Commission for the Deaf and Hard of Hearing (CRS § 13-90-202(8)).

### 370.2 POLICY

It is the policy of the Steamboat Springs Police Services to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

#### 370.2.1 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, Department employees should be alert to the possibility of communication problems. They should exercise special care in the use of all gestures and with verbal and written communications to minimize initial confusion or misunderstanding when dealing with any individual with known or suspected disabilities or communication impairments.

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

#### **370.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR**

The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Patrol Division Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

- (a) Working with the City ADA coordinator regarding the Steamboat Springs Police Services's efforts to ensure equal access to services, programs and activities.
- (b) Developing reports, new procedures, or recommending modifications to this policy.
- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.
- (d) Ensuring that a list of qualified interpreter services is maintained and available to each Shift Supervisor and Dispatch Supervisor. The list should include information regarding the following:
  1. Contact information
  2. Availability
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

#### **370.3.1 FIELD RESOURCES**

Individual officers and employees are encouraged to utilize resources immediately available to them in any contact with a known or suspected disabled or impaired person. Examples of this would include such simple methods as:

- (a) Hand gestures or written communications exchanged between the employee and a deaf or hearing-impaired individual.
- (b) Facing an individual who uses lip reading, and speaking slowly and clearly.
- (c) Slowly and clearly speaking or reading simple terms to any visually or mentally impaired individual.

#### **370.3.2 AUDIO RECORDINGS AND ENLARGED PRINT**

From time to time, the Department may develop audio recordings of important information needed by blind or visually impaired individuals. In the absence of such audio recordings, employees may elect to read aloud a Department form or document, i.e., reading a citizen complaint form

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

to a visually impaired individual or utilizing a photocopier to enlarge printed forms for a visually impaired individual.

#### **370.3.3 TELEPHONE INTERPRETER SERVICES**

The Shift Supervisor and Dispatch Supervisor will maintain a list of qualified interpreter services, to be contacted at Department expense and upon the approval of a supervisor, to assist deaf or hearing-impaired individuals. When utilized, notification to such interpreters shall be made at the earliest reasonable opportunity. The interpreter should be available to respond within a reasonable time, generally not to exceed three hours.

#### **370.3.4 TTY AND RELAY SERVICES**

Individuals who are deaf or hearing-impaired must be given the opportunity to use available text telephones (TTY or TDD). All calls placed by such individuals through such services shall be accepted by this department.

#### **370.3.5 COMMUNITY VOLUNTEERS**

Depending on the circumstances, location and availability, responsible members of the community may be available to provide qualified interpreter services, such as those who are proficient in American Sign Language (ASL). Sources for these individuals may include local businesses, banks, churches, neighborhood leaders and school officials. In addition to sources that may be developed by individual officers, the Department will attempt to maintain and update a list of qualified community volunteers who may be available to respond within a reasonable time.

#### **370.3.6 FAMILY AND FRIENDS OF DISABLED OR IMPAIRED INDIVIDUAL**

While family and friends of a disabled or impaired individual may frequently offer to assist with interpretation, employees should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in emergency or critical situations. Further, the nature of the contact and relationship between the disabled individual and the individual offering services must be carefully considered (e.g., victim/suspect).

### **370.4 FACTORS TO CONSIDER**

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

#### 370.4.1 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

To provide disabled and impaired individuals with meaningful access to law enforcement services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, this department has designated its 9-1-1 lines as its top priority for assistance with such services. Department personnel will make every reasonable effort to promptly accommodate disabled and impaired individuals utilizing 9-1-1 lines through any or all of the above resources.

While 9-1-1 calls shall receive top priority, it is also important that reasonable efforts be made to accommodate disabled and impaired individuals seeking more routine access to services and information from this department.

#### 370.4.2 QUALIFIED INTERPRETER REQUIRED IN ARRESTS

An officer who arrests a person who, due to deafness or a physical speaking impairment, cannot readily understand or communicate in the English language or cannot understand the proceedings, shall inform his/her supervisor of the arrest and ensure a qualified interpreter as specified by law is available at public expense to the arrestee before an interrogation or the taking of a statement (CRS § 13-90-204(1)(d)).

The arresting officer shall immediately make arrangements to provide a qualified interpreter at the earliest possible time at the place of detention. The officer shall, with the assistance of the interpreter, explain to the person disabled in communication, all charges filed and all procedures relating to the person's detention and release. The interpreter shall assist with all other communications including those relating to needed medical attention.

#### 370.4.3 CUSTODIAL INTERROGATIONS AND BOOKINGS

To ensure that the rights of all disabled and impaired individuals are protected during arrest and custodial interrogation, this department places a high priority on providing reasonable communication assistance during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, Department personnel providing communication assistance in these situations will make every reasonable effort to accurately and effectively communicate with disabled or impaired individuals.

Employees providing such assistance shall also be aware of the inherent impediments to gathering information from disabled or impaired individuals throughout the booking process or any other situation in which a disabled or impaired individual is under the control of Department personnel. Medical screening questions are commonly used to elicit information regarding an individual's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, symptoms

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

of withdrawal from certain medications or the need to segregate the arrestee from other prisoners. It is important for this department to make every reasonable effort to provide effective communication assistance in these situations.

- (a) Individuals who require communication aids (e.g., hearing aids) should be permitted to retain such devices while in custody.
- (b) While it may present officer safety or other logistical problems to allow a physically disabled individual to retain devices, such as a wheelchair or crutches during a custodial situation, the removal of such items will require that other reasonable accommodations be made to assist such individuals with access to all necessary services.
- (c) Whenever a deaf or hearing-impaired individual is detained or arrested and placed in handcuffs, officers should consider, safety permitting, placing the handcuffs in front of the body to allow the individual to sign or write notes.

#### **370.4.4 QUALIFIED INTERPRETER REQUIRED FOR VICTIMS AND WITNESSES**

An officer shall make arrangements to provide a qualified interpreter to assist in an interview or questioning of a victim or witness who is deaf or hard of hearing and uses sign language for effective communication (CRS § 13-90-204(1)(f)).

#### **370.4.5 FIELD ENFORCEMENT AND INVESTIGATIONS**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve disabled or impaired individuals. The scope and nature of these activities and contacts will inevitably vary. The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every officer in the field. Each officer and/or supervisor must assess each situation to determine the need and availability for communication assistance to any and all involved disabled or impaired individuals.

Although not every situation can be addressed within this policy, it is important that employees are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with a deaf individual.

#### **370.4.6 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department have become increasingly recognized as important to the ultimate success of more traditional law enforcement duties. As such, this department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services to disabled individuals and groups.

#### **370.5 INITIAL AND IMMEDIATE CONSIDERATIONS**

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Steamboat Springs Police Services, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

#### **370.6 TYPES OF ASSISTANCE AVAILABLE**

Steamboat Springs Police Services members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

#### **370.7 AUDIO RECORDINGS AND ENLARGED PRINT**

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

#### **370.8 QUALIFIED INTERPRETERS**

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

#### **370.9 TTY AND RELAY SERVICES**

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

#### **370.10 COMMUNITY VOLUNTEERS**

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

#### **370.11 FAMILY AND FRIENDS**

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

#### **370.12 REPORTING**

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

#### **370.13 FIELD ENFORCEMENT**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

#### **370.13.1 FIELD RESOURCES**

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

#### **370.13.2 QUALIFIED INTERPRETER REQUIRED FOR VICTIMS AND WITNESSES**

An officer shall make arrangements to provide a qualified interpreter to assist in an interview or questioning of a victim or witness who is deaf or hard of hearing and uses sign language for effective communication (CRS § 13-90-204(1)(f)).

#### **370.14 CUSTODIAL INTERROGATIONS**

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

#### 370.14.1 WAIVER

Any waiver to a qualified interpreter or auxiliary service shall be in writing. The person may have access to counsel for advice and shall have actual, full knowledge of the right to effective communication (CRS § 13-90-208).

If there is no waiver, *Miranda* warnings shall be given by the interpreter prior to any attempt to interrogate or take a statement from the person (CRS § 13-90-204(1)(d)).

#### **370.15 ARRESTS AND BOOKING**

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

#### **370.16 COMPLAINTS**

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

#### **370.17 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

#### **370.18 TRAINING**

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Training Coordinator shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Coordinator shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

##### **370.18.1 CALL-TAKER TRAINING**

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) ASL syntax and accepted abbreviations.
- (c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
- (d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

# Steamboat Springs Police Services

## Policy Manual

### *Communications with Persons with Disabilities*

---

Training should be mandatory for all the Communications Center members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

---

## Pupil Arrest Reporting

### **373.1 PURPOSE AND SCOPE**

The purpose of this policy is to describe the procedures to follow when a pupil is arrested on school grounds and during school hours.

### **373.2 PUPIL ARREST REPORTING**

In the event a school pupil is arrested on school grounds and during school hours, the arresting officer shall notify the chief administrative officer of the school or the appropriate designee of the arrest of a pupil.

If the arrest involved alcohol or a controlled substance, the School Administrators shall be notified.

#### **373.2.1 PARENTAL NOTIFICATION**

Upon arrest, it is the arresting officer's responsibility to ensure the parents of the arrested pupil are properly notified. Notification shall be made by the officer. Notifications should be documented and include the charges against the pupil and information as to where the pupil will be taken.

#### **373.2.2 PUPIL ARREST AFTER NOTIFICATION**

Based upon the circumstances of the investigation, it may be appropriate to notify the school prior to the arrest. Prior notification and assistance from the school may reduce disruption to school operations and other students.

#### **373.2.3 PUPIL ARREST BEFORE NOTIFICATION**

Based upon the circumstances of the investigation, it may be appropriate to arrest the pupil before notifying the school. This may be appropriate if the pupil is a flight risk, if prior notification will impede the investigation or if notification creates additional risks to students, faculty, the officer or the public.

Proper notification to the school after the pupil's arrest should then be made when circumstances reasonably allow.

---

## Biological Samples

### 374.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

#### 374.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 18-1-1101):

**Disposed of** - Means evidence is destroyed, thrown away or returned to the owner or his/her designee.

**DNA** - Means deoxyribonucleic acid.

**DNA evidence** - Means all evidence collected in a criminal investigation, which evidence may be reasonably believed to contain DNA that is relevant to a disputed issue in the investigation and prosecution of the case.

**DNA profile** - Means an identifier obtained as a result of a specific DNA analysis.

### 374.2 POLICY

The Steamboat Springs Police Services will assist in the expeditious collection of required biological samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

#### 374.2.1 FELONY OFFENSES

As part of the booking process, or later if impractical during booking, the Department shall collect a biological DNA sample on every adult arrested or charged with a felony on or after September 30, 2010 (CRS § 16-23-103(1) and CRS 16-23-103(3)).

### 374.3 PERSONS SUBJECT TO DNA COLLECTION

The following persons must submit a biological sample (CRS § 16-23-103; CRS § 16-11-102.4):

- (a) Every adult arrested for a felony offense, as part of the booking process, or who is charged with a felony by an indictment, information or felony complaint
- (b) In all other cases, upon the adult's first appearance in court following the filing of charges, when a court requires the adult to submit a sample to the investigating agency responsible for fingerprinting pursuant to CRS § 16-21-104
- (c) Persons who have been convicted and are required to submit a sample under CRS § 16-11-102.4

# Steamboat Springs Police Services

## Policy Manual

### *Biological Samples*

---

#### 374.3.1 BLOOD SAMPLES

A blood sample shall be drawn in a medically acceptable manner by a licensed professional nurse, a licensed practical nurse, a paramedic, a qualified medical technician, a licensed physician or other person licensed by the state for this purpose.

#### 374.3.2 BUCCAL SWABS

Buccal swab samples (taken from the inside of the mouth) may only be procured by employees who have successfully completed approved training in the collection of buccal swabs and with the use of approved buccal swab collectors. Identifying information shall be placed on the collector.

#### 374.3.3 FULL PALM PRINTS AND PHOTOGRAPHS

If the offender has not been fingerprinted and photographed, full palm print impressions shall be obtained on the prescribed forms and the offender shall be photographed. Both the fingerprints and the photographs shall be forwarded to the Colorado Bureau of Investigation (see generally CRS § 16-21-104).

#### 374.3.4 USE OF FORCE TO OBTAIN SAMPLES

An authorized employee may use reasonable force against an individual who is required to provide a DNA sample when and to the degree the employee reasonably believes the force is reasonably necessary to collect the sample (CRS § 16-23-103(5)).

- (a) If, after a written or oral request, a qualified person refuses to provide any or all of the required DNA samples, an authorized employee of this department may use reasonable force to obtain such sample under the following conditions:
  1. Prior to the use of reasonable force, the authorized employee shall take and document reasonable steps to secure voluntary compliance.
  2. Prior to the use of reasonable force, the authorized employee shall obtain written authorization from a supervisor, which shall minimally include that the individual was asked to provide the sample and refused.
  3. If the authorized use of reasonable force includes a cell extraction, such extraction shall be recorded on video.
- (b) If the circumstances appear that the force required to obtain the sample may be excessive or unnecessary and is therefore unreasonable, the employee should stop the attempt and promptly complete an information report on the effort (CRS § 16-23-103(3)). In the report, he/she should at a minimum:
  1. Identify the persons present.
  2. Provide a description of the effort to obtain the DNA sample and the behaviors of the subject that prevented acquisition of the sample.
  3. Submit the report to a supervisor.

## *Biological Samples*

---

The supervisor should, no later than the next business day, forward the report to the prosecuting attorney with a cover letter requesting that the court order the subject to submit to the acquisition process, thereby making any noncompliance in contempt of the court. This letter is a request for authorization from the court to employ an alternative method of sampling that will allow officers/deputies to obtain a sample with no or minimal force, including but not limited to, sedation and sampling by a medical professional.

For the purpose of this section, the "use of reasonable force" shall be defined as the force that an objective, reasonable, trained and competent authorized employee faced with similar facts and circumstances would consider necessary and reasonable to gain compliance.

### **374.4 PROCEDURE**

When an individual is required to provide a biological sample, a trained employee shall attempt to obtain the sample in accordance with this policy.

#### **374.4.1 COLLECTION**

The following steps should be taken to collect a sample:

- (a) Verify that the individual is required to provide a sample pursuant to CRS § 16-23-103 or CRS § 16-11-102.4.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the person's criminal history. There is no need to obtain a biological sample if one has been previously obtained.
- (c) Use the designated collection kit provided by the Colorado Bureau of Investigation (CBI) to perform the collection and take steps to avoid cross contamination.

#### **374.4.2 NOTICE OF A REJECTED SAMPLE**

In the event the Colorado Bureau of Investigation notifies the Department that a DNA sample or print impression is not usable, the individual whose original sample or impression was provided is required to submit to collection of additional samples. The Department shall thereafter take all reasonable steps to collect additional samples from any such individual and promptly transmit these samples as required.

#### **374.4.3 FOLLOW-UP NOTICE TO THE BUREAU OF INVESTIGATION**

Within two years of submitting any DNA specimen, this department shall notify the Colorado Bureau of Investigation whether the individual remains a suspect in a criminal investigation. It shall be the responsibility of the Colorado Bureau of Investigation to thereafter purge samples of any individual who is no longer a suspect in any criminal investigation from the DNA database.

#### **374.4.4 RECORDS, RETENTION AND PRESERVATION**

The Department shall maintain a DNA record for the statutory period of a DNA specimen collection from an eligible individual from the date of collection.

# Steamboat Springs Police Services

## Policy Manual

### *Biological Samples*

---

- (a) DNA evidence collected in reference to a criminal investigation of a felony that does not result in or has not resulted in charges being filed shall be preserved for the length of the statute of limitations for the felony crime that was investigated (CRS § 18-1-1103(1)).
- (b) Except as provided in CRS § 18-1-1105, CRS § 18-1-1106 and CRS § 18-1-1107, the Department shall preserve the DNA evidence for the life of a defendant who is convicted, if the sample was collected in a criminal investigation that resulted in a conviction listed in CRS § 18-1-1102(1) and CRS § 18-1-1103(2).
- (c) A court may order the department to preserve existing biological evidence for DNA testing at the request of a defendant (CRS § 18-1-414(2)).

#### **374.5 USE OF FORCE TO OBTAIN SAMPLES**

If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor. Methods to consider when seeking voluntary compliance include contacting:

- (a) The person's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the person's next court appearance.
- (d) The person's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.
- (g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if available.

The supervisor shall review and approve any plan to use force and be present to document the process.

##### **374.5.1 VIDEO RECORDING**

A video recording should be made any time force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's records retention schedule.

#### **374.6 LEGAL MANDATES AND RELEVANT LAWS**

Colorado law provides for the following:

# Steamboat Springs Police Services

## Policy Manual

### *Biological Samples*

---

#### **374.6.1 FORWARDING BIOLOGICAL SAMPLES**

All biological samples and related materials shall be promptly forwarded to CBI using CBI material, labels and instructions for prompt analysis (CRS § 16-23-103(6); CRS § 16-23-104).

#### **374.6.2 LITIGATION**

The Chief of Police or the authorized designee shall immediately notify the Colorado Attorney General's Office in the event this department is named in a lawsuit involving the DNA database.

#### **374.7 EXPUNGEMENT OF DNA EVIDENCE**

A person may qualify for expungement and destruction of DNA evidence. This department will destroy DNA evidence after written notice is received from the Colorado Bureau of Investigation (CRS § 16-23-105).

#### **374.8 DISPOSITION OF DNA EVIDENCE**

In cases described in CRS § 18-1-1102(1)(c) and CRS § 18-1-1102(1)(d), the department may seek to dispose of DNA evidence by providing notice to the District Attorney who prosecuted the charges (CRS § 18-1-1105(2)).

If the District Attorney determines that the DNA evidence should not be disposed of, the District Attorney will provide notice. Upon receipt of the notice, the department shall preserve the DNA evidence until such time that a court order is obtained to dispose of the DNA evidence (CRS § 18-1-1105(4)).

If the department does not receive notice from the District Attorney within a reasonable amount of time, the department may file a motion with the court that entered the conviction in the case, asking for a court order to dispose of the DNA evidence.

The department may not request permission to dispose of DNA evidence in cases described in CRS § 18-1-1102(1)(a) and CRS § 18-1-1102(1)(b) (CRS § 18-1-1105(1)).

#### **374.8.1 DISPOSITION OF VICTIM DNA EVIDENCE**

If DNA evidence is being held that is the property of the victim, the victim may request the District Attorney to review whether the DNA evidence may be returned. If the District Attorney determines the DNA evidence may be returned, the District Attorney may file a petition with the court for the return of the DNA evidence. Upon proper receipt, the department will release DNA evidence belonging to the victim (CRS § 18-1-1107).

#### **374.9 TRAINING**

All officers are required to complete DNA training, such as that provided by the Colorado Peace Officer Standards and Training (POST) online training module (CRS § 24-31-311).

## Chaplains

### 376.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Steamboat Springs Police Services chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

### 376.2 POLICY

The Steamboat Springs Police Services shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

### 376.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.
- (b) Managing their households, families and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate-level background investigation.
- (e) A minimum of five years of successful counseling experience.
- (f) Possession of a valid driver's license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

### 376.4 RECRUIT, SELECTION AND APPOINTMENT

The Steamboat Springs Police Services shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

#### 376.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

# Steamboat Springs Police Services

## Policy Manual

### *Chaplains*

---

#### **376.4.2 SELECTION AND APPOINTMENT**

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Submit the appropriate written application.
- (b) Include a recommendation from employers or volunteer programs.
- (c) Interview with the Chief of Police and the chaplain coordinator.
- (d) Successfully complete an appropriate-level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee

#### **376.5 IDENTIFICATION AND UNIFORMS**

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Steamboat Springs Police Services identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Steamboat Springs Police Services identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

#### **376.6 CHAPLAIN COORDINATOR**

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Administration Division Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or Shift Supervisor.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

# Steamboat Springs Police Services

## Policy Manual

### *Chaplains*

---

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Recruiting, selecting and training qualified chaplains.
- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain callout roster.
- (d) Maintaining records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Maintaining a record of chaplain schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

#### **376.7 DUTIES AND RESPONSIBILITIES**

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Division. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Steamboat Springs Police Services.

##### **376.7.1 COMPLIANCE**

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies

##### **376.7.2 CHAPLAIN MEETINGS**

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

##### **376.7.3 ASSISTING DEPARTMENT MEMBERS**

The responsibilities of a chaplain related to department members include, but are not limited to:

# Steamboat Springs Police Services

## Policy Manual

### Chaplains

---

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

#### 376.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Shift Supervisor or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the department.

#### 376.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

#### 376.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Steamboat Springs Police Services in any capacity other than that of chaplain.

# Steamboat Springs Police Services

## Policy Manual

### *Chaplains*

---

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Steamboat Springs Police Services member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

#### **376.9 OPERATIONAL GUIDELINES**

- (a) Chaplains will not be scheduled, rather will be on call and available for response when needed.
- (b) Chaplains will occasionally attend roll call or ride along with personnel to develop and expand the Chaplain's role in the organization.
- (c) Chaplains shall be permitted to ride with officers during any shift and observe Steamboat Springs Police Services operations, provided the Shift Supervisor has been notified and has approved the activity.
- (d) Chaplains shall not be evaluators of employees.
- (e) In responding to incidents, a chaplain shall never function as an officer.
- (f) When responding to in-progress calls for service, chaplains may be required to standby in a secure area until the situation has been deemed safe.
- (g) Chaplains shall serve only within the jurisdiction of the Steamboat Springs Police Services unless otherwise authorized by the Chief of Police or the authorized designee.
- (h) Each chaplain shall have access to current personnel rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered private; each chaplain will exercise appropriate security measures to prevent distribution of the data.

#### **376.9.1 UNIFORMS AND BADGES**

A distinct uniform, identification and the necessary safety equipment will be provided for the chaplains. This uniform may be similar to that worn by the personnel of this department.

#### **376.10 TRAINING**

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Coordinator, may include:

- Stress management
- Death notifications

# Steamboat Springs Police Services

Policy Manual

## *Chaplains*

---

- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity

---

## Child and Dependent Adult Safety

### 379.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse Policy and the Adult Abuse Policy.

#### 379.1.1 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when a parent or caregiver is arrested. The Steamboat Springs Police Services will endeavor to create a strong cooperative relationship with local community-based social services to ensure an effective, collaborative response that addresses the needs of those affected.

### 379.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when a parent or caregiver is arrested. The Steamboat Springs Police Services will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected.

#### 379.2.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered minor children or dependent adults.

If the arrestee is cooperative and officer safety is maintained, officers should allow the arrestee reasonable time to arrange for care of minor children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. The following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of minor children and dependent adults with a responsible party, as appropriate.
  1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts. Consideration regarding familiarity with the surroundings, comfort, emotional state and safety should be paramount.

# Steamboat Springs Police Services

## Policy Manual

### *Child and Dependent Adult Safety*

---

2. Except when a court order exists limiting contact, the officer should attempt to locate and place dependent children or adults with a non-arrested parent or guardian.
- (b) Provide for the immediate supervision of minor children or a dependent adult until an appropriate caregiver arrives.
  - (c) Notify the Department of Human Services if appropriate.
  - (d) Notify the field supervisor or Shift Supervisor of the disposition of minor children or dependent adults.

If children or dependent adults are at school or a known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependents. The result of such actions should be included in the associated report.

#### 379.2.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make additional free local telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any minor dependent child or adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

#### 379.2.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting officer will document the following information:
  1. Names
  2. Gender
  3. Age
  4. How, where and with whom or which agency the child was placed
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee should document the following information about the dependent adult:
  1. Identity
  2. Whether he/she reasonably appears able to care for him/herself
  3. Disposition or placement information if he/she is unable to care for him/herself

#### 379.2.4 SUPPORT AND COUNSELING REFERRAL

Should it be apparent that law enforcement action may have a delayed or lingering effect upon children or dependent adults, providing referral information for available support, counseling, victim advocate, a crisis line or similar services should be considered.

# Steamboat Springs Police Services

## Policy Manual

### *Child and Dependent Adult Safety*

---

#### **379.3 PROCEDURES DURING AN ARREST**

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

##### **379.3.1 AFTER AN ARREST**

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
  1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.

# Steamboat Springs Police Services

## Policy Manual

### *Child and Dependent Adult Safety*

---

2. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (b) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
  - (c) Notify the Department of Human Services, if appropriate.
  - (d) Notify the field supervisor or Shift Supervisor of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependents. The result of such actions should be documented in the associated report.

#### 379.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

#### 379.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting member will document the following information:
  1. Name
  2. Sex
  3. Age
  4. How, where and with whom or which agency the child was placed
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
  1. Name
  2. Sex
  3. Age
  4. Whether he/she reasonably appears able to care for him/herself

# Steamboat Springs Police Services

## Policy Manual

### *Child and Dependent Adult Safety*

---

5. Disposition or placement information if he/she is unable to care for him/herself

#### **379.3.4 SUPPORT AND COUNSELING REFERRAL**

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

#### **379.4 TRAINING**

The Training Coordinator is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

## Service Animals

### 381.1 PURPOSE AND SCOPE

Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Steamboat Springs Police Services recognizes this need and is committed to making reasonable modifications to its policies, practices and procedures in accordance with Title II of the Americans with Disabilities Act (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

### 381.2 SERVICE ANIMALS

The ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR 35.104).

Service animals also include assistance dogs that are in the process of being trained and are accompanied by a trainer (CRS § 24-34-803).

#### 381.2.1 USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items, or follow daily routines.

### 381.3 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the public is allowed. Department members are expected to treat individuals with

# Steamboat Springs Police Services

## Policy Manual

### *Service Animals*

---

service animals with the same courtesy and respect that the Steamboat Springs Police Services affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations, an officer may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually. Past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with the disability.

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal, and no further question as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner in all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.

---

## Volunteer Program

### 383.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, certified officers and non-sworn personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase department responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

#### 383.1.1 DEFINITIONS

Definitions related to this policy include:

**Volunteer** - An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid officers, interns, persons providing administrative support , among others.

#### 383.1.2 VOLUNTEER ELIGIBILITY

Requirements for participation as an Steamboat Springs Police Services volunteer include:

- (a) Residency in the City of Steamboat Springs.
- (b) At least 18 years of age for all positions other than Explorer.
- (c) A valid driver's license if the position requires vehicle operation.
- (d) Liability insurance for any personally owned equipment, vehicles or horses utilized during volunteer work.
- (e) No conviction of a felony, any crime of a sexual nature, any crime related to assault, any crime related to moral turpitude or any crime related to impersonating a law enforcement officer.
- (f) No conviction of a misdemeanor crime within the past 10 years, excluding petty traffic offenses.
- (g) No condition of mental illness or chemical dependency that may adversely affect the person's ability to serve in the position.
- (h) Physical requirements reasonably appropriate to the assignment.
- (i) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualification of the individual.

## *Volunteer Program*

---

### **383.2 VOLUNTEER MANAGEMENT**

#### **383.2.1 VOLUNTEER COORDINATOR**

The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Operations Commander will function as the Volunteer Coordinator. The Volunteer Coordinator or the authorized designee shall be responsible for the following:

- (a) Recruiting, selecting and training qualified volunteers for various positions
- (b) Maintaining records for each volunteer
- (c) Tracking and evaluating the contribution of volunteers
- (d) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers
- (e) Maintaining a record of volunteer schedules and work hours
- (f) Completion and dissemination as appropriate of all necessary paperwork and information
- (g) Planning periodic recognition events
- (h) Administering discipline when warranted
- (i) Maintaining liaison with other community volunteer programs and assisting in community-wide efforts to recognize and promote volunteering

#### **383.2.2 RECRUITMENT**

Volunteers should be recruited on a continuous and ongoing basis in accordance with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist, the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Operations Commander through the chain of command. A complete position description and a requested time frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Operations Commander may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

#### **383.2.3 SCREENING**

All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or the authorized designee should conduct a face-to-face interview with the applicant.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check

# Steamboat Springs Police Services

## Policy Manual

### *Volunteer Program*

---

- (b) Employment
- (c) References
- (d) Credit check

A truth verification exam may be required of each applicant depending on the type of assignment.

A volunteer whose assignment requires the use of, access to or places him/her in the vicinity of criminal histories, investigative files or information portals shall require submission of prints and clearance through the Colorado Bureau of Investigation.

#### 383.2.4 SELECTION AND PLACEMENT

Service as a volunteer shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Coordinator. No volunteer should begin performance of any position until he/she has been officially accepted for that position and completed all necessary screening and documentation.

At the time of final acceptance, each volunteer should complete all necessary enrollment documentation and will receive a copy of the job description and agreement of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and with the needs of the Department.

Reserve Unit volunteers are generally assigned to augment regular staffing levels.

#### 383.2.5 EMPLOYEES WORKING AS RESERVE

Certified employees of this department, when authorized, may also serve as reserve officers. However, the Department must not utilize the services of a reserve or volunteer in such a way that it would violate employment laws or labor agreements (example: a detention officer working as a reserve officer for reduced or no pay). Therefore, the Reserve Coordinator should consult the Department of Human Resources prior to an employee serving in a reserve, auxiliary or volunteer capacity (29 CFR 553.30).

#### 383.2.6 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the department, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Depending on the assignment, training may include the following:

- (a) Role of the volunteer

# Steamboat Springs Police Services

## Policy Manual

### *Volunteer Program*

---

- (b) Department policies
- (c) Training specific to the procedure manual for the volunteer position
- (d) Discrimination and harassment training
- (e) CPR/first aid
- (f) CERT/Citizens Emergency Response Training
- (g) Search and rescue techniques
- (h) Scenario-based searching methods
- (i) Evidence preservation
- (j) Basic traffic direction and control
- (k) Roadway incursion safety
- (l) Self-defense techniques
- (m) Vehicle operations, including specialized vehicles
- (n) Issuance of citations

Pursuant to Colorado Peace Officer Standards and Training (POST) rules and regulations, the Department may establish training, licensing and continuing education requirements for its reserve officers.

Training should reinforce to volunteers that they should not intentionally represent themselves as, or by omission infer, that they are certified officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department. Whenever a rule, regulation or guideline in this manual refers to a certified officer, it shall also apply to a volunteer, unless by its nature it is inapplicable.

#### 383.2.7 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license
- (b) Medical condition
- (c) Arrests
- (d) Criminal investigations

# Steamboat Springs Police Services

## Policy Manual

### *Volunteer Program*

---

- (e) All law enforcement contacts

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

#### **383.2.8 DRESS CODE**

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by certified officers. No volunteer shall wear his/her uniform or identifiable parts of that uniform while off-duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.

#### **383.3 SUPERVISION OF VOLUNTEERS**

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as, and act as, a supervisor of other volunteers, provided the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and the necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

#### **383.4 CONFIDENTIALITY**

With appropriate security clearance, volunteers may have access to private and confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor, the duties of the position or department policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

Each volunteer will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized

# Steamboat Springs Police Services

## Policy Manual

### *Volunteer Program*

---

disclosure of any private or confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

#### **383.5 PROPERTY AND EQUIPMENT**

Volunteers will be issued an identification card that must be worn and visible at all times while on-duty. Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

##### **383.5.1 VEHICLE USE**

Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

- (a) A driving safety briefing
- (b) Verification that the volunteer possesses a valid driver's license
- (c) Verification that the volunteer carries current vehicle insurance

The Public Information Officer should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements.

##### **383.5.2 RADIO AND MDT USAGE**

Volunteers shall successfully complete state and federal database access training and radio procedures training prior to using the law enforcement radio or MDT and shall comply with all related provisions. The Volunteer Coordinator should ensure that radio and database access training is provided for volunteers whenever necessary.

#### **383.6 DISCIPLINARY PROCEDURES/TERMINATION**

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing. The hearing shall be limited to a single appearance before the Chief of Police or the authorized designee.

Volunteers may resign from volunteer service with this department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

# Steamboat Springs Police Services

## Policy Manual

### *Volunteer Program*

---

#### **383.6.1 EXIT INTERVIEWS**

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

#### **383.7 EVALUATION**

An evaluation of the overall volunteer program will be conducted on an annual basis by the Public Information Officer. Regular evaluations should be conducted with volunteers to ensure the best use of human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of volunteers.

#### **383.8 EMERGENCY CALL-OUT FOR VOLUNTEER PERSONNEL**

The Public Information Officer shall develop a plan outlining an emergency call-out procedure for volunteer personnel.

---

# Native American Graves Protection and Repatriation

## 385.1 PURPOSE AND SCOPE

This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

### 385.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

**Funerary objects and associated funerary objects** - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

**Native American human remains** - The physical remains of the body of a person of Native American ancestry.

**Objects of cultural patrimony** - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

**Sacred objects** - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

## 385.2 POLICY

It is the policy of the Steamboat Springs Police Services that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

## 385.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

# Steamboat Springs Police Services

## Policy Manual

### *Native American Graves Protection and Repatriation*

---

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4; CRS § 24-80-1302):

- When appropriate, the Coroner.
- Federal land - Appropriate agency at the U.S. Department of the Interior or the U.S. Department of Agriculture
- State land - Appropriate Colorado land management agency
- Tribal land - Responsible Indian tribal official

#### **385.4 EVIDENCE AND PROPERTY**

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

---

## Off-Duty Law Enforcement Actions

### 387.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Steamboat Springs Police Services with respect to taking law enforcement action while off-duty.

### 387.2 POLICY

Officers generally should not initiate law enforcement action while off-duty. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

When the safety of the public or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

Officers are not expected to place themselves in unreasonable peril. However, any certified member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death or significant property damage may take reasonable action to minimize the threat.

### 387.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations, state law and Department policy. All firearms and ammunition must meet guidelines as described in the Firearms Policy. When carrying firearms while off-duty, officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed any amount of any alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgment. The carrying of firearms is prohibited while under the influence of alcohol or a controlled substance (CRS § 18-12-106(d)).

### 387.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable and should take into consideration:

- (a) The tactical disadvantage of being alone and that there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, oleoresin capicum (OC) spray or a baton.

# Steamboat Springs Police Services

## Policy Manual

### *Off-Duty Law Enforcement Actions*

---

- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive and gather as much accurate intelligence as possible, instead of immediately intervening.

#### **387.4.1 INTERVENTION PROCEDURE**

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Steamboat Springs Police Services officer until acknowledged. Official identification should also be displayed.

#### **387.4.2 INCIDENTS OF PERSONAL INTEREST**

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances, officers should call the responsible agency to handle the matter.

#### **387.4.3 RESPONSIBILITIES**

Non-sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

#### **387.4.4 OTHER CONSIDERATIONS**

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

### **387.5 REPORTING**

Any officer, prior to taking any off-duty enforcement action, shall notify and receive approval of a supervisor (or other applicable law enforcement authority if acting outside the jurisdiction of the Steamboat Springs Police Services). If prior contact is not reasonably possible, an officer shall notify the applicable local law enforcement agency as soon as reasonably practicable. The Shift Supervisor shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

---

## Department Use of Social Media

### 389.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

#### 389.1.1 DEFINITIONS

Definitions related to this policy include:

**Social media** - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

### 389.2 POLICY

The Steamboat Springs Police Services may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

### 389.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

### 389.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

# Steamboat Springs Police Services

## Policy Manual

### *Department Use of Social Media*

---

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

#### **389.4.1 INCIDENT-SPECIFIC USE**

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

#### **389.5 PROHIBITED CONTENT**

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Steamboat Springs Police Services or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

#### **389.5.1 PUBLIC POSTING PROHIBITED**

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

# Steamboat Springs Police Services

## Policy Manual

### *Department Use of Social Media*

---

#### **389.6 MONITORING CONTENT**

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

#### **389.7 RETENTION OF RECORDS**

The Administration Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

#### **389.8 TRAINING**

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

---

## Illness and Injury Prevention Program

### 390.1 PURPOSE AND SCOPE

The health and safety of the employees of the Steamboat Springs Police Services is important to executive and management staff, and is critical to the operation of this department and the delivery of services to the community.

The purpose of this policy is to establish an ongoing and effective Injury and Illness Prevention Program (IIPP) for the Steamboat Springs Police Services. This policy specifically applies to illnesses and injuries that result in lost time beyond the date of the incident or that require medical treatment beyond first aid. Though this policy provides the essential framework required for an IIPP, it may be supplemented by procedures outside the Policy Manual.

The IIPP guidelines are to be followed and adopted by all personnel. Supervisory and management personnel are charged with ensuring these guidelines and directives are implemented.

### 390.2 RESPONSIBILITY

The Administration Division Commander, acting as the IIPP administrator for this department, has the authority and responsibility for implementing the provisions of this policy and the IIPP. Supervisors are responsible for implementing and maintaining the IIPP in their work areas and for answering questions from employees about the IIPP.

### 390.3 COMPLIANCE

The Administration Division Commander is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. The Administration Division Commander should take reasonable steps to ensure that all workers comply with safety rules and maintain a safe work environment, including, but not limited to:

- (a) Informing workers of the provisions of the IIPP.
- (b) Recognizing employees who perform safe work practices.
- (c) Ensuring that the employee evaluation process includes the employee's safety performance.
- (d) Ensuring the compliance of this department with safety rules regarding:
  1. Protection from bloodborne pathogens
  2. Protection from airborne transmissible diseases
  3. Prevention of heat-related illness
  4. Respiratory protection

Supervisors are responsible for training, counseling, instructing or making informal verbal admonishments anytime safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Disciplinary Policy in this manual.

# Steamboat Springs Police Services

## Policy Manual

### *Illness and Injury Prevention Program*

---

All employees should use safe work practices, follow all directives and policies and assist in maintaining a safe work environment.

#### **390.4 COMMUNICATION**

Supervisors shall establish and maintain communication with employees on health and safety issues. This is essential for an injury-free, productive workplace.

- (a) The Administration Division Commander will ensure that a system of communication is in place which facilitates a continuous flow of safety and health information between supervisors and employees. This system shall include:
1. New worker orientation, including a discussion of safety and health policies and procedures.
  2. Regular employee review of the IIPP.
  3. Workplace safety and health training programs.
  4. Regularly scheduled safety meetings.
  5. Posted or distributed safety information.
  6. A system for workers to anonymously inform management about workplace hazards.
  7. Establishment of a labor/management safety and health committee, which will:
    - (a) Meet regularly.
    - (b) Prepare a written record of the safety and health committee meeting.
    - (c) Review the results of periodic scheduled inspections.
    - (d) Review investigations of accidents and exposures.
    - (e) Make suggestions to management for the prevention of future incidents.
    - (f) Review investigations of alleged hazardous conditions.
    - (g) Submit recommendations to assist in the evaluation of employee safety suggestions.
    - (h) Assess the effectiveness of the efforts made by this department to address the following issues:
      1. Protection from bloodborne pathogens
      2. Protection from airborne transmissible diseases
      3. Prevention of heat-related illness

# Steamboat Springs Police Services

## Policy Manual

### *Illness and Injury Prevention Program*

---

#### **390.5 HAZARD ASSESSMENT**

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and should utilize an applicable Hazard Assessment Checklist to ensure a thorough inspection.

##### **390.5.1 ADMINISTRATION DIVISION COMMANDER INSPECTION DUTIES**

The Administration Division Commander shall ensure that an applicable Identified Hazard and Correction Record Form is completed for each inspection.

##### **390.5.2 PATROL OFFICERS INSPECTION DUTIES**

Officers are charged with daily vehicle inspection of an assigned vehicle and of personal protective equipment prior to working in the field. Officers shall complete an Identified Hazard and Correction Record Form if an unsafe condition cannot be immediately corrected. Officers should forward this report to their supervisor.

##### **390.5.3 SUPERVISOR ASSESSMENT DUTIES**

Supervisors should inform the Administration Division Commander when the following occurs:

- New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
- New, previously unidentified hazards are recognized.
- Occupational injuries and illnesses occur.
- New and/or permanent or intermittent workers are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
- Whenever workplace conditions warrant an inspection.

The Administration Division Commander will take appropriate action to ensure the IIPP addresses potential hazards upon such notification.

#### **390.6 ACCIDENT/EXPOSURE INVESTIGATIONS**

Employees must report all injuries that are a result of a workplace accident and any hazardous substance exposure to a supervisor. A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- A visit to the accident scene as soon as possible.
- An interview of the injured worker and witnesses.
- An examination of the workplace for factors associated with the accident/exposure.
- Determination of the cause of the accident/exposure.
- Corrective action to prevent the accident/exposure from reoccurring.
- A record of the findings and corrective actions taken.

# Steamboat Springs Police Services

## Policy Manual

### *Illness and Injury Prevention Program*

---

#### **390.7 HAZARD CORRECTION**

All employees should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Employees should make their reports to a supervisor (as a general rule, their own supervisor).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner based on the severity of the hazards. Hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering employees or property, supervisors should protect or remove all exposed workers from the area or item, except those necessary to correct the existing condition.

Employees who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on an Identified Hazard and Correction Record Form. This should be forwarded to the Administration Division Commander via the chain of command.

#### **390.8 TRAINING AND INSTRUCTION**

The Administration shall work with the Training Coordinator to ensure all workers, including supervisors, are trained on general and job-specific workplace safety and health practices.

(a) Training shall be provided:

1. To all new employees for those tasks that were not sufficiently covered by previous training from an academy or another training provider.
2. To all workers given new job assignments for which training has not previously been provided.
3. Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
4. Whenever the department is made aware of a new or previously unrecognized hazard.
5. To supervisors to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed.
6. To all workers with respect to hazards that are specific to each employee's job assignment.

(b) The Department IIPP training shall include:

1. An explanation of the IIPP, the emergency action plan and fire prevention plan; measures for reporting any unsafe conditions, work practices and injuries; and informing a supervisor when additional instruction is needed.

# Steamboat Springs Police Services

## Policy Manual

### *Illness and Injury Prevention Program*

---

2. The use of appropriate clothing, including gloves, footwear and personal protective equipment.
3. Information about chemical hazards to which employees could be exposed.
4. The availability of toilet, hand-washing and drinking-water facilities.
5. Provisions for medical services and first aid, including emergency procedures.
6. Steps to prevent heat-related illness.

#### **390.9 RECORD KEEPING**

The Administration Division Commander will do the following to implement and maintain IIPP records:

- (a) Make available the Identified Hazard and Correction Record Form to document inspections, any unsafe condition or work practice, and actions taken to correct unsafe conditions and work practices.
- (b) The Administration Division Commander will also make available the Investigation/ Corrective Action Report to document individual incidents or accidents.
- (c) Develop a Worker Training and Instruction Form to document the safety and health training of each employee. This form will include the employee's name or other identifier, training dates, type of training and training providers.
- (d) Retain inspection records and training documentation for a minimum of one year.

#### **390.10 TRAINING SUBJECTS**

The Administration Division Commander should work with the Training Coordinator to ensure training is provided on the following topics:

- Driver safety
- Safe procedures for handling, cleaning and/or storing weapons
- Good housekeeping and fire prevention
- Back exercises/stretching and proper lifting techniques
- Lock-out/tag-out procedures
- Hazardous materials
- Building searches
- Slips and falls
- Ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods
- Personal protective equipment

# Steamboat Springs Police Services

Policy Manual

## *Illness and Injury Prevention Program*

---

- Respiratory equipment
- Hazardous chemical exposures
- Hazard communication
- Physical hazards, such as heat/cold stress, noise, and ionizing and non-ionizing radiation
- Bloodborne pathogens and other biological hazards
- Other job-specific hazards

## Victim and Witness Assistance

### 390.1 PURPOSE AND SCOPE

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

### 390.2 POLICY

The Steamboat Springs Police Services is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Steamboat Springs Police Services will show compassion and understanding for victims and witnesses and will take reasonable efforts to provide the support and information identified in this policy.

### 390.3 CRIME VICTIM LIAISON

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

#### 390.3.1 SPECIFIC VICTIM LIAISON DUTIES

The victim liaison should:

- (a) Ensure that the Department affords victims and witnesses the rights described in CRS § 24-4.1-302.5.
- (b) Facilitate the return of property to victims (CRS § 24-4.1-303).
- (c) Ensure child victims and child witnesses are provided appropriate services commensurate with their age and needs (CRS § 24-4.1-304).
- (d) Be the liaison to the local Victim Witness Assistance Unit.
- (e) Forward copies of crime reports requested by personnel at the local victim centers. The Records Maintenance and Release Policy in this manual regarding the release of reports shall be followed in all cases.

### 390.4 CRIME VICTIMS

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Victim and Witness Assistance*

---

#### 390.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

All reasonable attempts will be made to protect any victim or the victim's immediate family from harm, harassment, intimidation or retaliation arising from their cooperation in the reporting, investigation or prosecution of a crime. Additionally, members of this department should make reasonable efforts to minimize contact between the victim and the victim's immediate family and the defendant and the relatives of the defendant before, during and immediately after a judicial proceeding (CRS § 24-4.1-303(5)).

#### **390.5 VICTIM INFORMATION**

The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams (42 USC § 3796gg).
- (d) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (e) A clear explanation of relevant court orders and how they can be obtained.
- (f) Information regarding available compensation for qualifying victims of crime.
- (g) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (h) Notice regarding U-Visa and T-Visa application processes.
- (i) Resources available for victims of identity theft.
- (j) A place for the officer's name, badge number and any applicable case or incident number.
- (k) Information regarding available compensation for qualifying victims of crime (CRS § 24-4.1-101 et seq.).
- (l) How to file a claim in their judicial district through the Victim Compensation Administrator or online through the Colorado Department of Public Safety Victim Compensation Program.
- (m) Information required pursuant to the Victim Rights Act (CRS § 24-4.1-301 et seq.).
- (n) Information related to the Colorado Organization for Victim Assistance (COVA), <http://www.coloradocrimevictims.org/>.
- (o) Information regarding the ability of a victim of domestic violence to terminate a landlord-tenant agreement pursuant to CRS § 38-12-402.
- (p) An advisement that the victim may apply to have a substitute address designated for public records and confidential mail forwarding (CRS § 24-30-2102).

## *Victim and Witness Assistance*

---

### **390.6 WITNESSES**

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

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

#### **390.6.1 SPECIFIC REQUIREMENTS REGARDING WITNESSES**

Officers should provide all witnesses with the applicable witness information handouts (CRS § 24-4.1-302.5; CRS § 24-4.1-304).

### **390.7 WITNESS INFORMATION**

The Administration Supervisor shall ensure that witness information handouts are available and current. These should include information specifically related to witness rights and resources (CRS § 24-4.1-302.5; CRS § 24-4.1-304).

## Chapter 4 - Patrol Operations

## Patrol Function

### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intraorganizational cooperation and information sharing.

#### 400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles. They will patrol assigned jurisdictional areas of Steamboat Springs, identify community needs, provide support and assistance to the community, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours a day seven days a week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities, such as residential inspections, business inspections and community presentations.
- (c) Calls for service, both routine and emergency.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and problem-solving activities, such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the patrol and other divisions within the Department, as well as other government agencies.
- (h) The application of resources to specific problems or situations within the community that may be improved or resolved by Community Oriented Policing and problem-solving strategies.
- (i) Traffic direction and control.
- (j) Response to disasters, civic unrest and natural emergencies.

#### 400.1.2 TERRORISM

The Office of Preparedness and Security (OPS) coordinates Colorado's response to terrorism (CRS § 24-33.5-1601(1)(e)).

It is the goal of the Steamboat Springs Police Services to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI).

# Steamboat Springs Police Services

## Policy Manual

### *Patrol Function*

---

The supervisor should ensure that all terrorism-related reports and FIs are forwarded to the Detective Division supervisor in a timely fashion.

The Detective Division supervisor or designee should forward the information as soon as practicable to the OPS Colorado Information Analysis Center, 690 Kipling Street, Suite 2100, Lakewood, CO, 80215, 877-509-CIAC (2422), fax, 720-852-6758, e-mail [ciaco@ciac.co.gov](mailto:ciaco@ciac.co.gov), website <https://www.ciac.co.gov>.

#### **400.2 PATROL INFORMATION SHARING PROCEDURES**

The following guidelines are intended to develop and maintain intraorganizational cooperation and information flow between the various divisions of the Steamboat Springs Police Services.

##### **400.2.1 CRIME ANALYSIS UNIT**

The Public Information Officer will be the central point person for information exchange. Criminal information and reports can be submitted to the Records Division for distribution to all divisions within the Department through daily and special bulletins via each employee's e-mail and/or MDT (Mobile Data Terminal)

##### **400.2.2 CRIME REPORTS**

A crime report may be completed by any patrol officer who receives criminal information. The report will be processed by a Patrol Sergeant and forwarded to the appropriate bureau for retention or follow-up investigation. All reports, including crime reports will be completed before the end of a patrol officer's shift. In the event a report is not completed before the end of a shift, the patrol officer shall obtain permission from a patrol sergeant to delay completion of the report until the following day. All reports shall be completed before a patrol officer begins their days off.

##### **400.2.3 PATROL BRIEFINGS**

Patrol supervisors, investigative Captain and special unit Officers (ACET, SRO, DTRO) are encouraged to share information as much as reasonably possible. All supervisors and/or officers will be provided an opportunity to share information through daily patrol briefings, as time permits.

Patrol Officers will attend shift briefings and be familiar with any information furnished pertaining to persons or events which may affect the public's welfare and safety and shall remain familiar with the following:

- Special conditions in their assigned area, such as patterns of criminal incidents, location of known criminals, and location of possible targets for criminal conduct.
- Descriptions of wanted and missing persons.
- Descriptions of stolen property.
- Any conditions in the City which pose special traffic problems or other kinds of hazards.

# Steamboat Springs Police Services

## Policy Manual

### *Patrol Function*

---

#### **400.2.4 INFORMATION CLIPBOARDS**

Several information clipboards will be maintained in the briefing room and will be available for review by officers from all divisions within the Department. These include, but are not limited to, the patrol check clipboard, the wanted persons clipboard and the written directive clipboard.

#### **400.2.5 BULLETIN BOARDS**

A bulletin board will be kept in the briefing room for display of suspect information, investigative reports and photographs. New Interim Directives will be made available for patrol supervisors and will be discussed at briefings and shift meetings. A copy of the Interim Directive will be placed on the briefing room clipboard.

#### **400.3 LEAVING THE CITY**

Officers shall not go outside the City limits in Department vehicles except as specified below:

- In cases of fresh pursuit.
- When sent by proper authority at the request of a law enforcement officer having jurisdiction.
- When there appears to be a grave emergency and an urgent need for assistance.
- When moving from one city jurisdiction to another.
- When authorized by a supervisor.

The supervisor and dispatcher shall be notified as soon as possible when assistance is provided outside City limits.

#### **400.4 DUTIES AT COMPLETION OF WATCH**

Department personnel assigned to a patrol function will follow these procedures when a tour of duty nears completion:

- At the appropriate time, notify the Communications Center of arrival at the station and advise end of watch.
- Complete and submit all reports and process all evidence or other property, unless delay is authorized by a supervisor.
- Inform the next shift at briefing of any incidents or circumstances which may affect them.
- Check their message box and voice mail.

#### **400.5 CROWDS, EVENTS AND GATHERINGS**

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

# Steamboat Springs Police Services

## Policy Manual

### *Patrol Function*

---

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

---

## Racial/Bias-Based Profiling

### 402.1 PURPOSE AND SCOPE

The Steamboat Springs Police Services strives to provide law enforcement to our community with due regard to the racial, cultural or other inherent differences of those we serve. It shall therefore be the policy and practice of this department to provide law enforcement services and to enforce the law equally and fairly without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, gender, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be utilized as the basis for providing differing levels of law enforcement service or the enforcement of the law (CRS § 24-31-309(1)(a)).

### 402.2 DEFINITIONS

Definitions related to this policy include:

**Profiling** - The practice of detaining a suspect based on race, ethnicity, age or gender without the existence of any individualized suspicion of the particular person being stopped (CRS § 24-31-309(2)).

### 402.3 POLICY

The practice of racial/bias-based profiling will not be tolerated by this department (CRS § 24-31-309(3)).

- (a) It is the responsibility of every member of this department to prevent, report and respond appropriately to clear discriminatory or biased practices.
- (b) No retaliatory or punitive action may be taken against any officer who discloses information concerning racial profiling.
- (c) Every member of this department engaging in a non-consensual detention shall be prepared to articulate sufficient reasonable suspicion to justify the detention independent of the individual's membership in a protected class.
  1. To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the contact.
  2. Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.
  3. While the practice of racial profiling is strictly prohibited, it is recognized that race or ethnicity may be legitimately considered by an officer in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

# Steamboat Springs Police Services

## Policy Manual

### *Racial/Bias-Based Profiling*

---

#### 402.3.1 OFFICER RESPONSIBILITY

Officers shall provide, without being asked, a business card to any person who was detained in a traffic stop and was not cited or arrested. The business card shall include identifying information including, but not limited to, the officer's name, division, precinct and badge or other identification number and a telephone number that may be used, if necessary, to report any comments, either positive or negative, regarding the traffic stop (CRS § 24-31-309(4)(a)).

#### 402.4 TRAINING

All certified members will attend regular training on the subject of racial profiling as designated by the Training Section (CRS § 24-31-309(5) and CRS § 24-31-309(6)).

All newly employed officers shall receive a copy of this policy and initial training on the subject of racial profiling.

Members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of our community.

#### 402.5 COMPLAINTS

The Department will maintain educational pamphlets for public distribution at the front desk regarding the complaint process. This policy shall be made available to the public for inspection during business hours (CRS § 24-31-309(6)).

The Steamboat Springs Police Services will investigate all complaints of alleged racial/bias-based profiling against its members as any other complaint is investigated. The identity of the reporting person and the report shall initially be kept confidential to the extent permitted by law, unless further processing is required (CRS § 24-31-309(4)(a)).

On the commencement of an investigation regarding a complaint in which a video or audio recording was made, the Department may provide a copy of the recording to the officer on written request.

#### 402.5.1 CORRECTIVE ACTION

Employees found to be in violation of this policy are subject to discipline in accordance with this department's Disciplinary Policy and shall receive additional training and instruction by the Training Section, except when disciplinary action results in termination.

#### 402.6 ADMINISTRATION

Each January, the Operations Division Commander shall review the efforts of the Department to prevent racial/bias-based profiling and submit an overview, including public concerns and complaints derived from telephone calls received due to the distribution of business cards during traffic stops, to the Chief of Police. This overview shall not contain any identifying information regarding any specific complaint, citizen or officers (CRS § 24-31-309(4)(c)).

## Briefing

### 404.1 PURPOSE AND SCOPE

Briefing is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct briefing. However, officers may conduct briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles and major investigations.
- (b) Notifying officers of changes in schedules and assignments.
- (c) Notifying officers of new Interim Directives or changes in Interim Directives.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.

### 404.2 BRIEFING

All officers shall be in uniform, in the briefing room and call in service at, or prior to, your beginning of watch. If you are going to be late for any reason, you must call in and speak to the on duty Sergeant or Officer In Charge.

Briefings will take place at the beginning of each shift. The on duty Shift Sergeant or O.I.C. will brief the on-coming Shift Sergeant or O.I.C. daily and the on duty swing shift Sergeant or O.I.C. will brief the graveyard shift daily. It is the responsibility of each Officer to pass on any pertinent information that needs to be passed on at briefings to their respective Sergeant or O.I.C.

Disruptive behavior will not be tolerated.

### 404.3 ROLL CALL TRAINING

Roll call training is generally conducted at the beginning or conclusion of the officer's assigned shift, yet it may occur at another period. Roll call training should incorporate short training segments on a variety of subjects and may include:

- (a) Review and discussion of new or updated policies.
- (b) Presentation and discussion of the proper application of existing policy to routine daily activities.
- (c) Presentation and discussion of the proper application of existing policy to unusual activities.
- (d) Reviewing recent incidents for training purposes.

# Steamboat Springs Police Services

## Policy Manual

### *Briefing*

---

#### **404.4 PREPARATION OF MATERIALS**

The supervisor conducting roll call training, or the officer if the supervisor is unable to participate in a group roll call training session, is responsible for collection and preparation of the materials necessary for a constructive roll call training. A supervisor may delegate this responsibility to a subordinate officer in his/her absence or for training purposes.

#### **404.5 RETENTION OF ROLL CALL TRAINING RECORDS**

Roll call training materials and a curriculum or summary shall be forwarded to the Training Coordinator for inclusion in training records, as appropriate.

---

## Crime and Disaster Scene Integrity

### 406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

### 406.2 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

#### 406.2.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

### 406.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

### 406.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.

# Steamboat Springs Police Services

## Policy Manual

### *Crime and Disaster Scene Integrity*

---

- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

#### **406.5 POLICY**

It is the policy of the Steamboat Springs Police Services to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

---

## Combined Emergency Response Team

### 408.1 PURPOSE AND SCOPE

The Combined Emergency Response Team (CERT) has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appears to be necessary.

### 408.2 POLICY

It is the policy of this department to maintain a CERT team and to provide the equipment, manpower and training necessary to maintain a CERT team. The CERT team should develop sufficient resources to perform three basic operational functions:

- (a) Command and control
- (b) Containment
- (c) Entry/apprehension/rescue

It is understood that it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

#### 408.2.1 ORGANIZATIONAL PROCEDURES

This department shall develop a separate written set of organizational procedures that should address, at minimum, the following:

- (a) Locally identified specific missions the team is capable of performing
- (b) Team organization and function
- (c) Personnel selection and retention criteria
- (d) Training and required competencies
- (e) Procedures for activation and deployment
- (f) Command and control issues, including a clearly defined command structure
- (g) Multi-agency response
- (h) Extrajurisdictional response
- (i) Specialized functions and supporting resources

### 408.3 TRAINING NEEDS ASSESSMENT

The CERT commander shall conduct an annual CERT training needs assessment to ensure that training is conducted within team capabilities and department policy.

# Steamboat Springs Police Services

## Policy Manual

### *Combined Emergency Response Team*

---

#### 408.3.1 INITIAL TRAINING

CERT team operators should not be deployed until successful completion of an approved basic CERT course or its equivalent.

- (a) To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content or topics meet or exceed requirements determined by the Department.

#### 408.3.2 SUPERVISION AND MANAGEMENT TRAINING

Command and executive personnel are encouraged to attend training for managing the CERT function at the organizational level. This is to ensure that personnel who provide active oversight at the scene of CERT operations understand the purpose and capabilities of the team.

Command personnel who may assume incident command responsibilities should attend a CERT or critical incident commander course or its equivalent. CERT command personnel should attend a CERT commander or tactical commander course or its equivalent that has been approved by the department.

#### 408.3.3 SWAT ONGOING TRAINING

Training shall be coordinated by the CERT commander. The CERT commander may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise, in addition to specialized training. Training shall consist of the following:

- (a) Each CERT member shall maintain a physical fitness standard which allows them to function as an effective team member/operator. Roles, expectations, and fitness level will be taken into consideration..
- (b) Any CERT team member failing to attain the minimum physical fitness standards will be notified and expected to display reasonable fitness levels within 30 days of notification. Failure to modify their fitness level may result in removal from the team.
- (c) Each CERT team member shall perform the mandatory CERT handgun qualification course. The qualification course shall consist of the SWAT basic drill for the handgun. Failure to qualify will require the officer to seek remedial training from a Rangemaster approved by the CERT commander. Team members who fail to qualify will not be used in SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training may result in dismissal from the team.
- (d) Each CERT team member shall perform a mandatory CERT qualification course for any specialty weapon issued to or used by the officer during CERT operations. Failure to qualify will require the officer to seek remedial training from a Rangemaster approved by the CERT commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on CERT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

# Steamboat Springs Police Services

## Policy Manual

### *Combined Emergency Response Team*

---

#### **408.4 MANAGEMENT/SUPERVISION OF COMBINED EMERGENCY RESPONSE TEAM**

The commander of the CERT shall be selected by the Chief of Police upon recommendation of the staff.

#### **408.5 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES**

The CNT has been established to provide skilled verbal communicators, who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the CNT.

##### **408.5.1 SELECTION OF PERSONNEL**

Interested certified personnel, who are off probation, shall submit a request to their appropriate Division Commander. A copy will be forwarded to the CERT commander and the CNT sergeant. Qualified applicants will then be invited to an oral interview. The oral board will consist of the CERT commander, the CERT sergeant and a third person to be selected by the two. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance
- (b) Demonstrated good judgment and an understanding of the critical role of a negotiator and the negotiation process
- (c) Effective communication skills to ensure success as a negotiator
- (d) Special skills, training or appropriate education as it pertains to the assignment
- (e) Commitment to the unit, realizing that the assignment may necessitate unusual working hours, conditions and training obligations

The oral board shall submit a list of successful applicants to the Operations Commander for final selection.

#### **408.6 SWAT TEAM ADMINISTRATIVE PROCEDURES**

The CERT team was established to provide a skilled and trained team that may be deployed during events requiring specialized tactics, in situations where suspects have taken hostages and/or barricaded themselves, as well as prolonged or predictable situations in which persons who are armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of the CERT team.

##### **408.6.1 SELECTION OF PERSONNEL**

Interested certified personnel who are off probation shall submit a request to their appropriate Division Commander, a copy of which will be forwarded to the CERT commander and CERT Team Leader. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the CERT commander. The testing process will consist of an oral board, physical agility test and a CERT basic handgun and team evaluation.

# Steamboat Springs Police Services

## Policy Manual

### *Combined Emergency Response Team*

---

- (a) Oral board: The oral board will consist of personnel selected by the CERT commander. Applicants will be evaluated by the following criteria:
  - 1. Recognized competence and ability as evidenced by performance
  - 2. Demonstrated good judgment and an understanding of the critical role of a CERT team member
  - 3. Special skills, training or appropriate education as it pertains to the assignment
  - 4. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions and training obligations
- (b) Physical agility: The physical agility test is designed to determine the physical capabilities of the applicant as they relate to performance of CERT-related duties. The test and scoring procedure will be established by the CERT commander in collaboration with the Department of Human Resources. A minimum qualifying score shall be attained by the applicant to be considered for the position.
- (c) CERT basic handgun: Candidates will be invited to shoot the CERT basic drill for the handgun. A minimum qualifying score of 200 out of a possible score of 250 must be attained to qualify.
- (d) Team evaluation: Current team members will evaluate each candidate on field tactical skills, teamwork, ability to work under stress, communication skills, judgment and any special skills that could benefit the team.
- (e) A list of successful applicants shall be submitted to the CERT commander for final selection.

#### **408.7 OPERATIONAL GUIDELINES FOR COMBINED EMERGENCY RESPONSE TEAM**

The following procedures serve as guidelines for the operational deployment of the Combined Emergency Response Team. Generally, the CERT team and the CNT will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the CNT, such as warrant service operations. This shall be at the discretion of the CERT commander.

##### **408.7.1 ON-SCENE DETERMINATION**

The supervisor in charge at the scene of a particular event will assess whether the Combined Emergency Response Team should respond. Upon final determination by the Shift Supervisor, the CERT commander will be notified.

##### **408.7.2 ON-SCENE COMMAND RESPONSIBILITIES**

Upon arrival of the Combined Emergency Response Team, the Incident Commander shall brief the CERT commander and team supervisors. Upon review, it will be the Incident Commander's decision, with input from the CERT commander, whether to deploy the Combined Emergency Response Team. Once the Incident Commander authorizes deployment, the CERT commander

# Steamboat Springs Police Services

Policy Manual

## *Combined Emergency Response Team*

---

will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and support for the Combined Emergency Response Team. The Incident Commander and the CERT commander or the authorized designee shall maintain communications at all times.

---

# Steamboat Springs Police Services Explosive Breaching Policy

## 409.1 PURPOSE AND SCOPE

Explosive breaching utilizes explosive charges, constructed by trained and certified operational Primary explosive breachers, to assist in gaining positive entry or penetration into specific targets, whereby other non-explosive breaching methods are impossible, impractical, overly arduous or which would pose undue risk to civilians, suspects and/or law enforcement officers. Explosive breaching may also be utilized to maximize and enhance a tactical advantage for law enforcement officers by enabling such law enforcement officers to make simultaneous target entries, surprise and/or immediate target entries, hostage rescue, gun ports, gas ports, or any other tactic that the CERT Commander, CERT Team Leader and operational Primary Explosive Breachers deem appropriate and viable given the situation.

### 409.1.1 DEFINITIONS:

#### Definitions:

- a. Explosive Breach- A technique of employing explosive materials to create an opening through a door, window, wall or other barrier to allow access.
- b. Primary Breacher- A qualified breacher trained in the construction, placement and firing of explosive breaching charges. Only the Primary Breacher(s) shall be responsible for the design, preparation and initiation of the explosive breaching charges, as well as the completion of the Breachers Report.
- c. Assistant Breacher- A qualified breacher trained in the construction, placement and firing of explosive breaching charges to assist the Primary Breacher while under direct supervision of the Primary Breacher.
- d. Explosive Breaching Device- A target specific charge constructed with explosives and non-explosive materials for the purpose of gaining entry into a structure, room or area.
- e. Breachers Report- A detailed form used to document the use of explosive breaching charges during training and tactical operations.
- f. Breachers Brief- An overview of the explosive breaching charge(s) to be used during the operation to include; type of charge(s) to be used, method of initiation, attachment method, hazards (thermal, fragmentation, glass, smoke, shock tube lines, water, structural damage, etc), approach route, stacking locations, use of shield or cover, alternate breach points, secondary breaches, back-up breach method and signals (abort, misfire, execution, etc).

### 409.1.2 EXPLOSIVE BREACHING CRITERIA

Explosive Breaching techniques are not limited to tactical operations. In times of civil disasters and large fires, explosive breaching may be employed to rescue trapped victims from collapsed buildings, or provide firefighters entry and ventilation points.

# Steamboat Springs Police Services

## Policy Manual

### *Steamboat Springs Police Services Explosive Breaching Policy*

---

#### **1. Parameters for use of explosive breaching:**

- a. There must be a need to make a guaranteed entry by Police on the first attempt.
- b. The situation must be an immediate life threatening or life endangering crisis.

#### **2. Explosive Breaching is limited to the following situations:**

- a. A hostage situation where the victim(s) and/or officer(s) are at risk of serious bodily injury and/or death upon normal tactical entry by law enforcement.
- b. A barricaded gunman where law enforcement are at risk using normal tactical entry methods.
- c. Execution of an Immediate Entry search warrant where the suspect(s) are believed to be armed and pose a risk to law enforcement using normal tactical entry methods.
- d. Rescue trapped victim(s) during civil disasters, large fires or collapsed buildings.
- e. Provide entry or ventilation points for EMS or Firefighters.

#### **3. Explosive Breaching WILL NOT be utilized in the following situations:**

- a. Any time that flammable or volatile chemicals are known, or based on reliable intelligence, have a high probability to be present in the building or room to be breached (this includes drug labs).
- b. Other means of mechanical breaching would be more effective to provide positive entry, officer safety, and mission success.

#### 409.1.3 TRAINING

- a. Primary Breachers shall train together no less than once per month during the first twelve months of the explosive breaching program inception. After the first year of the explosive breaching program, joint training should continue to be conducted quarterly by the Primary Breachers and any designated Assistant Breachers. The scope and scale of such trainings is discretionary.
- b. Primary Breachers and Assistant Breachers shall ensure that all members of the SSPD/RCSO CERT are trained and exposed to explosive breaching protocols and procedures, and are familiar with the proper tactics involved in utilizing explosive breaching. This shall include team wide trainings whereby explosive breaching is utilized, no less than twice per calendar year.

#### 409.1.4 STORAGE OF EXPLOSIVES

- a. All explosives used in the construction of explosive breaching charges will be stored in compliance with ATF regulations. All primary and secondary explosives will be stored in ATF certified explosive magazines. Primary Explosives will be stored in one explosive magazine and Secondary Explosives will be stored in a separate explosive magazine. Explosive magazines will be locked and secured at all times in a secured location inaccessible to the general public. Only Primary Breachers will have access to the explosive magazines.
- b. Primary Breachers are ultimately responsible for the proper storage, transportation and use of all explosives in their unit inventory. Only Primary Breachers will be permitted to transport or use the specific explosives required for explosive breaching. Obtaining explosives without

# Steamboat Springs Police Services

## Policy Manual

### *Steamboat Springs Police Services Explosive Breaching Policy*

---

proper supervisory authorization, theft, misuse, unauthorized use, improper or unsafe usage of explosives will not be tolerated. Violation of this policy will result in disciplinary action, up to and including termination.

#### 409.1.5 PROTOCOL FOR EXPLOSIVE BREACHING

A. The option to utilize an explosive breach will be at the discretion of the CERT Commander and/or CERT Team Leader after consultation with the qualified Primary Breacher(s) regarding safety considerations.

B. Every explosive entry breaching operation will have alternate breaching methods available, in the event the explosive entry breaching charge can not be used or does not function as designed.

C. The construction of all explosive breaching charges shall only be completed by the qualified Primary Breacher(s) from the SSPD/RCSO CERT. Assistant breachers may assist in charge construction only under direct supervision of Primary Breachers.

D. Initial intelligence gathering and target description will be performed by SSPD/RCSO CERT personnel or assigned designees. Final scouting and target analysis is a critical pre-breach responsibility of the Primary Breacher and/or Assistant Breacher and is therefore mandatory.

E. Construction of the target specific explosive breaching charge to be used will vary with each situation. It will be designed based on the intelligence gathered from the scene, the known target, and the experience and training of the Primary Breacher and the Assistant Breacher, and industry best practices.

F. Primary Breachers shall carefully scrutinize each potential target taking into account variables including but not limited to: target weight, target size, target construction, general hazards, collateral damage to persons and property, incendiary effects, blast wave reflectivity, minimum offset distance, interior overpressure and exterior overpressure.

G. Placement of the explosive breaching charge(s) will only be performed by a qualified Primary Breacher and/or trained and certified Assistant Breacher(s).

H. The safe and tactically sound location of the entry teams stack, will be determined by the Team Leaders of the entry team(s) after consultation with the Primary Breacher.

I. The center punch initiator will not be inserted into the initiator, until after the explosive breaching charge(s) have been placed on the target and the entry team(s) are positioned at the final stack location.

J. The Primary Breacher will initiate the explosive breaching charge at the direction of the entry team leader and/or his designee; or when an emergency scenario presents itself requiring immediate charge initiation for preservation of life.

K. At the conclusion of the mission it will be the responsibility of the Primary Breacher and/or Assistant Breacher to submit a Breachers Report which details the specific construction of the explosive entry charge(s) used and the outcome of the incident. The Breachers Report will be attached to the after action report

# Steamboat Springs Police Services

## Policy Manual

### *Steamboat Springs Police Services Explosive Breaching Policy*

---

L. A team debriefing will be conducted after all explosive entry operations.

#### 409.1.6 MISFIRE PROCEDURES

##### **a. Misfires during Tactical Operations**

i. The Primary Breacher will, regardless of the initiating charge being used, immediately make a second attempt to initiate the explosive breaching device.

ii. If the charge still has not initiated, the Primary Breacher will firmly but discreetly announce "misfire" three times over the selected radio channel to inform all officers and command personnel.

iii. Risk must be assessed in the totality of the circumstances. If injury from approaching the charge is greater than the tactical risk, disconnect the initiation system and move to the alternate breach point and/or method.

iv. If the tactical situation outweighs the potential hazards, disconnect the initiating system and attach a new initiating system to the charge. If the second initiating system misfires, move to the alternate breach point and/or method.

v. In both of the above listed situations iii and iv, a qualified Primary Breacher will remain with the misfired breaching charge and render the charge safe by removing the blasting caps from the explosive charge.

##### **b. Misfires during Training Operations**

i. The Primary Breacher will, regardless of the initiating charge being used, immediately make a second attempt to initiate the explosive breaching charge.

ii. If the initiating system is Shock tube that utilizes shotgun primers, the primers will be replaced and another attempt will be made to initiate the explosive entry charge.

iii. If the charge still has not been initiated the Primary Breacher will yell misfire three times. \* Note- On operations this should be done discreetly over the radio to inform all officers and command personnel.\*

iv. Once a misfire is declared, team members will not walk in front of, or behind the charge. No distraction devices or other explosive charges will be used around the misfired charge.

v. The entire team/unit on the training site will be notified of the misfired charge location.

vi. As soon as the misfire is announced the Primary Breacher will disconnect the initiating system from the Shock tube firing line and the blasting caps will be cut away from the detonation chord.

vii. After waiting thirty minutes the misfired charge may be primed with another initiating system and initiated in place.

#### 409.1.7 DOCUMENTATION

Primary Breachers shall complete algorithmic charge calculation sheets upon constructing each specific charge. The charge calculation documents shall be filed along with the After Action Report in a secure location and available for viewing to the Primary Explosive Breachers, CERT

# Steamboat Springs Police Services

Policy Manual

## *Steamboat Springs Police Services Explosive Breaching Policy*

---

Commanders, SSPD/RCSO administrative staff, and/or their designees. All charge calculation documentation shall be considered sensitive information and is not available for public viewing.

Primary Breachers will keep an exact inventory of primary and secondary explosives stored within the explosive magazines, and will audit the inventory on a monthly basis. This audit will be completed and documented in accordance with all local, state, and federal requirements.

---

## Ride-Along

### 410.1 PURPOSE AND SCOPE

The ride-along program provides an opportunity for persons to experience the law enforcement function firsthand. This policy provides the requirements, approval process and hours of operation for the ride-along program.

#### 410.1.1 ELIGIBILITY

The Steamboat Springs Police Services ride-along program is offered to residents, students and those employed within the City. Reasonable efforts should be made to accommodate interested persons. Any applicant may be disqualified without cause from participating in the program.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against the Department.
- Denial by any supervisor.

#### 410.1.2 AVAILABILITY

The ride-along program is available on most days of the week.

### 410.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Operations Commander. The participant will complete and sign a ride-along waiver form. Information requested will include a valid driver's license, address and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the ride-along form.

The Operations Commander will schedule a date, based on availability. If approved, a copy of the ride-along waiver form will be forwarded to the respective Shift Supervisor as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, the Operations Commander will contact the applicant and advise him/her of the denial.

#### 410.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: immediate family members, non-sworn department employees, cadets, Explorers, qualified volunteers, chaplains, reserves, auxiliary and police applicants with approval of the Operations Commander.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle

# Steamboat Springs Police Services

## Policy Manual

### *Ride-Along*

---

at a given time. When practicable, ride-alongs who request multiple opportunities to participate in the ride-along program should be rotated among officers.

#### 410.2.2 SUITABLE ATTIRE

Any person approved to ride-along is required to be suitably dressed in a collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Shift Supervisor may refuse a ride-along to anyone not properly dressed.

#### 410.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the express consent of the Shift Supervisor. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent him/herself as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

#### 410.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Colorado Crime Information Center (CCIS) and National Crime Information Center (NCIC) criminal history check prior to approval as a ride-along with an officer (provided that the ride-along is not an employee of the Steamboat Springs Police Services).

### **410.3 OFFICER'S RESPONSIBILITIES**

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times.

Officers should use sound discretion when encountering a potentially dangerous situation.

Officers with Ride-Alongs shall not engage in high speed motor vehicle pursuits. If practicable, the participant should be let out of the vehicle in a safe, well-lighted place. The dispatcher will be advised of the situation and as soon as practicable have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Under no circumstances shall a participant in the Ride Along program be armed, even if he/she possesses a concealed weapons permit.

Officers with Ride-Alongs shall briefly explain to the citizen rider the operation of the police radio, should an emergency arise.

Conduct by a person participating in a ride-along that results in termination of the ride or is otherwise inappropriate should be immediately reported to the Shift Supervisor.

The Operations Commander is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, a copy of the ride-along waiver form shall be returned to the Operations Commander with any comments that may be offered by the officer.

# Steamboat Springs Police Services

## Policy Manual

### *Ride-Along*

---

#### **410.4 CONTROL OF RIDE-ALONG**

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit participation. These instructions should include the following:

- (a) The ride-along will follow the directions of the officer.
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects or handling any police equipment.
- (c) The ride-along may terminate the ride at any time and the officer may return the observer to his/her home, the place of the ride origin or to the station if the ride-along interferes with the performance of the officer's duties.
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process, provided this does not jeopardize their safety.
- (e) Officers will not allow any ride-alongs to be present in any residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other person.
- (f) Under no circumstance shall a civilian ride-along be permitted to enter a private residence with an officer without the express consent of the resident or other authorized person.

---

## Hazardous Material Response

### 412.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees and others as a result of their exposure. To comply with applicable law, the following represents the policy of this department.

#### 412.1.1 HAZARDOUS MATERIAL DEFINED

**Hazardous material** - A substance which by its nature, containment and reactivity, has the capability of inflicting harm to people, other living organisms, property or the environment during exposure. Hazardous materials are characterized as being toxic, corrosive, flammable, explosive, oxidizing, asphyxiating, pathogenic, allergenic, biohazardous, or radioactive and pose a threat to health when improperly managed.

### 412.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill or fire. When employees come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond and mitigate most hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training.

A responder entering the area may require decontamination before he/she is allowed to depart the scene and should be evaluated by appropriate technicians and medical professionals for signs of exposure.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potential hazardous material from a safe distance.
- (b) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (c) Wear personal protective gear, being cognizant that some hazardous material may quickly volatilize into a form which is readily inhaled.
- (d) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars/spotting scopes) if they are available. Identification can be determined by:
  1. Placards and use of the Emergency Response Guidebook.
  2. Driver's statements or shipping documents from the person transporting the material.
  3. Information obtained from any involved person with knowledge regarding the hazardous material.

# Steamboat Springs Police Services

## Policy Manual

### *Hazardous Material Response*

---

- (e) Obtain information from any involved party who has knowledge regarding the hazardous material. Information should include:
  - 1. The identity of the material.
  - 2. How to secure and contain the material.
  - 3. Any other information to protect the safety of those present, the community and the environment.
- (f) Notify the appropriate fire department. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
- (g) Provide first aid to injured parties if it can be done safely and without contamination.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered. Depending on the material, mandatory evacuation may be necessary.
- (i) Make reasonable efforts to secure the scene to prevent access from unauthorized personnel.
- (j) Establish a decontamination area when needed.
- (k) Contact the local Colorado State Patrol Dispatch to request assistance from the Colorado State Patrol Hazardous Materials Unit.
- (l) If available, activate reverse 9-1-1 calling to the affected area.

#### **412.3 REPORTING EXPOSURE**

Department personnel who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum, which shall be forwarded via chain of command to the Operations Commander as soon as practicable. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report.

##### **412.3.1 SUPERVISOR RESPONSIBILITIES**

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to treat the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the appropriate fire department.

---

## Hostages and Barricaded Persons

### 414.1 PURPOSE AND SCOPE

Hostage situations and barricaded persons present unique problems for agencies. The protection of the public and law enforcement personnel is of the utmost importance. Proper planning and training will tend to reduce the risks involved with these incidents.

#### 414.1.1 DEFINITIONS

Definitions related to this policy include:

**Hostage** - A person held by one party in a conflict as security so that specified terms will be met by the opposing party.

**Barricaded person** - A person who takes a position of cover or concealment or maintains a position in a structure and who resists capture by law enforcement personnel. A barricaded person may be armed or suspected of being armed.

### 414.2 BARRICADED PERSON NEGOTIATIONS

Promises of immunity or leniency and payment of ransom demands are rarely effective and will generally not be offered to barricaded persons. Trained crisis negotiators, however, will be permitted to exercise flexibility in each situation, consistent with their training and based upon the circumstances presented.

Personnel involved in barricaded/hostage situations are urged to exercise patience and extreme caution. The use of deadly force against any armed suspect will be governed by the Use of Force Policy with due regard for the safety of hostages.

### 414.3 FIRST RESPONDER RESPONSIBILITIES

Upon determining that a hostage/barricaded-person situation exists, the first responder shall immediately request that a supervisor respond and shall provide the supervisor with an overview of the situation. If a supervisor is unavailable, the first responder shall assume the duties of the supervisor.

Until the supervisor arrives, the first officer on the scene of an actual or potential hostage/barricade situation shall, if practicable:

- (a) Attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained personnel and/or trained crisis negotiation personnel.
- (b) Evacuate and provide medical treatment to the injured if they can be reached.
- (c) Determine the immediate threat area.
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Establish an inner and outer perimeter.
- (f) Establish a Command Post location.

# Steamboat Springs Police Services

## Policy Manual

### *Hostages and Barricaded Persons*

---

- (g) Evacuate bystanders, residents and businesses.
- (h) Notify tactical and crisis negotiation personnel.
- (i) Notify appropriate persons within and outside the agency, such as command officers, dog handlers or helicopter pilots.
- (j) Request ambulance, rescue, fire and surveillance equipment as needed.
- (k) Establish a primary reaction team prior to CERT arrival. The team actions may include:
  - 1. Securing any subject or suspect who may surrender.
  - 2. Taking action to mitigate a deadly threat or behavior.
- (l) Coordinate pursuit/surveillance vehicles and control of travel routes.

#### **414.4 SUPERVISOR RESPONSIBILITIES**

- (a) Upon being notified that a hostage/barricaded-person situation exists, the supervisor shall immediately respond to the scene. Upon arrival, the supervisor shall:
  - 1. Rapidly evaluate and assess the situation, including being briefed by the initial responders.
  - 2. Assume the role of Incident Commander and retain this role until relieved.
  - 3. Assume and complete any outstanding first responder responsibilities and designate assistants as required.
  - 4. Authorize news media access and news media policy.
- (b) The supervisor or Shift Supervisor should advise the CERT supervisor with as much of the following information as is available at the time:
  - 1. The number of persons, known weapons and resources
  - 2. If the person is in control of hostages
  - 3. If the person is barricaded
  - 4. The type of crime involved
  - 5. If the person has threatened or attempted suicide
  - 6. The location of the Command Post and a safe approach path
  - 7. The extent of any perimeter and the number of officers involved
  - 8. Any other important facts critical to the immediate situation and whether the person has refused an order to surrender

# Steamboat Springs Police Services

## Policy Manual

### *Hostages and Barricaded Persons*

---

#### **414.5 ON-SCENE COMMAND RESPONSIBILITIES**

Upon arrival of the Combined Emergency Response Team at the scene, the Incident Commander shall brief the CERT commander and team leaders about the situation. Upon review, it will be the Incident Commander's decision, with input from the CERT commander, whether to deploy the Combined Emergency Response Team. Once the Incident Commander authorizes deployment, the CERT commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the Command Post operation, outer perimeter security and support for the Combined Emergency Response Team. The Incident Commander and the CERT commander or the authorized designee shall maintain communications at all times.

#### **414.6 TELEPHONE COMMUNICATIONS**

In an emergency where it is believed that an armed and barricaded suspect or a person holding a hostage is committing a crime, the supervisor may order a designated telephone company security official to cut or otherwise control telephone lines to prevent telephone communication by the armed suspect or the hostage holder with a person other than a peace officer or person authorized by law enforcement (CRS § 18-9-312).

##### **414.6.1 REPORTING**

Unless otherwise relieved by a supervisor, the initial officer at the scene is responsible for completion of reports or coordination of reports for the hostage/barricade incident.

---

## Response to Bomb Calls

### 416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Steamboat Springs Police Services in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

### 416.2 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

#### 416.2.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

#### 416.2.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Shift Supervisor

# Steamboat Springs Police Services

## Policy Manual

### *Response to Bomb Calls*

---

- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

#### 416.2.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

#### 416.2.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Shift Supervisor should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

### **416.3 POLICY**

It is the policy of the Steamboat Springs Police Services to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

### **416.4 PRIVATE FACILITY OR PROPERTY**

When a member of this department receives notification of a bomb threat at a location in the City of Steamboat Springs, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
  1. No evacuation of personnel and no search for a device.
  2. Search for a device without evacuation of personnel.
  3. Evacuation of personnel without a search for a device.
  4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Shift Supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

# Steamboat Springs Police Services

## Policy Manual

### *Response to Bomb Calls*

---

#### 416.4.1 ASSISTANCE

The Shift Supervisor should be notified when police assistance is requested. The Shift Supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Shift Supervisor determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
  1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
  2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
  1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

#### **416.5 FOUND DEVICE**

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
  1. Two-way radios
  2. Cell phones
  3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.

# Steamboat Springs Police Services

## Policy Manual

### *Response to Bomb Calls*

---

- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Shift Supervisor including:
  - 1. The time of discovery.
  - 2. The exact location of the device.
  - 3. A full description of the device (e.g., size, shape, markings, construction).
  - 4. The anticipated danger zone and perimeter.
  - 5. The areas to be evacuated or cleared.

#### **416.6 RECEIPT OF BOMB THREAT**

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Shift Supervisor is immediately advised and informed of the details. This will enable the Shift Supervisor to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

#### **416.7 GOVERNMENT FACILITY OR PROPERTY**

A bomb threat targeting a government facility may require a different response based on the government agency.

##### **416.7.1 STEAMBOAT SPRINGS POLICE SERVICES FACILITY**

If the bomb threat is against the Steamboat Springs Police Services facility, the Shift Supervisor will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

##### **416.7.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY**

If the bomb threat is against a county or municipal facility within the jurisdiction of the Steamboat Springs Police Services that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Shift Supervisor deems appropriate.

# Steamboat Springs Police Services

## Policy Manual

### *Response to Bomb Calls*

---

#### 416.7.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

---

## Civil Commitments

### 418.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under protective custody for civil commitment (CRS § 27-65-105).

### 418.2 POLICY

It is the policy of the Steamboat Springs Police Services to protect the public and individuals through legal and appropriate use of the civil commitment process.

### 418.3 AUTHORITY

An officer who has probable cause to believe that a person is either gravely disabled or an imminent danger to him/herself or others may take the person into custody and transport him/her to a facility designated by the local mental health authority for a 72-hour treatment and evaluation (CRS § 27-65-105).

#### 418.3.1 DETENTION

Detention of a person under this policy does not constitute an arrest. When a person is taken into custody, that person shall not be detained in the jail unless no other suitable place of confinement for treatment and evaluation is readily available. In such a situation, the person shall be detained separately from all other inmates for a period not to exceed 24 hours, excluding Saturdays, Sundays and holidays, after which time he/she shall be transferred to the appropriate facility (CRS § 27-65-105(2)(a)).

If the person being temporarily detained for a mental illness evaluation is a juvenile, the juvenile shall be placed in a setting that is non-secure and physically segregated by sight and sound from the adult offenders and inmates (CRS § 27-65-105(2)(a)).

If there is no nurse or physician present to monitor and examine an adult or juvenile detained while awaiting transfer to a mental health facility, an officer who is trained to conduct these examinations shall check on such adult or juvenile at least every 12 hours and seek appropriate medical care as reasonably appears necessary (CRS § 27-65-105(2)(a)).

#### 418.3.2 VOLUNTARY EVALUATION

If officers encounter an individual who may qualify for a civil commitment, they may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a voluntary application.
- (b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.

# Steamboat Springs Police Services

## Policy Manual

### *Civil Commitments*

---

- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

#### 418.3.3 RESTRAINTS

If the patient is violent or potentially violent, the officer will notify the staff. The staff member in charge will have discretion as to whether soft restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

#### 418.3.4 WRITTEN DOCUMENTATION

The officer will prepare a report detailing the circumstances resulting in the Civil Commitment.

The officer shall also provide a verbal summary to a receiving facility staff member regarding the circumstances leading to the involuntary detention.

#### 418.3.5 SECURING OF WEAPONS

If a receiving facility prohibits weapons or if an extraordinary event occurs in the treatment facility and officers determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the police unit.

### **418.4 CONSIDERATIONS AND RESPONSIBILITIES**

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

### **418.5 TRANSPORTATION**

When transporting any individual for a civil commitment, the transporting officer should have the Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Shift Supervisor approval is required before transport commences.

# Steamboat Springs Police Services

## Policy Manual

### *Civil Commitments*

---

#### 418.5.1 RETURN OF FIREARMS AND WEAPONS

- (a) Whenever the handling officer has cause to believe that the return of any weapon taken into custody might endanger the person or others, the officer shall detail those facts and circumstances in a report.
- (b) The report shall be forwarded to the Detective Division which shall be responsible for initiating a petition to the District Court through the City Attorney for a hearing to determine whether the weapon will be returned.
- (c) If no petition is initiated within the above period, the Department shall make the weapon available for return in accordance with subsection (d) below. If the person does not confirm a desire for a hearing within the prescribed 30 days, the Department may file a petition for an order of default.
- (d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and satisfactory evidence of ownership, or authorization by the owner is established.
- (e) A firearm may not be released until it has been verified that the person receiving the weapon, who may or may not be its owner, is not prohibited from receiving or possessing the weapon by 18 USC § 922 (d) or CRS § 18-12-108.
- (f) In no case in which a firearm or other deadly weapon is not retained as evidence shall the Department be required to retain such firearms or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal.

#### **418.6 TRANSFER TO APPROPRIATE FACILITY**

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for a civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

#### **418.7 DOCUMENTATION**

The officer shall complete a report detailing the circumstances resulting in the civil commitment.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

# Steamboat Springs Police Services

## Policy Manual

### *Civil Commitments*

---

#### **418.8 CRIMINAL OFFENSES**

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for a civil commitment should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

#### **418.9 FIREARMS AND OTHER WEAPONS**

Whenever an individual is taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

#### **418.10 TRAINING**

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.

---

## Detoxification

### 419.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under protective custody who is intoxicated or incapacitated by alcohol.

#### 419.1.1 DEFINITIONS

**INTOXICATED PERSON:** Someone whose mental or physical functioning is temporarily but substantially impaired as a result of having consumed alcohol.

**INCAPACITATED BY ALCOHOL:** Someone who is unconscious or who has his/her judgment so impaired by the use of alcohol that he/she is incapable of realizing his/her need for treatment or otherwise making a rational decision as to his/her need for treatment, or is unable to take care of his/her basic needs or safety, or who lacks sufficient understanding or capacity to make or communicate rational decisions concerning his/her person.

Voluntary intoxication is not an offense in the State of Colorado.

#### 419.1.2 PROTECTIVE CUSTODY

Whenever an Officer comes in contact with a person who is intoxicated or incapacitated by alcohol and is dangerous to the health and safety of himself/herself or others, the person shall be taken into protective custody. Officers will make a reasonable effort to take the intoxicated person to a sober family member, friend or other responsible party there to accept them. If a sober person can not accept the intoxicated person, they will be transported to the Detox Facility at the Routt County Justice Center or Yampa Valley Medical Center depending on the severity of the intoxication.

Refer to the current "Agreement For The Continued Operation Of The Detoxification Center". \_

---

## Citation/Summons and Release Policy

### 420.1 PURPOSE AND SCOPE

State law permits law enforcement agencies to use citation/summons release or a penalty assessment notice procedure in lieu of taking a person into custody and before a judge for traffic, misdemeanor or petty offenses, with certain exceptions.

### 420.2 STATUTORY REQUIREMENTS

This department authorizes citation releases for certain traffic, misdemeanor or petty offenses. Release by citation with a promise to appear can be accomplished by issuing a notice to appear from a citation book or an electronic device (CRS § 16-3-105 and CRS § 42-4-1707).

In addition, for a Class 2 petty offense and certain parking violations, an officer may give the offender a penalty assessment notice and release the offender upon its terms (CRS § 16-2-201). The penalty assessment notice is required to be a summons and complaint containing:

- (a) The identification of the alleged offender.
- (b) Specifications of the offense and applicable fine.
- (c) A requirement that the offender pay the fine or appear to answer the charge at a specified time and place.
- (d) Other details that are reasonably necessary to meet the requirements of law.

#### 420.2.1 DISCRETION TO ARREST

While this department recognizes the statutory power of peace officers to make arrests throughout the state, officers are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of this department, except in cases of hot or fresh pursuit, while following up on crimes committed within the City, when acting under a joint powers agreement or mutual aid agreement, or while assisting another agency. On-duty officers who discover criminal activity outside the jurisdiction of the City should, when circumstances reasonably permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

Off-duty officers observing criminal activity should generally take enforcement action only when it reasonably appears that imminent risk to life or property exists and the reasonable opportunity does not exist to contact the law enforcement agency with primary jurisdiction. In such situations, the involved officer shall clearly identify him/herself as a police officer.

Officers are authorized to use verbal or written warnings in lieu of arrest or citation to resolve minor traffic and criminal violations when appropriate.

### 420.3 DEPARTMENT PROCEDURE

The following procedure will be followed to comply with the law.

# Steamboat Springs Police Services

## Policy Manual

### *Citation/Summons and Release Policy*

---

#### 420.3.1 FIELD CITATIONS

Upon obtaining satisfactory identification and verifying that there are no outstanding warrants for the individual, officers may issue citations for misdemeanors to all persons 18 years of age or older. The officer may also release subjects who were taken into custody on a private person's arrest whenever appropriate (CRS § 16-3-105 and CRS § 42-4-1707).

#### 420.3.2 JAIL RELEASE

In certain cases, it may be impracticable to release a person arrested for misdemeanor offenses in the field. The person arrested may instead be released after booking at the jail, with Shift Supervisor approval.

Any person arrested for a misdemeanor offense shall be released on his/her written promise to appear after the booking procedure is completed, unless the person is disqualified for other reasons listed below.

#### 420.3.3 DISQUALIFYING CIRCUMSTANCES

A person arrested for a misdemeanor shall be released on a notice to appear unless one of the following situations is present:

- (a) There is a reasonable likelihood that the offense or offenses would continue or resume or that the safety of persons or property would be imminently endangered by the release of the person arrested.
- (b) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically stated (CRS § 16-3-105(1)(b)).
- (c) The person does not have adequate proof of identification to verify their identity to be issued a citation.
- (d) The crime involves domestic violence (CRS § 16-3-105(1.5)).
- (e) The crime involves violence or dangerous weapons/firearms.

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release should be noted on the booking form and submitted to the Shift Supervisor for approval and inclusion with the case file in the Records Section.

#### 420.3.4 OTHER REASONS FOR NON-RELEASE

If the person arrested is not released for one or more of the reasons specified in this policy, the Shift Supervisor should state on the booking form the reason for non-release. Such reasons for non-release may include:

- (a) Previous failure to appear is on record.
- (b) The person lacks ties to the area, such as a residence, job or family.
- (c) Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation.

# Steamboat Springs Police Services

## Policy Manual

### *Citation/Summons and Release Policy*

---

#### **420.3.5 PENALTY ASSESSMENTS**

A decision to use the penalty assessment procedure shall be based upon circumstances which reasonably persuade the officer that the offender is likely or unlikely to comply with the terms of the penalty assessment notice (CRS § 16-2-201(1)).

#### **420.4 JUVENILE CITATIONS**

Completion of citations for juveniles is generally only appropriate for misdemeanor traffic violations and minor misdemeanor municipal ordinance violations.

All misdemeanor violations for juveniles shall be documented with a case number. Cases not closed by citation should be referred to the Detective Division, if necessary, for further investigation if the crime is a felony and diversion or forwarded to the prosecutor.

Misdemeanor violations will be released to a parent or guardian with a Promise to Appear.

# Foreign Diplomatic and Consular Representatives

## 422.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Steamboat Springs Police Services extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

## 422.2 ARREST OR DETENTION OF FOREIGN NATIONALS

Officers should take appropriate enforcement action for all violations observed, regardless of claims of diplomatic or consular immunity by violators. A person shall not, however, be subjected to in-custody arrest when diplomatic or consular immunity is claimed by the individual or suspected by the officer, and the officer has verified or reasonably suspects that the claim of immunity is valid.

## 422.3 LEVELS OF IMMUNITY

The specific degree of immunity afforded to foreign service personnel within the U.S. is directly related to their function and position in this country.

### 422.3.1 DIPLOMATIC AGENTS

Diplomatic agents (e.g., ambassadors and United Nations representatives) are afforded the highest levels of immunity. They are exempt from arrest or detention and are immune from all criminal (and most civil) prosecution by the host state. The family members of diplomatic agents enjoy these same immunities.

### 422.3.2 CONSULAR OFFICERS

Consular officers are the ranking members of consular posts, who perform various formal functions on behalf of their own governments. Typical titles include consul general, consul and vice consul. These officials are immune from arrest or detention, except pursuant to a felony warrant. They are only immune from criminal and civil prosecution arising from official acts. These official acts of immunity must be raised as an affirmative defense in the court jurisdiction, and its validity determined by the court. Under this defense, the prohibited act itself must have been performed as an official function. It is not sufficient that the consular agent was on-duty or in an official capacity at the time of the violation. The family members of consular officers generally enjoy no immunity. However, any family member who has a higher level of immunity is issued an identification card by DOS enumerating any privileges or immunities on the back of the card. Examples are consular officers and family members from Russia or China.

### 422.3.3 HONORARY CONSULS

Honorary consuls are part-time employees of the country they represent and are either permanent residents of the U.S. or U.S. nationals (unlike career consular officers, who are foreign nationals on temporary assignment to the U.S.). Honorary consuls may be arrested and detained. Limited

# Steamboat Springs Police Services

## Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

immunity for official acts may be available as a subsequent defense. Family members have no immunity.

#### **422.4 IDENTIFICATION**

All diplomatic and consular personnel who are entitled to immunity are registered and issued distinctive identification cards by the DOS Protocol Office. These cards are the best means of identifying Foreign Service personnel. They include a photograph, identifying information, and on the reverse side, a brief description of the bearer's immunity status. These identification cards are not always promptly issued by DOS. In addition to the DOS identification card, Foreign Service personnel should have a driver's license issued by the DOS Diplomatic Motor Vehicle Office (DMVO), which in most circumstances replaces the operator's license issued by the state (22 USC § 4301).

##### **422.4.1 VEHICLE REGISTRATION**

Vehicles that are owned by foreign missions or Foreign Service personnel and their dependents are registered with DOS OFM, and display distinctive red, white and blue license plates. Vehicles assigned to diplomatic or consular officers will generally have license plates labels with the words "diplomat" or "consul." Vehicles owned by honorary consuls are not issued OFM license plates but may have Colorado license plates with an "honorary consul" label. A driver's identity or immunity status should not be presumed from the type of license plates displayed on the vehicle. The status of an OFM license plate should be run via the National Law Enforcement Telecommunications System (NLETS), designating "U.S." as the state, if the officer has reason to question the legitimate possession of the license plate.

#### **422.5 ENFORCEMENT PROCEDURES**

The following procedures provide a guideline for handling enforcement of foreign nationals.

##### **422.5.1 CITABLE OFFENSES**

An enforcement document shall be issued at the scene for all violations warranting such action, regardless of the violator's immunity status. The issuance of a citation is not considered an arrest or detention under current DOS guidelines. Whenever the equivalent of a notice to appear is issued to an immunity claimant, the following additional procedures shall be followed by the issuing officer:

- (a) Identification documents are to be requested of the claimant.
- (b) The title and country represented by the claimant are to be recorded on the back of the officer's copy of the notice to appear for later reference. Do not include this information on the face of the notice to appear.
- (c) Verified diplomatic agents and consular officers, including the staff and family members from countries with which the U.S. has special agreements, are not required to sign the notice to appear. The word "Refused" shall be entered in the signature box and the violator shall be released.

# Steamboat Springs Police Services

## Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

- (d) Claimants other than verified diplomatic agents and consular officers shall be requested to sign the notice to appear. If the claimant refuses, the identity and immunity status of the individual shall be conclusively established.
- (e) Verified consular staff members, excluding those from countries with which the U.S. has special agreements, are generally obligated to sign the notice to appear. But a signature shall not be required if the immunity status is uncertain.
- (f) All other claimants are subject to the provisions of policy and procedures outlined here.
- (g) The violator shall be provided with the appropriate copy of the notice to appear.

#### 422.5.2 IN-CUSTODY ARRESTS

Diplomatic agents and consular officers are immune from arrest or detention unless they have no identification and the detention is to verify their diplomatic status. Proper identification of immunity claimants is imperative in potential in-custody situations. Claimants who are not entitled to immunity shall be placed in custody in accordance with the provisions outlined in this policy.

A subject who is placed under arrest and claims diplomatic or consular immunity shall not be physically restrained before verification of the claim, unless restraint is necessary for the protection of the officer or others. A supervisor shall be promptly notified and should respond to the scene when reasonably possible. Field verification of the claimant's identity is to be attempted as follows:

- (a) An identification card issued by the DOS Protocol Office is the only valid evidence of diplomatic or consular immunity. The following types of identification cards are issued: Diplomatic (blue bordered), Consular (red bordered) and Official (green bordered). The DOS identification cards are 3-3/4 inch by 1-1/2 inch and contain a photograph of the bearer.
- (b) Newly arrived members of diplomatic or consular missions may not yet have official DOS identity documents. Verify immunity by telephone with the DOS any time an individual claims immunity and cannot present satisfactory identification, if the officer has reason to doubt the claim of immunity, or there is a possibility of physical arrest. Department personnel should use the following numbers in order of preference:

Office of Foreign Missions

Chicago, IL

(312) 353-5762

(0800-1645 CST)

# Steamboat Springs Police Services

Policy Manual

## *Foreign Diplomatic and Consular Representatives*

---

Office of Foreign Missions	Department of State
Diplomatic Motor Vehicle Office	Diplomatic Security Service
Washington D.C.	Command Center
(202) 895-3521 (Driver's License Verification) or	Washington D.C.
(202) 895-3532 (Registration Verification)	(202) 647-7277
(202) 895-3533 FAX	(202) 647-1512
(0815-1700 EST)	(Available 24 hours)
	(202) 647-0122 FAX

Members of diplomatic or consular missions also may have other forms of identification. These include identification cards issued by the Colorado Consular Corps, local law enforcement agencies, the foreign embassy or consulate, a driver's license issued by DOS, and DOS license indicia on the vehicle. All these items are only an indication that the bearer may have some form of immunity.

Subjects verified through the above procedures as being officials entitled to immunity (diplomatic agent, consular officers and consular staff and family members from countries with which the U.S. has special agreements) may not be arrested. The procedures below shall be followed. These procedures should also be used in the event immunity cannot be verified but another form of identification indicates that immunity is probable.

If the release of the violator will not create an additional hazard, adequate information to properly identify the violator shall be obtained before the official is released. A supervisor's approval for the release shall be obtained whenever reasonably possible. The necessary release documents and/or a Certificate of Release Form should only be issued under the proper conditions.

If the violator appears to have been driving while under the influence, field sobriety tests, including Preliminary Alcohol Screening (PAS) device tests and chemical tests should be offered and obtained whenever reasonably possible. However, these tests cannot be compelled. The subject shall not be permitted to drive. A supervisor's approval for release shall be obtained whenever reasonably possible and alternative transportation should be arranged.

All facts of the incident shall be documented in accordance with this policy in an Driving While Impaired (DWI) Arrest - Investigation Report, and/or any other relevant report form. Notwithstanding the field release of the subject, prosecution is still appropriate and should be pursued if the violator is either stopped or issued a notice to appear for a violation while operating a motor vehicle. The officer shall either complete a notice to appear or a written report documenting the incident.

This department shall then contact DOS as soon as practicable to verify the violator's status and immunity. Within five working days of the stop, this department shall send to the Bureau of

# Steamboat Springs Police Services

## Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

Diplomatic Security, OFM of the DOS, a copy of the notice to appear and any collision or other written report documenting the incident. The DOS will take appropriate sanctions against errant Foreign Service personnel, even where prosecution is not undertaken by the Department.

#### **422.6 TRAFFIC COLLISIONS**

Persons involved in traffic collisions who possess a DOS OFM Diplomatic Driver License, issued by the DMVO, shall have "D" coded in the license "class" box of the Traffic Accident Report. The actual driver's license class (e.g., 1, 2, 3, or A, B, C, M) shall be entered in the miscellaneous box on page two of the traffic report. If subsequent prosecution of the claimant is anticipated, the claimant's title, country and type of identification presented should be recorded for future reference. Issuance of a citation to, or arrest of, an immunity claimant at the accident scene should be handled in accordance with the procedures specified in this policy.

##### 422.6.1 VEHICLES

Vehicles which are owned by subjects with full immunity may not be searched, stored or impounded without the owner's permission. Such permission may be assumed if the vehicle has been stolen. These vehicles may, however, be towed the necessary distance to remove them from obstructing traffic or creating any other hazard.

##### 422.6.2 REPORTS

A photocopy of each Traffic Accident Report involving an identified diplomat and/or immunity claimant shall be forwarded to the office of the Chief of Police within 48 hours, regardless of whether the claim is verified. The words "Immunity Claim" shall be marked on the photocopy, together with a notation of the claimant's title, country and type of identification presented, if applicable. In addition to the report, a follow-up cover memorandum should be submitted if the violation was flagrant, if the claimant was uncooperative, or if there were any other unusual aspects of the enforcement contact that should be reported to DOS for further action. The Shift Supervisor/supervisor apprised of the incident/collision shall also send a copy of all documents and reports submitted by the investigating officer, along with any supervisor's notes, materials and/or logs, to the Chief of Police's office within 48 hours of the incident. The Chief of Police's office will check to ensure the notification of DOS and all necessary follow-up occurs.

#### **422.7 FOREIGN NATIONALS WHO DO NOT CLAIM IMMUNITY**

These policies and procedures apply to foreign nationals who do not claim diplomatic or consular immunity.

Officers shall arrest foreign nationals only under the following circumstances:

- (a) There is a valid warrant issued for the person's arrest.
- (b) There is probable cause to believe that the foreign national has violated a federal criminal law, a state law or a local ordinance.
- (c) Officers shall not arrest foreign nationals solely for alleged undocumented entry into the U.S. unless the undocumented entry is committed in the officer's presence.

# Steamboat Springs Police Services

## Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

After a lawful detention or criminal arrest, officers may detain foreign nationals solely for alleged undocumented presence in the U.S. if the U.S. Immigration and Customs Enforcement (ICE) is contacted and can respond to take custody within a reasonable time. Officers shall not arrest foreign nationals for undocumented presence. Federal courts have consistently held that undocumented presence is not a crime but a federal civil violation only enforceable by federal officers.

- Officers shall not stop or detain persons solely for determining immigration status.
- International treaty obligations provide for notification of foreign governments when foreign nationals are arrested or otherwise detained in the U.S.
- Whenever an officer arrests and incarcerates a foreign national or detains a foreign national for investigation for over two hours, the officer shall promptly advise the individual that he/she is entitled to have his/her government notified of the arrest or detention. If the individual wants his/her government notified, the officer shall begin the notification process.

#### 422.7.1 ARREST PROCEDURE

Whenever an officer physically arrests or detains an individual for criminal investigation and the officer reasonably believes the person to be a foreign national, the officer shall inquire to determine the person's citizenship.

If the individual indicates that he/she is other than a U.S. citizen, the officer shall advise the individual that he/she has a right to have the nearest appropriate embassy or consulate notified of the arrest/detention (Vienna Convention on Consular Relations, Art. 36, (1969)).

If the individual requests such notification, the officer shall contact the Communications Center as soon as practicable and request the appropriate embassy/consulate be notified. Officers shall provide the Communications Center with the following information concerning the individual:

- Country of citizenship
- Full name of the individual, including paternal and maternal surname, if used
- Date of birth or age
- Current residence
- Time, date, place, location of incarceration/detention and the 24-hour telephone number of the place of detention, if the place of detention is different from the Department itself

If the individual claims citizenship of one of the countries for which notification of the consulate/embassy is mandatory, officers shall provide the Communications Center with the information above as soon as practicable, regardless of whether the individual desires that the embassy/consulate be notified. This procedure is critical because of treaty obligations with the particular countries. The list of countries and jurisdictions that require notification can be found on the DOS website, <http://www.travel.state.gov>.

# Steamboat Springs Police Services

## Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

#### 422.7.2 NOTIFICATION OF IMMIGRATION AND CUSTOMS ENFORCEMENT

An officer who has probable cause to believe that an arrestee is not legally present in the United States shall report such arrestee to ICE if the arrestee is not being held at a detention facility. If the arrestee is held at a detention facility, the arresting officer shall promptly notify the receiving officials when the arrestee is suspected of not being legally present in the United States (CRS § 29-29-103 (2)(a)(I)).

Officers are not required to make the above report to ICE when the person was arrested for domestic violence as defined by CRS § 18-6-800.3 (CRS § 29-29-103(2)(a)(II)).

#### 422.7.3 DOCUMENTATION

Officers shall document on the face page and in the narrative of the appropriate arrest or investigation report the date and time the Communications Center was notified of the foreign national's arrest/detention and his/her claimed nationality.

#### 422.7.4 REPORTING

The Steamboat Springs Police Services shall annually report to the legislative council of the general assembly on or before March 1 of each year the number of arrests reported to ICE (CRS § 29-29-103(b)).

### **422.8 CLAIMS OF IMMUNITY**

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089 , or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

# Steamboat Springs Police Services

## Policy Manual

### Foreign Diplomatic and Consular Representatives

#### 422.9 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
<b>Diplomatic Agent</b>	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Member of Admin and Tech Staff</b>	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Service Staff</b>	Yes (note a)	Yes	Yes	Yes	No for official acts Yes otherwise (note a)	No immunity or inviolability (note a)
<b>Career Consul Officer</b>	Yes if for a felony and pursuant to a warrant (note a)	Yes (note d)	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note a)	No immunity or inviolability
<b>Honorable Consul Officer</b>	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
<b>Consulate Employees</b>	Yes (note a)	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note a)	No immunity or inviolability (note a)

# Steamboat Springs Police Services

## Policy Manual

### *Foreign Diplomatic and Consular Representatives*

<b>Int'l Org Staff (note b)</b>	Yes (note c)	Yes (note c)	Yes	Yes (note c)	No for official acts Yes otherwise (note c)	No immunity or inviolability
<b>Diplomatic-Level Staff of Missions to Int'l Org</b>	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Support Staff of Missions to Int'l Orgs</b>	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

#### **422.10 ENFORCEMENT ACTION**

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
  - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
  - 1. Diplomatic-level staff of missions to international organizations and recognized family members

# Steamboat Springs Police Services

## Policy Manual

### *Foreign Diplomatic and Consular Representatives*

---

2. Diplomatic agents and recognized family members
  3. Members of administrative and technical staff of a diplomatic mission and recognized family members
  4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
  2. Support staff of missions to international organizations
  3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
  4. Honorary consular officers

#### **422.11 POLICY**

The Steamboat Springs Police Services respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

#### **422.12 DOCUMENTATION**

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

---

## Rapid Response And Deployment Policy

### 424.1 PURPOSE AND SCOPE

Violence in schools, workplaces and other locations by any individual or group of individuals presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist officers in implementing rapid response and deployment to such situations.

### 424.2 POLICY

The policy of this department in dealing with a crisis situation shall be:

- (a) To obtain and maintain complete operative control of the incident.
- (b) To explore every reasonably available source of intelligence regarding the circumstances, location and suspect in the incident.
- (c) To attempt, by every means available, to attain any tactical advantage over the responsible individual.
- (d) To attempt, whenever practicable, a negotiated surrender of the suspect and release of the hostages through the expertise of the members of this department and others.

Nothing in this policy shall preclude the use of necessary force, deadly or otherwise, by members of this department in protecting themselves or others from death or injury.

### 424.3 PROCEDURE

When violent acts by the suspect continue or lives are in imminent danger, a decision to advance on the suspect may be made by the officers at the scene. This decision should include the following considerations:

- (a) It is highly recommended that any advance on a suspect be made in teams of two or more officers. However, if an officer is alone, it is within his/her discretion whether to advance.
- (b) The development and implementation of immediate and planned tactics and communicating the plan to others in the field, the Communications Center and the supervisor.
- (c) The potential deployment of rifles, shotguns, shields, control devices and any other appropriate tools that will provide tactical advantage.

#### 424.3.1 DECISION TO ADVANCE ON A SUSPECT

On-scene first responders shall make the decision whether to advance on the suspect. The multitude of variables in such a circumstance requires a rapid assessment of the situation and a decision as to the best tactics to implement and the timely action necessary to resolve the incident. The following factors individually and collectively should be considered in deciding whether to advance on a suspect:

- (a) The suspect's actions are or may be causing death or serious bodily injury.

# Steamboat Springs Police Services

## Policy Manual

### *Rapid Response And Deployment Policy*

---

- (b) The incident is not contained and there continues to be an immediate risk of death or serious injury to law enforcement and others.
- (c) The suspect is in a position of advantage (e.g. barricaded in a room or building).
- (d) The suspect is armed and has displayed or threatened violence.
- (e) A hostage situation exists.
- (f) The suspect refuses to submit to arrest.

Examples of circumstances and possible decisions may include the following:

- If there is a barricaded suspect with no hostages, the officer should wait for additional assistance, including possible CERT response, unless the incident is resolved in a timely manner.
- If there is a barricaded suspect with hostages and no harm done to the hostages, the officer should wait for additional assistance or CERT response.
- If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity that may result in death to hostages or others in the area, the officer should take immediate action, if reasonably possible, to stop the threat presented by the suspect, while calling for additional assistance.

## Reporting Law Enforcement Activity Outside of the Jurisdiction

### 426.1 PURPOSE AND SCOPE

This policy provides general guidelines for reporting law enforcement activity, while on- or off-duty, that is occurring outside the jurisdiction of the Steamboat Springs Police Services.

#### 426.1.1 ASSISTANCE TO AGENCIES OUTSIDE THE CITY

When an officer is on-duty and is requested by an outside agency to participate in law enforcement activity in another jurisdiction, he/she shall obtain prior approval from the immediate supervisor or the Shift Supervisor and shall respond to the request as outlined in the Mutual Aid and Outside Agency Assistance Policy. If the request is of an emergency nature, the officer shall notify the Communications Center before responding and thereafter notify a supervisor as soon as practicable.

#### 426.1.2 LAW ENFORCEMENT ACTIVITY OUTSIDE THE CITY

Any on-duty officer who engages in self-initiated law enforcement activities of any type outside the immediate jurisdiction of the Steamboat Springs Police Services that are not part of a mutual aid request shall notify his/her supervisor or the Shift Supervisor at the earliest possible opportunity. Any off-duty officer who engages in any law enforcement activities, regardless of jurisdiction, shall notify the Shift Supervisor as soon as reasonably practicable.

The supervisor shall determine if a case report or other documentation of the officer's activity is required. The report or other documentation shall be forwarded to the officer's Division Commander.

---

## Immigration Violations

### 428.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Steamboat Springs Police Services for investigating and enforcing immigration laws.

### 428.2 POLICY

It is the policy of the Steamboat Springs Police Services that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

### 428.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or Colorado Constitutions.

#### 428.3.1 ICE REQUEST FOR ASSISTANCE

Officers have a duty to cooperate with state and federal officials with regard to enforcement of state and federal laws regarding immigration (CRS § 29-29-103(b)).

If a specific request is made by ICE or any other federal agency, this department will provide available support services, such as traffic control or peacekeeping efforts, during the federal operation.

If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and given a reasonable opportunity to verify his/her true identity (e.g., telephone calls). If the person's identity is thereafter reasonably established, the original citation release should be completed without consideration of immigration status.

#### 428.3.2 NOTIFICATION OF IMMIGRATION AND CUSTOMS ENFORCEMENT

An officer who has probable cause to believe that an arrestee is not legally present in the United States shall report such arrestee to ICE if the arrestee is not being held at a detention facility. If the arrestee is held at a detention facility, the arresting officer shall promptly notify the receiving custody officials when the arrestee is suspected of not being legally present in the United States (CRS § 29-29-103(2)(a)(I)).

Officers are not required to make the above report to ICE when the person was arrested for domestic violence as defined by CRS § 18-6-800.3 (CRS § 29-29-103(b)).

# Steamboat Springs Police Services

## Policy Manual

### *Immigration Violations*

---

#### **428.4 ENFORCEMENT**

An officer may detain an individual when there are facts supporting a reasonable suspicion that the individual entered into the United States in violation of a federal criminal law. Federal authorities shall be notified as soon as possible and the detained individual shall be immediately released if the federal authorities do not want the person held. An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

##### **428.4.1 CIVIL VS. CRIMINAL FEDERAL OFFENSES**

An individual who enters into the United States illegally has committed a misdemeanor (8 USC § 1325(a)). Generally, an alien who initially made a legal entry into the United States but has remained beyond what is a legal period of time has committed a federal civil offense.

Reasonable suspicion that a criminal immigration violation has occurred shall not be based on race, color, national origin or any other generalization that would cast suspicion on or stigmatize any person, except to the extent permitted by the United States or Colorado Constitutions. Instead, the totality of circumstances shall be used to determine reasonable suspicion, and shall include factors weighing for and against reasonable suspicion.

Factors that may be considered in determining reasonable suspicion that a criminal immigration violation has occurred may include, but are not limited to:

- (a) An admission that the person entered the United States illegally.
- (b) Reason to suspect that the person possesses immigration documentation that is forged, altered or otherwise indicative that the person is not legally present in the United States.
- (c) While a lack of English proficiency may be considered, it should not be the sole factor in establishing reasonable suspicion. When practicable, reasonable effort should be made to accommodate persons with limited English proficiency.
- (d) Other factors based upon training and experience.

##### **428.4.2 IMMIGRATION CHECKS**

Immigration status may be determined through any of the following sources:

- (a) A law enforcement officer who is authorized by the federal government under 8 USC § 1357 to verify or ascertain an alien's immigration status (sometimes referred to as a 287(g) certified officer)
- (b) Immigration and Customs Enforcement (ICE)
- (c) U.S. Customs and Border Protection (CBP)

An officer shall verify from a 287(g) certified officer, ICE or CBP whether a person's presence in the United States relates to a federal civil violation or a criminal violation.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request ICE or CBP to respond to the location to take custody of the detained person. In addition, the officer should notify a supervisor as soon as practicable. No individual who is

# Steamboat Springs Police Services

## Policy Manual

### *Immigration Violations*

---

otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities or the potential to obstruct a separate investigation outweigh the need for the detention.

#### **428.4.3 SUPERVISOR RESPONSIBILITIES**

When notified that an officer has detained a person and established probable cause to believe the person has violated a criminal immigration offense, the supervisor should:

- (a) Confirm that the detained person's immigration status was properly verified.
- (b) Ensure that the detained person is taken into custody when appropriate. Take any additional steps necessary that may include, but are not limited to:
  1. Transfer to federal authorities.
  2. Lawful arrest for a criminal offense or warrant.

#### **428.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT**

Generally, an officer will not need to notify ICE when booking arrestees at the county jail. Immigration officials routinely interview suspected undocumented aliens who are booked into the county jail on criminal charges. Notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

#### **428.6 ICE REQUEST FOR ASSISTANCE**

Requests by ICE, or any other federal agency, for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies.

#### **428.7 INFORMATION SHARING**

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from ICE
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state or local government entity

##### **428.7.1 IMMIGRATION HOLDS**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

# Steamboat Springs Police Services

## Policy Manual

### *Immigration Violations*

---

#### **428.8 U VISA AND T VISA NON-IMMIGRANT STATUS**

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). A law enforcement certification for a U visa may be completed by an officer in order for a U visa to be issued.

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). A law enforcement declaration for a T visa may be completed by an officer in order for a T visa to be issued.

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Division supervisor assigned to oversee the handling of any related case. The Detective Division supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
  1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

#### **428.9 TRAINING**

The Training Coordinator shall ensure that all appropriate members receive immigration training.

## Emergency Utility Service

### 430.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours a day, seven days a week. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

#### 430.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter. Any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practicable by the Communications Center.

#### 430.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The electric company or Public Works should be promptly notified, as appropriate.

#### 430.1.3 RESERVOIRS, PUMPS AND WELLS

Public Works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

#### 430.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies will be maintained by the Communications Center.

### 430.2 TRAFFIC SIGNAL MAINTENANCE

The City of Steamboat Springs contracts with a private company to furnish maintenance for all traffic signals within the City, other than those maintained by the Colorado Department of Transportation (CDOT).

#### 430.2.1 OFFICER'S RESPONSIBILITIES

Upon observing a damaged or malfunctioning signal, the officer will advise the Communications Center of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

## Patrol Rifles

### 432.1 PURPOSE AND SCOPE

To more effectively and accurately address the increasing level of firepower and body armor utilized by criminal suspects, the Steamboat Springs Police Services will make patrol rifles available to qualified officers as an additional and more immediate tactical resource.

### 432.2 PATROL RIFLE

#### 432.2.1 DEFINITIONS

Definitions related to this policy include:

**Patrol rifle** - An authorized weapon owned by the Department, which is made available to properly trained and qualified officers as a supplemental resource to their duty handgun or shotgun. No personally owned rifles may be carried for patrol duty unless pre-approved in writing by the Chief of Police and the Department Rangemaster.

### 432.3 SPECIFICATIONS

Only weapons and ammunition that meet agency authorized specifications, approved by the Chief of Police and issued by the Department, may be used by officers in their law enforcement responsibilities. The authorized patrol rifle issued by the Department is the M4 223.

### 432.4 RIFLE MAINTENANCE

- (a) Primary responsibility for maintenance of patrol rifles shall fall on the Rangemaster, who shall inspect and service each patrol rifle on a monthly basis.
- (b) Each patrol officer carrying a patrol rifle may be required to field strip and clean an assigned patrol rifle as needed.
- (c) Each patrol officer shall be responsible for promptly reporting any damage or malfunction of an assigned patrol rifle to a supervisor or the Rangemaster.
- (d) Any patrol rifle found to be unserviceable shall also be clearly identified as non-serviceable, including details regarding the unserviceable condition.
- (e) Each patrol rifle shall be subject to inspection by a supervisor or the Rangemaster at any time.
- (f) No modification shall be made to any patrol rifle without prior written authorization from the Rangemaster.

### 432.5 TRAINING

Officers shall not carry or utilize the patrol rifle unless they have successfully completed Department training. This training shall consist of an initial eight-hour patrol rifle user's course and qualification score with a certified patrol rifle instructor. Officers shall thereafter be required

# Steamboat Springs Police Services

## Policy Manual

### *Patrol Rifles*

---

to successfully complete quarterly training and yearly firearms proficiency qualification conducted by a certified patrol rifle instructor.

Any officer who fails to qualify or who fails to successfully complete two or more department-sanctioned training/qualification sessions within a calendar year will no longer be authorized to carry the patrol rifle without successfully retaking the initial patrol officers user's course and qualification.

#### **432.6 DEPLOYMENT OF THE PATROL RIFLE**

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

- (a) Situations where the officer reasonably anticipates an armed encounter.
- (b) When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range.
- (c) Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When an officer reasonably believes that there may be a need to deliver fire on a barricaded person or a person with a hostage.
- (e) When an officer reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When appropriate to aid in the dispatch of an animal.

#### **432.7 DISCHARGE OF THE PATROL RIFLE**

The discharge of the patrol rifle shall be governed by the Use of Force Policy and the Firearms Discharge Policy.

#### **432.8 PATROL READY**

Any qualified officer carrying a patrol rifle in the field shall maintain the weapon in a patrol ready condition until deployed. A rifle is considered in a patrol ready condition when it has been inspected by the assigned officer, the fire selector switch is in the safe position, the chamber is empty and a fully loaded magazine is inserted into the magazine well.

#### **432.9 RIFLE STORAGE**

- (a) When not in use, patrol rifles will be stored in the Department armory in rifle racks.
- (b) At the start of each assigned shift, any qualified, on-duty officer may contact the Shift Supervisor or a patrol supervisor for access to the Department armory.

# Steamboat Springs Police Services

## Policy Manual

### *Patrol Rifles*

---

- (c) The last three digits of the assigned patrol rifle serial number will be recorded on a daily activity log.
- (d) In-service patrol rifles should be secured in the vehicle gun lock or case.
- (e) At the end of the assigned officer's shift, the patrol rifle will be returned and secured in the Department armory.

---

## Aircraft Crashes

### 433.1 PURPOSE AND SCOPE

This policy describes situations involving aircraft crashes and the responsibilities of personnel, making proper notification and documentation.

### 433.2 RESPONSIBILITIES

In the event of an air crash, the employee responsibilities are as follows.

#### 433.2.1 OFFICER RESPONSIBILITIES

Officers should treat an aircraft crash site as a crime scene until it is determined that such is not the case. Be aware that hazardous materials and hazardous conditions may be present. If a military aircraft is involved, additional dangers such as live ordnance may be present and the scene may require additional security due to the potential presence of confidential equipment or information.

The duties of the field officer at the scene of an aircraft crash include the following:

- (a) Determine the extent of the crash.
- (b) Request additional personnel and other resources to respond as needed.
- (c) Provide assistance for the injured parties until the arrival of fire department personnel and/or other emergency personnel.
- (d) Cordon off and contain the area to exclude unauthorized individuals as soon as practicable.
- (e) Provide traffic and crowd control and other assistance until directed otherwise by a supervisor.
- (f) Ensure the appropriate Coroner's Office is notified if a death occurs.
- (g) Consider implementation of Incident Command System (ICS).

Entering an aircraft or tampering with parts or debris is only permissible for the purpose of removing injured or trapped occupants, protecting the wreckage from further damage or protecting the public from danger. If reasonably possible, the investigating authority should first be consulted before entering or moving any aircraft or any crash debris. Photographs or sketches of the original positions should be made whenever practicable.

The fire department will be responsible for control of the crash scene until the injured parties are cared for and the crash scene has been rendered safe for containment. Thereafter, police personnel will be responsible for preserving the scene until relieved by the investigating authority.

Once the scene is relinquished to the investigating authority, personnel from this agency may assist in containment of the scene until the investigation is completed or assistance is no longer needed.

Local aviation professionals may respond to the scene to assist the on-scene commander with technical expertise, should it be needed during the operation.

# Steamboat Springs Police Services

## Policy Manual

### *Aircraft Crashes*

---

#### 433.2.2 NATIONAL TRANSPORTATION SAFETY BOARD

The National Transportation Safety Board (NTSB) has the primary responsibility for investigating crashes involving civil aircraft. In the case of a military aircraft incident, the appropriate branch of the military will be involved in the investigation. The NTSB is concerned with several aspects of a crash as described in this section.

Every effort should be made to preserve the scene to the extent reasonably possible in the condition in which it was found until such time as the NTSB or other authorized personnel arrive to take charge of the scene.

Military personnel will respond to take charge of any military aircraft involved, regardless of any injury or death.

If the crash did not result in a death or injury and the NTSB elects not to respond, the pilot or owner may assume control of the aircraft.

Removal of the wreckage shall be done under the guidance of the NTSB or military authorities. If the NTSB is not responding for an on-site investigation, it will be removed at the discretion of the pilot or the owner.

#### 433.2.3 THE COMMUNICATIONS CENTER RESPONSIBILITIES

Dispatchers are responsible to make notifications as directed once an aircraft crash has been reported. The notifications will vary depending on the type of crash, extent of injuries or damage and the type of aircraft involved. Generally, the dispatcher will need to notify the following agencies or individuals when an aircraft crash has occurred.

- (a) Fire department
- (b) The fixed base operation
- (c) Closest military base if a military aircraft is involved
- (d) Ambulances or other assistance as required

When an aircraft crash is reported to the Police Department by the fixed based operations staff, the dispatcher receiving such information should verify that the tower personnel will contact the Colorado Department of Transportation Division of Aeronautics, Federal Aviation Administration (FAA) Flight Standards District Office and the National Transportation Safety Board (NTSB). In the event that airport personnel are not involved, the dispatcher should notify the Colorado Department of Transportation Division of Aeronautics, the FAA and the NTSB.

#### 433.2.4 RECORDS SUPERVISOR RESPONSIBILITIES

The Records Supervisor is responsible for the following:

- (a) Forwarding and maintaining an approved copy of the report to the Colorado Department of Transportation Division of Aeronautics.
- (b) Forwarding a copy of the report to the Patrol Division Commander and the manager of the affected airport.

# Steamboat Springs Police Services

## Policy Manual

### *Aircraft Crashes*

---

#### **433.2.5 PUBLIC INFORMATION OFFICER RESPONSIBILITIES**

The Police Department Public Information Officer is responsible for the following:

- (a) Obtaining information for a press release from the on-scene commander or the authorized designee.
- (b) When practicable, the Department Public Information Officer should coordinate with the FAA Press Information Officer on preparing a press release and distributing it to the media.

Information released to the press regarding any aircraft crash should be handled by the Department Public Information Officer or in accordance with existing policy.

#### **433.3 DOCUMENTATION**

Any aircraft crash within the City, regardless of whether injuries or deaths occur, shall be documented.

---

## Field Training Officer Program

### 435.1 PURPOSE AND SCOPE

The Field Training Officer (FTO) Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Steamboat Springs Police Services.

It is the policy of this department to assign all new police officers to a structured FTO Program that is designed to prepare the new officer to perform in a patrol assignment and to acquire all of the skills needed to operate in a safe, productive and professional manner.

### 435.2 FIELD TRAINING OFFICER

The FTO is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

#### 435.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO
- (b) Minimum of four years (which can be waived by the Chief of Police) of patrol experience, two of which shall be with this department
- (c) Demonstrated ability as a positive role model
- (d) Participate and pass an internal oral interview selection process
- (e) Evaluation by supervisors and current FTOs
- (f) Possess a Colorado Peace Officer Standards and Training (POST) Basic Certificate

#### 435.2.2 TRAINING

An officer selected as an FTO shall successfully complete an FTO course approved by the Department prior to being assigned as an FTO.

All FTOs must complete an FTO update course approved by the Department every three years while assigned to the position of FTO.

### 435.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor will be selected from the rank of sergeant or above by the Patrol Division Commander or the authorized designee and shall complete a Field Training Administrator's Course or police supervisors training approved by the Department within one year of appointment to this position.

The responsibilities of the FTO Program supervisor includes the following:

- (a) Assign trainees to FTOs.
- (b) Conduct FTO meetings.

# Steamboat Springs Police Services

## Policy Manual

### *Field Training Officer Program*

---

- (c) Maintain and ensure FTO/trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with FTO coordinators of other agencies.
- (h) Develop ongoing training for FTOs.

#### **435.4 TRAINEE DEFINED**

**Trainee** - Any entry level or lateral police officer newly appointed to the Steamboat Springs Police Services, who has successfully completed a POST-approved basic academy and possesses a Colorado POST Basic Certificate within one year of commencing employment as a peace officer.

#### **435.5 REQUIRED TRAINING**

Entry level officers shall be required to successfully complete the Field Training Program.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

The required training will take place on at least two different shifts and with at least two different FTOs if reasonably possible.

##### **435.5.1 FIELD TRAINING MANUAL**

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and skills necessary to properly function as an officer with the Steamboat Springs Police Services. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations of the Steamboat Springs Police Services.

#### **435.6 EVALUATIONS**

Evaluations are an important component of the training process and shall be completed as outlined below.

##### **435.6.1 FIELD TRAINING OFFICER**

- (a) FTOs shall complete and submit a written evaluation on the performance of their assigned trainee to their immediate supervisor on a daily basis.
- (b) FTOs shall review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) A detailed end-of-phase performance evaluation on the assigned trainee shall be completed by the FTO at the end of each phase of training.

# Steamboat Springs Police Services

## Policy Manual

### *Field Training Officer Program*

---

- (d) FTOs shall be responsible for signing off on all completed topics contained in the Field Training Manual, noting the method of learning and evaluating the performance of the assigned trainee.

#### **435.6.2 IMMEDIATE SUPERVISOR**

The FTO's immediate supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the Field Training Administrator.

#### **435.6.3 FIELD TRAINING ADMINISTRATOR**

The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted through the FTO's immediate supervisor.

The Field Training Administrator will hold periodic meetings with all FTOs to ensure understanding and compliance with the requirements of the Field Training Program. At least annually, the Field Training Administrator will hold a process review meeting with all FTOs to discuss changes needed in the FTO Program. A summary of this meeting, with any recommendations or changes made, will be documented and forwarded to the Chief of Police for review and approval.

#### **435.6.4 TRAINEE**

At the completion of the Field Training Program, the trainee shall submit a performance evaluation of each of his/her FTOs and of the Field Training Program.

#### **435.7 DOCUMENTATION**

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations
- (b) End of phase evaluations
- (c) A Certificate of Completion, certifying that the trainee has successfully completed the required number of hours of field training

---

## Obtaining Air Support Assistance

### 437.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies potential situations where the use of air support may be requested and the responsibilities for making a request.

### 437.2 REQUEST FOR AIR SUPPORT ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support assistance should be made to the patrol captain or division commander or supervisors.

#### 437.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for air support, the Shift Supervisor or the authorized designee will call the closest agency having air support available. The Shift Supervisor will apprise that agency of the specific details of the incident prompting the request.

#### 437.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement air support may be requested under any of the following conditions:

- (a) When the aircraft is activated under existing mutual aid agreements
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the aircraft may reduce such hazard
- (c) When the use of aircraft will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community
- (d) When an aircraft is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard
- (e) Vehicle pursuits
- (f) Pre-planned events or actions that require air support
- (g) When the Shift Supervisor or equivalent authority determines a reasonable need exists

While it is recognized that the availability of air support will generally provide valuable assistance to ground personnel, the presence of air support will rarely replace the need for officers on the ground.

---

# Detentions, Contacts and Photographing Detainees

## 439.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for conducting field interviews (FI) and pat-down searches, and the taking and retention of photographs of persons detained in the field but not arrested. Due to a variety of situations confronting the officer, the decision to FI or photograph a field detainee shall be left to the discretion of the involved officer based on the totality of the circumstances available at the time of the detention.

## 439.2 DEFINITIONS

Definitions related to this policy include:

**Detention** - Occurs when an officer intentionally, through words, actions or physical force causes an individual to reasonably believe he/she is being required to restrict his/her movement. Detentions also occur when an officer actually restrains a person's freedom of movement.

**Consensual encounter** - Occurs when an officer contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

**Consensual search** - A search performed by an officer following the voluntary consent of the person being searched, or the person having control of the place or item being searched.

**Field Interview (FI)** - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

**Field photographs** - Posed photographs taken of a person during a contact, detention or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Video Recorder (MAV) system when persons are not posed for the purpose of photographing are not considered field photographs.

**Pat-down search** - This type of search is used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee or others.

**Reasonable suspicion** - Occurs when, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

## 439.3 FIELD INTERVIEWS

Officers may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the officer should be able to point to specific facts which, when

# Steamboat Springs Police Services

## Policy Manual

### *Detentions, Contacts and Photographing Detainees*

---

taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to:

- (a) The appearance or demeanor of an individual that suggests he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) The actions of the suspect that suggest he/she is engaged in a criminal activity.
- (c) Whether the hour of day or night is inappropriate for the suspect's presence in the area.
- (d) The suspect's presence in the particular area is suspicious.
- (e) The suspect is carrying a suspicious object.
- (f) The suspect's clothing bulges in a manner that suggests he/she is carrying a weapon.
- (g) The suspect is located in proximate time and place to an alleged crime.
- (h) The officer has knowledge of the suspect's prior criminal record or involvement in criminal activity.

#### 439.3.1 INITIATING A FIELD INTERVIEW

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person, however, should not be detained longer than is reasonably necessary to resolve the officer's suspicions.

Nothing in this policy is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals is encouraged by the Steamboat Springs Police Services to strengthen community involvement, community awareness and problem identification.

#### 439.3.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may be lost or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available personnel for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
  - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
  - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by Department personnel.

# Steamboat Springs Police Services

## Policy Manual

### *Detentions, Contacts and Photographing Detainees*

---

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a Department vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

#### **439.3.3 DURATION OF DETENTION**

A subject may be detained to conduct an FI only for the period reasonably necessary to determine the individual's identity and resolve the officer's suspicions. The interview should not extend beyond the immediate vicinity of the place of detention unless the detainee is arrested.

#### **439.4 CONSENSUAL SEARCHES**

An officer may conduct a consensual search of a person who is not under arrest, and any effects of the person or a vehicle as follows (CRS § 16-3-310):

- (a) The person has apparent or actual authority to provide permission to search the vehicle or effects, if any.
- (b) The person is informed that he/she is being asked to voluntarily consent to a search.
- (c) The person is informed that he/she has the right to refuse the request to search.
- (d) The person voluntarily provides consent.

When asking for consent, officers should explain the scope of the search. Officers should stop a consent search if the person withdraws consent.

Officers should, whenever practicable, obtain written consent. If written consent is not possible, the officer should record any verbal consent.

#### **439.5 PAT-DOWN SEARCHES**

A pat-down search of a detained subject may be conducted whenever an officer reasonably believes the person may possess an object that can be utilized as an offensive weapon or whenever the officer has a reasonable fear for his/her own safety or the safety of others. Circumstances that may establish justification for performing a pat-down search include, but are not limited to, the following (see also CRS § 16-3-103(2)):

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The appearance and demeanor of the suspect.
- (f) Visual indications that suggest the suspect is carrying a firearm or other weapon.
- (g) The age and gender of the suspect.

# Steamboat Springs Police Services

## Policy Manual

### *Detentions, Contacts and Photographing Detainees*

---

When reasonably possible, pat-down searches should be performed by officers of the same gender as the suspect.

#### **439.6 FIELD PHOTOGRAPHS**

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

##### **439.6.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT**

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent.

##### **439.6.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT**

Field photographs may be taken without consent only if they are taken based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

#### **439.7 SUPERVISOR RESPONSIBILITIES**

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken. Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

#### **439.8 DISPOSITION OF PHOTOGRAPHS**

All detainee photographs must be adequately labeled and submitted to the Shift Supervisor with either an associated FI card or other memorandum explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Shift Supervisor should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or memorandum is relevant to criminal gang enforcement, the Shift Supervisor will forward the photo and documents to the gang unit supervisor. The gang unit supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Street Gangs Policy.

# Steamboat Springs Police Services

## Policy Manual

### *Detentions, Contacts and Photographing Detainees*

---

- (b) Photographs that do not qualify for retention in the criminal gang file or that are not evidence in an investigation with an assigned case number shall be forwarded to the Records Section. These photographs will be purged as described in this policy.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs will be kept in compliance with the organization's records retention schedule.

When a photograph of a child is taken in association with a particular case, before filing a complaint regarding the offense, the photograph may only be used in the investigation of the original offense and may only be released to the court.

#### **439.9 PHOTO REVIEW POLICY**

Any person who has been the subject of a field photograph or an FI by this department during any contact other than an arrest may file a written request within 30 days of the contact, requesting a review of the status of the photograph or FI. The request shall be directed to the Chief of Police, who will ensure that the status of the photograph or FI is properly reviewed according to this policy as described below. Upon a verbal request, the Department shall send a request form to the requesting party along with a copy of this policy.

##### **439.9.1 REVIEW PROCESS**

Upon receipt of such a written request, the Chief of Police or the authorized designee will permit the individual to appear in person. Any minor must be accompanied by a parent or legal guardian for a review of the status of the photograph/FI.

Such a meeting will generally be scheduled during regular business hours within 30 days of the receipt of the written request. An extension of the 30-day limit may be made either upon the mutual convenience of the parties or if, at the discretion of the Chief of Police, there appears to be an ongoing legitimate law enforcement interest which warrants a delay. If the delay could jeopardize an ongoing investigation, nothing in this policy shall require the Chief of Police to disclose the reason for the delay.

A meeting for the review of the status of any non-arrest photograph/FI is not intended to be a formal hearing, but simply an informal opportunity for the individual to meet with the Chief of Police or the authorized designee to discuss the matter.

After carefully considering the information available, the Chief of Police or the authorized designee will determine, generally within 30 days of the original meeting, whether the photograph/FI was obtained in accordance with existing law and Steamboat Springs Police Services policy and, even if properly obtained, whether there is any ongoing legitimate law enforcement interest in retaining the photograph/FI.

If the Chief of Police or the authorized designee determines that the photograph/FI was obtained in accordance with existing law and Department policy and that there is an ongoing legitimate law

# Steamboat Springs Police Services

## Policy Manual

### *Detentions, Contacts and Photographing Detainees*

---

enforcement interest in retaining the non-arrest photograph, the photograph/FI shall be retained according to this policy and applicable law.

If the Chief of Police or the authorized designee determines that the original legitimate law enforcement interest in retaining a non-arrest photograph/FI card no longer exists or that it was obtained in violation of existing law or Steamboat Springs Police Services policy, the original photograph/FI card shall be purged and disposed in compliance with the organization's records retention schedule. All other associated reports or documents, however, will be retained according to Department policy and applicable law.

If the Chief of Police or the authorized designee determines that any involved Steamboat Springs Police Services personnel violated existing law or Department policy, the Chief of Police or the authorized designee shall initiate a separate internal investigation that may result in additional training, discipline or other appropriate action for the involved employee.

The person photographed or who was the subject of an FI will be informed in writing within 30 days of the Chief of Police's determination whether the photograph/FI will be retained. This does not entitle any person to any discovery or access to any law enforcement records not otherwise authorized by law.

---

## Criminal Street Gangs

### 441.1 PURPOSE AND SCOPE

It is the policy of this department to establish a procedure for identifying criminal street gangs, participants of criminal street gangs and patterns of criminal or delinquent activity (CRS § 24-33.5-415.3).

The intent of this policy is to establish a procedure that will be used to develop and maintain a file of information used for enhancing criminal prosecution of criminal street gang participants.

### 441.2 DEFINITIONS

Definitions related to this policy include:

**Criminal street gang** - Any ongoing organization, association or group of three or more persons, whether formal or informal:

- (a) Which has as one of its primary objectives or activities the commission of one or more predicate criminal acts, and
- (b) Whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity (CRS § 18-23-101(1)).

**Pattern of criminal gang activity** - The commission, attempt, conspiracy or solicitation of two or more predicate criminal acts which are committed on separate occasions or by two or more persons (CRS § 18-23-101(2)).

### 441.3 IDENTIFICATION OF CRIMINAL STREET GANGS/PARTICIPANTS

All sworn officers shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

- (a) A group of three or more individuals shall be designated a criminal street gang when:
  1. They have a common name or common identifying sign or symbol.
  2. There is evidence, substantiated by crime and informational reports, that a primary activity of the group is the commission of one or more criminal delinquent acts.
  3. One or more members individually or collectively have engaged in a pattern of criminal gang activity.
- (b) An individual shall be designated as a participant in a criminal street gang and included in a gang file when at least two of the following elements have been verified by a sworn officer and there is a reasonable basis for believing such affiliation has been established. Inclusion in the gang file shall be approved by a supervisor.
  1. An individual admits membership in a criminal street gang.

# Steamboat Springs Police Services

## Policy Manual

### *Criminal Street Gangs*

---

2. A reliable informant or known gang member identifies an individual as a participant in a criminal street gang.
  3. An informant of previously untested reliability identifies an individual as a participant in a criminal street gang when that identification is corroborated by independent information.
  4. An individual resides in or frequents a particular criminal street gang's area and affects the gang's style of dress, color of dress, use of jewelry, tattoos, monikers or any other identifiable mannerism associated with that particular criminal street gang, and where the officer documents reasonable suspicion that the individual is involved in criminal street gang activity or enterprise.
  5. A person has been arrested in the company of identified criminal street gang members for offenses that are consistent with criminal street gang activity or criminal street gang-related crimes.
  6. An individual is identified as a gang member in a criminal street gang document or the individual is depicted in a criminal street gang member's photograph in such a manner as to clearly indicate membership in a criminal street gang.
- (c) An individual may be designated as a gang affiliate only when the individual is known to associate with active criminal street gang members and an officer has established that there is reasonable suspicion that the individual is involved in criminal activity or delinquent acts. An officer's belief must be premised upon reasoning and logic coupled with sound judgment based upon law enforcement experience.

#### **441.4 CRIMINAL STREET GANG TEMPORARY FILE**

A sworn officer may maintain a temporary file of reports and field interviews (FIs) that is separate from any criminal gang intelligence database when an individual or group has been identified as a suspected street gang participant or a suspected street gang but does not meet the criteria necessary for entry into a criminal gang intelligence database.

Inclusion in a temporary file may be done only if there is a reasonable likelihood that, within one year of the contact, the individual or group will meet the criteria for entry into a criminal gang intelligence database approved by the Department. Reports and FIs will only be included in a temporary gang file with the written authorization of the gang unit supervisor. A temporary file of street gang participants shall include the following:

- (a) Names, aliases, monikers, addresses and other relevant identifying information
- (b) Gang name
- (c) Justification used to identify an individual as a criminal street gang participant
- (d) Vehicles known to be used
- (e) Cross references to other identified gangs or gang members

# Steamboat Springs Police Services

## Policy Manual

### *Criminal Street Gangs*

---

#### 441.4.1 REVIEW AND PURGING OF TEMPORARY CRIMINAL GANG FILE

Temporary files shall not be retained longer than one year. At the end of one year, temporary files must be purged if the information does not qualify for entry into a criminal gang intelligence database approved by the Department.

#### 441.4.2 CRIMINAL GANG INTELLIGENCE DATABASES

While this policy does not establish a criminal gang intelligence database, the Chief of Police may approve one or more criminal gang intelligence databases for use by members of the gang unit. Any such database must be compliant with 28 CFR § 23.20 regulating criminal intelligence systems. Employees must obtain the requisite training before accessing any such database.

It is the gang unit supervisor's responsibility to determine whether a report or FI contains information that would meet the criteria for entry into a criminal gang intelligence database approved by the Department. After giving written approval for entry of the record, the gang unit supervisor should forward any such reports/FIs to the Records Section after appropriate database entries are made. The submitting gang unit supervisor should clearly mark the report/FI as gang intelligence information.

It is the responsibility of the Records Supervisor to retain reports and FIs in compliance with the procedures of the department-approved gang/intelligence file and 28 CFR § 23.20. The Records Supervisor may not purge these reports or FIs without the approval of the gang unit supervisor.

Validation and purging of gang intelligence databases is the responsibility of the gang unit supervisor.

#### 441.4.3 RIGHT TO REQUEST REVIEW OF CRIMINAL INFORMATION

When the parent or guardian of a juvenile who is documented as a criminal gang member submits a written request challenging the accuracy of the information contained within that file, the Chief of Police or the authorized designee shall review the information in the file. If, after conducting a review of the information, it is determined that the information is not accurate, all records shall be purged and disposed in compliance with the organization's records retention schedule.

#### **441.5 FIELD CONTACTS**

Officers who contact individuals who are, or may be, participants in criminal street gang activity should complete an FI card and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant (e.g., subject states he/she is a member of XYZ gang, has XYZ tattoo on right hand near thumb, is wearing a ball cap with the gang name printed in blue or red ink).

Photographing known or suspected criminal street gang participants shall be done in accordance with the provisions of the Detentions and Photographing Detainees Policy.

#### **441.6 DISSEMINATIONS OF THE FILE INFORMATION**

Information from the temporary criminal gang participant files may only be furnished to Department personnel and other public law enforcement agencies on a need-to-know basis. This means

# Steamboat Springs Police Services

## Policy Manual

### *Criminal Street Gangs*

---

information that may be of use in the prevention of gang-related criminal activity or information concerning the investigation of gang-related crimes shall only be released to members of this department and other law enforcement agencies.

The release of information from any department-approved gang intelligence file must comply with the rules established for that particular temporary file or database.

#### **441.7 REPORTING CRITERIA AND ROUTING**

Incidents that appear to be criminal gang related shall be documented on a report form and shall at minimum include:

- (a) A description of any document, statements, actions, dress or other information that would tend to support the officer's belief that the incident may be related to the activities of a criminal gang.
- (b) Whether any photographs were taken and a brief description of what they depict.
- (c) What physical evidence, if any, was observed, collected or booked.
- (d) A specific request that a copy of the report be routed to the gang unit.

Any photographs taken or evidence collected shall be booked in accordance with current evidence booking procedures.

#### **441.8 CRIMINAL GANG INVESTIGATIVE DATA SYSTEM**

Officers may submit data on an individual at least 14 years of age to the criminal gang investigative data system maintained by the Colorado Bureau of Investigation if (CRS § 24-33.5-415.3(3) and CRS § 24-33.5-412(1)(i)):

- (a) The individual has met at least three of the criteria or identifying characteristics of gang membership, and
- (b) The individual has been convicted of a gross misdemeanor or felony or has been adjudicated or has a stayed adjudication as a juvenile for an offense that would be a gross misdemeanor or felony if committed by an adult. Information entered into the criminal gang investigative data system will be purged after three years have elapsed from the date of entry, unless this department requests an earlier date.

## Shift Sergeants

### **443.1 PURPOSE AND SCOPE**

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with Department policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

### **443.2 DESIGNATION AS ACTING SHIFT SUPERVISOR**

When a Sergeant is unavailable for duty as Shift Supervisor, in most instances the qualified senior officer shall be designated as acting Shift Supervisor. This policy does not preclude designating a less senior officer as an acting Shift Supervisor when operational needs require or training permits.

---

## Mobile Data Terminal Use

### 447.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between Steamboat Springs Police Department members and Routt County Communications .

### 447.2 MDT USE

The MDT shall be used for official police communications only. Messages that are of a sexual, racist or offensive nature or are otherwise critical of any member of the Department are strictly forbidden. MDT use is also subject to the Steamboat Springs Police Department Technology Use Policy.

Messages may be reviewed by supervisors at any time without prior notification. Employees generating or transmitting messages not in compliance with this policy are subject to discipline.

All calls dispatched to patrol units should be communicated by voice and MDT, unless otherwise authorized by the Shift Supervisor.

#### 447.2.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

#### 447.2.2 DOCUMENTATION OF ACTIVITY

MDT's and voice transmissions are used to record the officer's daily activity. To ensure the most accurate recording of these activities, the following are required:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it shall be entered into the Computer Aided Dispatch (CAD) system by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the officer shall record it on the MDT.

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Data Terminal Use*

---

#### **447.2.3 STATUS CHANGES**

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted verbally over the police radio. Officers responding to in-progress calls shall advise changes in status verbally over the radio to assist other officers responding to the same incident.

#### **447.3 PRIVACY EXPECTATION**

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

#### **447.4 RESTRICTED ACCESS AND USE**

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Shift Supervisors.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

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

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

##### **447.4.1 USE WHILE DRIVING**

Use of the MDT by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs (CRS § 42-4-201).

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

At no time when the vehicle is in motion should the display be viewed by the driver for visual entertainment, including Internet browsing or the use of social media or email.

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Data Terminal Use*

---

#### **447.5 POLICY**

Steamboat Springs Police Services members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

#### **447.6 DOCUMENTATION OF ACTIVITY**

Except as otherwise directed by the Shift Supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the Officer's radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

##### **447.6.1 STATUS CHANGES**

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT.

##### **447.6.2 EMERGENCY ACTIVATION**

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Shift Supervisor is notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

#### **447.7 EQUIPMENT CONSIDERATIONS**

##### **447.7.1 MALFUNCTIONING MDT**

Whenever possible, Officers will not use vehicles with malfunctioning MDTs. Whenever Officers must drive a vehicle in which the MDT is not working, they shall notify the Communications Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Data Terminal Use*

---

MDT's are no longer associated with a vehicle unit, but rather assigned to individuals. There is a mechanism if the two factor authentication fails on an Officer's machine, the supervising Sergeant may assign the "temp user" two factor authentication passkey at which point the Officer must notify Routt County Communications of their system status as "temp user".

#### 447.7.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

## Portable Audio/Video Recorders

### 449.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this Department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

This policy does not apply to lawful surreptitious audio/video recording, interception of communications for authorized investigative purposes or to mobile audio/video recordings (see the Investigation and Prosecution and Mobile Audio/Video policies).

#### 449.1.1 DEFINITIONS

Definitions related to this policy include:

**Portable recorder** - Any compact device used for the recording of audio or audio and video data.

### 449.2 POLICY

The Steamboat Springs Police Services may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

### 449.3 MEMBER PRIVACY EXPECTATIONS

All recordings made by members acting in an official capacity shall remain the property of the Department regardless of whether those recordings were made with department-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### 449.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever possible.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever possible.

When using a portable recorder, the assigned member shall record his/her name, SSPD identification number and the current date and time at the beginning and the end of the shift or

# Steamboat Springs Police Services

## Policy Manual

### *Portable Audio/Video Recorders*

---

other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

#### **449.4.1 INTERCEPTION OF COMMUNICATIONS**

Officers may use an audio recorder to intercept wire or oral communications in compliance with a court order or pursuant to Colorado wiretapping and eavesdropping laws (CRS § 16-15-102, CRS § 18-9-303, CRS § 18-9-304). Upon expiration of the order, the officer designated in the court order shall provide the issuing judge all documents and other information pertaining to the communications pursuant to the order or as required by law. Intercepted communications shall be maintained in their entirety by the department, without editing or alterations, and not destroyed without a judge's order.

#### **449.4.2 EMERGENCY INTERCEPTION OF COMMUNICATIONS**

An officer may conduct an emergency interception wire or oral communications if (CRS § 16-15-102(18)(a) and CRS § 18-9-312):

- (a) The officer has been specially designated by the Attorney General or District Attorney.
- (b) The period of interception does not exceed 24 hours.
- (c) The officer reasonably determines that an emergency situation exists that involves immediate danger of death or serious physical injury to any person that requires a communication be intercepted.
- (d) Grounds to issue a warrant exist.
- (e) Written application for the warrant is submitted within 24 hours.

#### **449.5 ACTIVATION OF THE PORTABLE RECORDER**

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify the Communications Center
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

# Steamboat Springs Police Services

## Policy Manual

### *Portable Audio/Video Recorders*

---

Members should remain sensitive to the dignity of all individuals being recorded and exercise discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criteria. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as practicable.

#### **449.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER**

Colorado law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (CRS § 18-9-303).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

#### **449.5.2 CESSATION OF RECORDING**

Once activated, the portable recorder should remain on continuously until the member's direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

#### **449.5.3 EXPLOSIVE DEVICE**

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

#### **449.6 PROHIBITED USE OF PORTABLE RECORDERS**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from personally retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Supervisor. Any member who uses a personally owned recorder for

# Steamboat Springs Police Services

## Policy Manual

### *Portable Audio/Video Recorders*

---

department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

#### **449.7 RETENTION OF RECORDINGS**

Any time a member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall record the related case number and transfer the file in accordance with current procedure for storing digital files and document the existence of the recording in the related case report. Transfers should occur at the end of the member's shift, or any time the storage capacity is nearing its limit.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

Any time a member records any portion of a contact that may be considered graphic, they will make a notation on the storage folder for such item(s) by utilizing the term "Graphic" at the end of the folder name. This will alert SSPD staff that the contents of the folder contain material that may be defined as offensive, grotesque or otherwise repulsively gory. All autopsy and deceased body images or recordings will always warrant the "Graphic" tag.

##### **449.7.1 RETENTION REQUIREMENTS**

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

#### **449.8 REVIEW OF RECORDINGS**

When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.

# Steamboat Springs Police Services

## Policy Manual

### *Portable Audio/Video Recorders*

---

- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

Prior to the release of a recording, the recording will be reviewed according to the Records Maintenance and Release Policy. Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

## Medical Marijuana

### 451.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of marijuana under Colorado's medical marijuana laws.

#### 451.1.1 DEFINITIONS

Definitions related to this policy include:

**Allowed amount of marijuana** - No more marijuana than is medically necessary to address a debilitating medical condition. Though the amount may be greater, anything at or below the following amount qualifies as an allowed amount (Colorado Const. Art. 18, § 14):

- (a) No more than two ounces of a usable form of marijuana
- (b) No more than six marijuana plants, with three or fewer being mature, flowering plants that are producing a usable form of marijuana

**Medical use** - The acquisition, possession, production, use or transportation of marijuana or paraphernalia related to the administration of such marijuana to address the symptoms or effects of a patient's debilitating medical condition, which may be authorized only after a diagnosis of the patient's debilitating medical condition by a physician (Colorado Const. Art. 18, § 14).

**Patient** - A person who has a debilitating medical condition (Colorado Const. Art. 18, § 14).

**Primary caregiver** - A person, other than the patient and the patient's physician, who is 18 years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition (Colorado Const. Art. 18, § 14). A primary caregiver may have one or more relationships with a patient, including as (CRS § 25-1.5-106):

- (a) A parent of a child and anyone who assists that parent with caregiver responsibilities, including cultivation and transportation.
- (b) An advising caregiver who advises a patient on which medical marijuana products to use and how to dose them, and does not possess, provide, cultivate or transport marijuana on behalf of the patient.
- (c) A transporting caregiver who purchases and transports marijuana to a patient who is homebound.
- (d) A cultivating caregiver who grows marijuana for a patient.

**Registry Identification Card (RIC)** - That document, issued by the Colorado Department of Public Health and Environment, which identifies a patient authorized to engage in the medical use of marijuana and such patient's primary caregiver, if one has been designated (Colorado Const. Art. 18, § 14).

# Steamboat Springs Police Services

## Policy Manual

### *Medical Marijuana*

---

**Usable form of marijuana** - The seeds, leaves, buds and flowers of the plant (genus) cannabis, and any mixture or preparation thereof, which are appropriate for medical use. It does not include the plant's stalks, stems and roots.

#### **451.2 POLICY**

It is the policy of the Steamboat Springs Police Services to prioritize resources to avoid making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Colorado medical marijuana laws are intended to provide protection from prosecution to those who acquire, possess, manufacture, produce, use, sell, distribute, dispense or transport marijuana for debilitating medical conditions. However, Colorado medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Steamboat Springs Police Services will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Colorado law and the resources of the Department.

#### **451.3 INVESTIGATION**

Investigations involving the acquisition, possession, manufacture, production, use, sale, distribution, dispensing or transportation of marijuana generally fall into one of the following categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a medical use claim is made by an adult who has not been issued a RIC.
- (c) Investigations when a medical use claim is made by an adult who has been issued a RIC.
- (d) Investigations when a medical use claim is made by a juvenile.

##### **451.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM**

In any investigation involving the possession, delivery, production or use of marijuana or drug paraphernalia where no person claims that the marijuana is being used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use of marijuana under the Colorado Constitution (Colorado Const. Art. 18, § 16). A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant as to whether the marijuana was possessed or produced for medicinal purposes.

##### **451.3.2 INVESTIGATIONS INVOLVING A MEDICAL USE CLAIM BY AN ADULT WHO HAS NOT BEEN ISSUED A RIC**

An adult making a medical use claim, either as a patient or primary caregiver should not be arrested for a marijuana related offense when:

- (a) The patient (Colorado Const. Art. 18, § 14(2)):
  - 1. Was previously diagnosed by a physician as having a debilitating medical condition.

# Steamboat Springs Police Services

## Policy Manual

### *Medical Marijuana*

---

2. Was advised by his/her physician, in the context of a bona fide physician-patient relationship, that the patient might benefit from the medical use of marijuana in connection with a debilitating medical condition.
  3. Was collectively in possession of an allowed amount of marijuana.
- (b) The amount is permitted for personal use of marijuana under the Colorado Constitution (Colorado Const. Art. 18, § 16).

A copy of an application submitted to the Colorado Department of Public Health and Environment, including the written documentation and proof of the date of mailing or other transmission of the written documentation shall be accorded the same legal effect as a RIC, until such time as the patient receives notice that the application has been denied (Colorado Const. Art. 18, § 14(3)(d)).

#### 451.3.3 INVESTIGATIONS INVOLVING A MEDICAL USE CLAIM BY AN ADULT WHO HAS BEEN ISSUED A RIC

An adult making a medical use claim, either as a patient or primary caregiver, shall not be arrested for a marijuana related offense when all of the following exist (Colorado Const. Art. 18, § 14(2)):

- (a) The patient or primary caregiver is in lawful possession of a RIC.
- (b) The marijuana in question is for medical use.
- (c) The patient or primary caregiver is in possession no more than two ounces of a usable form of marijuana; and no more than six marijuana plants, with three or fewer being mature, flowering plants that are producing a usable form of marijuana.

A patient or primary caregiver in lawful possession of a RIC should not be arrested for any quantity of marijuana above the specified amounts of marijuana (two ounces, six plants) if the amount is no more than is medically necessary to address a debilitating medical condition.

Evidence that an extended amount is medically necessary may include a voluntary disclosure by the patient in his/her registration information that he/she intends to cultivate more than six plants for his/her own medical use (CRS § 25-1.5-106).

#### 451.3.4 INVESTIGATIONS RELATED TO A MEDICAL USE CLAIM BY A JUVENILE

A juvenile under the age of 18 shall not be arrested for a marijuana related offense if all of the following conditions exist (Colorado Const. Art. 18, § 14(6)):

- (a) The juvenile is in lawful possession of a RIC.
- (b) The juvenile and parental primary caregiver collectively possesses no more than an allowed amount of marijuana.
- (c) The parental primary caregiver controls the acquisition, dosage and frequency of use of the marijuana.

# Steamboat Springs Police Services

## Policy Manual

### *Medical Marijuana*

---

#### 451.3.5 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana possession, delivery, production or use:

- (a) Officers shall immediately notify the Colorado Department of Public Health and Environment when any person in possession of a RIC has been determined by a court of law to have willfully violated the provisions of medical marijuana laws or has pled guilty to such an offense (Colorado Const. Art. 18, § 14(3)).
- (b) Because enforcement of medical marijuana laws can be complex, time consuming and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
  1. The suspect has been identified and can be easily located at another time.
  2. The case would benefit from review by a person with expertise in medical marijuana investigations.
  3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
  4. Any other relevant factors, such as available department resources and time constraints.
- (c) Whenever the initial investigation reveals an amount of marijuana greater than that specified by law, officers should consider:
  1. The amount of marijuana recommended by a medical professional to be ingested.
  2. The quality of the marijuana.
  3. The method of ingestion (e.g., smoking, eating, nebulizer).
  4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
  5. Whether the marijuana is being cultivated indoors or outdoors, the climate, etc.
- (d) Before proceeding with enforcement related to a locally approved business that cultivates, manufactures, or sells medical marijuana or medical marijuana-infused products, officers should consider conferring with appropriate legal counsel.
- (e) Primary caregivers must be registered to cultivate or transport marijuana and have supporting receipts when transporting the marijuana. Officers may report a primary caregiver to the state licensing authority if the primary caregiver fails to provide proper documentation showing that he/she has registered (CRS § 25-1.5-106).
  1. Primary caregivers have additional registration requirements if they grow 37 or more plants. Additionally, primary caregivers may not grow 100 or more plants (CRS § 25.1.5-106).

# Steamboat Springs Police Services

## Policy Manual

### *Medical Marijuana*

---

#### 451.3.6 EXCEPTIONS

Officers may take enforcement action against a patient or primary caregiver who (Colorado Const. Art. 18, § 14(5); CRS § 25-1.5-106):

- (a) Engages in the medical use of marijuana in a way that endangers the health or well-being of any person.
- (b) Engages in the medical use of marijuana in plain view of, or in a place open to, the general public.
- (c) Undertakes any task while under the influence of medical marijuana, when doing so would constitute negligence or professional malpractice.
- (d) Possesses medical marijuana or otherwise engages in using medical marijuana on school grounds or in a school bus.
- (e) Engages in the use of medical marijuana in a correctional facility, community corrections facility or in a vehicle, aircraft or motorboat.
- (f) Engages in the use of medical marijuana while sentenced to jail/prison.
- (g) Operates, navigates or is in actual physical control of any vehicle, aircraft or motorboat while under the influence of medical marijuana.
- (h) Manufactures marijuana concentrate in an unregulated environment using an inherently hazardous substance (CRS § 18-18-406.6).

#### **451.4 FEDERAL LAW ENFORCEMENT**

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

#### **451.5 EVIDENCE ROOM SUPERVISOR RESPONSIBILITIES**

The Evidence Room Supervisor shall ensure that marijuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marijuana is not harmed, neglected, injured or destroyed (Colorado Const. Art. 18, § 14(2)(e)).

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Evidence Room Supervisor shall immediately return any useable marijuana, plants, drug paraphernalia or other related property to the person from whom it was seized (Colorado Const. Art. 18, § 14(2)(e)).

The Evidence Room Supervisor should not destroy marijuana that was alleged to be for medical purposes except upon receipt of a court order.

The Evidence Room Supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Division Supervisor.

---

## Bicycle Patrol

### 453.1 PURPOSE AND SCOPE

The Steamboat Springs Police Services has established the Bicycle Patrol for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas. A bicycle's quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

### 453.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. Its mobility and visibility in the community are hallmarks of its usefulness.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Shift Supervisor.

### 453.3 SELECTION OF PERSONNEL

Interested certified personnel, who are off probation, shall submit a request to be part of the bicycle patrol unit to the Bicycle Patrol supervisor. Bicycle Patrol members will be selected by the Bicycle Patrol supervisor and approved by the Chief of Police.

Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance
- (b) Special skills or training as they pertain to the assignment
- (c) Good physical condition
- (d) Willingness to perform duties using the bicycle as a mode of transportation
- (e) Expressed desire and interest to participate in community policing projects

#### 453.3.1 BICYCLE PATROL UNIT SUPERVISOR

The Bicycle Patrol Unit supervisor will be a Sergeant selected by the Operations Commander or the authorized designee.

The Bicycle Patrol Unit supervisor shall have responsibility for the following:

- (a) Organizing bicycle patrol training
- (b) Inspecting and maintaining inventory of patrol bicycles and program equipment
- (c) Scheduling maintenance and repairs
- (d) Evaluating the performance of bicycle officers

# Steamboat Springs Police Services

## Policy Manual

### *Bicycle Patrol*

---

- (e) Coordinating activities with the Patrol Division
- (f) Other activities as required to maintain the efficient operation of the unit

#### **453.4 TRAINING**

Participants in the program must complete an initial Department-approved bicycle-training course after acceptance into the program.

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

#### **453.5 UNIFORMS AND EQUIPMENT**

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches, and department-approved bicycle patrol pants or shorts.

Optional equipment includes a jacket in colder weather. Insulated clothing is permitted when worn under the uniform shirt, and a radio head set and microphone.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

#### **453.6 CARE AND USE OF PATROL BICYCLES**

Officers will utilize a specially marked and equipped patrol bicycle.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a "Police" decal affixed to each side of the crossbar or the bike's saddlebag or attached gear bag. Every such bicycle shall be equipped with front and rear reflectors, front and rear lamps. Lamps and reflectors must meet legal requirements.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack for attached gear bags and/or saddle bags sufficient to carry the necessary equipment for handling routine patrol calls, including report writing, vehicle storage and citations.

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

# Steamboat Springs Police Services

## Policy Manual

### *Bicycle Patrol*

---

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance once yearly, to be performed by a repair shop/technician that is approved by the Department.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the express approval of the bicycle supervisor or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

#### **453.7 OFFICER RESPONSIBILITIES**

Officers should operate the bicycle in compliance with Colorado law, unless their duties require otherwise. Officers may operate the bicycle without lighting equipment during hours of darkness only when it reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment or in violation of routine rules of the road.

##### **453.7.1 PATROL GUIDELINES**

Officers will check with the on-duty Sergeant or OIC prior to their shift and request bike deployment authorization for the shift.

Officers who have been designated as Bicycle Patrol will place those duties secondary to those of their primary patrol responsibilities.

Officers who are working on bicycles will be available to respond to all assigned calls in their patrol area.

When a Bicycle Patrol officer makes an arrest, the officer will request assistance from an officer in a patrol car and the suspect will be transported to the jail in the patrol car. The Bicycle Patrol officer will then respond to the jail and complete the booking process and all the associated paperwork and reports.

Bicycle Patrol deployments will be discontinued when weather and riding conditions become hazardous. Riding in icy, snowy, rainy, or extremely cold weather should be avoided for officer safety.

## Foot Pursuit Policy

### 457.1 PURPOSE AND SCOPE

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

### 457.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

### 457.3 DECISION TO PURSUE

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

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

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

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

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

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.

# Steamboat Springs Police Services

## Policy Manual

### *Foot Pursuit Policy*

---

- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

#### **457.4 GENERAL GUIDELINES**

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

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

# Steamboat Springs Police Services

## Policy Manual

### *Foot Pursuit Policy*

---

- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

#### **457.5 REPORTING REQUIREMENTS**

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

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

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

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

#### **457.6 RESPONSIBILITIES IN FOOT PURSUITS**

##### **457.6.1 INITIATING OFFICER RESPONSIBILITIES**

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

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

# Steamboat Springs Police Services

## Policy Manual

### *Foot Pursuit Policy*

---

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

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

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

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

#### 457.6.2 ASSISTING OFFICER RESPONSIBILITIES

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

#### 457.6.3 SUPERVISOR RESPONSIBILITIES

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

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

#### 457.6.4 THE COMMUNICATIONS CENTER RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.

# Steamboat Springs Police Services

## Policy Manual

### *Foot Pursuit Policy*

---

- (d) Ensuring that a field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

## Homeless Persons

### 461.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Steamboat Springs Police Services recognizes that members of the homeless community are often in need of special protection and services. The Steamboat Springs Police Services will address these needs in balance with the overall mission of this department. Therefore, officers will consider the following policy when serving the homeless community.

#### 461.1.1 POLICY

It is the policy of the Steamboat Springs Police Services to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

### 461.2 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a nonviolent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals, counseling and summons and release in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

#### 461.2.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of our community. The fact that a victim or witness is homeless can, however, require special consideration for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.

# Steamboat Springs Police Services

## Policy Manual

### *Homeless Persons*

---

- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so, proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

#### **461.3 PERSONAL PROPERTY**

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in cleanup operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor. When practicable, requests by the public for cleanup operations of a homeless encampment should be referred to the Operations Commander.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appear to belong to a homeless person should not remove or destroy such property and should inform supervisor if such property appears to involve a trespass, is blight to the community or is the subject of a complaint. It will be the responsibility of the supervisor to address the matter in a timely fashion.

#### **461.4 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS**

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person for an emergency admission to a mental health facility unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance, as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

# Steamboat Springs Police Services

Policy Manual

## *Homeless Persons*

---

### **461.5 ECOLOGICAL ISSUES**

Sometimes homeless encampments can affect the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

---

## Public Recording of Law Enforcement Activity

### 463.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

### 463.2 POLICY

The Steamboat Springs Police Services recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

### 463.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
  - 1. Tampering with a witness or suspect.
  - 2. Inciting others to violate the law.
  - 3. Being so close to the activity as to present a clear safety hazard to the officers.
  - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

### 463.4 OFFICER RESPONSE

Officers should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

# Steamboat Springs Police Services

## Policy Manual

### *Public Recording of Law Enforcement Activity*

---

behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

#### **463.5 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

#### **463.6 SEIZING RECORDINGS AS EVIDENCE**

Officers should not seize recording devices or media unless (42 USC § 2000aa; CRS § 16-3-311):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
  1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
  1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
    - (a) Before obtaining consent, the member shall provide the person with his/her identification, agency name and the reason the information is requested.

# Steamboat Springs Police Services

## Policy Manual

### *Public Recording of Law Enforcement Activity*

---

- (b) If the person voluntarily provides his/her device or media to the member, the search of the device or media shall be limited to the relevant recording and the device or media returned as soon as practicable.
- 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

#### 463.6.1 SEARCH WARRANTS

When a member seizes a recording device or media without the person's consent or without a search warrant, a search warrant for the recording shall be sought within 72 hours of the seizure (CRS § 16-3-311).

## Suspicious Activity Reporting

### 464.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

#### 464.1.1 DEFINITIONS

Definitions related to this policy include:

**Involved party** - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

**Suspicious activity** - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Race, ethnicity, national origin or religious affiliation should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include, but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphpered literature or correspondence.

**Suspicious Activity Report (SAR)** - An incident report used to document suspicious activity. Can be a Memo, MIR, or CIR.

### 464.2 POLICY

The Steamboat Springs Police Services recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

### 464.3 RESPONSIBILITIES

The Administration Command and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Administration Commander include, but are not limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

# Steamboat Springs Police Services

## Policy Manual

### *Suspicious Activity Reporting*

---

- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).
- (i) Have an Officer attend Terrorism Liason Officer (TLO) Training and be the point of contact with the Colorado Information Analysis Center (CIAC).

#### **464.4 REPORTING AND INVESTIGATION**

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

#### **464.5 HANDLING INFORMATION**

The Records Section will forward copies of SARs, in a timely manner, to the following:

- Detective Division supervisor
- Crime Analysis Unit
- Other authorized designees

## Crisis Intervention Incidents

### 465.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

#### 465.1.1 DEFINITIONS

Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

### 465.2 POLICY

The Steamboat Springs Police Services is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

### 465.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

# Steamboat Springs Police Services

## Policy Manual

### *Crisis Intervention Incidents*

---

#### **465.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS**

The Chief of Police should designate an appropriate Division Commander to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

#### **465.5 FIRST RESPONDERS**

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

#### **465.6 DE-ESCALATION**

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

# Steamboat Springs Police Services

## Policy Manual

### *Crisis Intervention Incidents*

---

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

#### **465.7 INCIDENT ORIENTATION**

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

#### **465.8 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

# Steamboat Springs Police Services

## Policy Manual

### *Crisis Intervention Incidents*

---

- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Division Commander.
- (f) Evaluate whether a critical incident stress management debriefing for involved member's is warranted.

#### **465.9 INCIDENT REPORTING**

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

##### **465.9.1 DIVERSION**

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

#### **465.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS**

Non-sworn members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

#### **465.11 EVALUATION**

The Division Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining

# Steamboat Springs Police Services

## Policy Manual

### *Crisis Intervention Incidents*

---

to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

#### **465.12 TRAINING**

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

---

## First Amendment Assemblies

### 466.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

### 466.2 POLICY

The Steamboat Springs Police Services respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

### 466.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering and disrupting lawful assembly. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

# Steamboat Springs Police Services

## Policy Manual

### *First Amendment Assemblies*

---

#### 466.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

#### 466.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

#### 466.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

##### 466.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

# Steamboat Springs Police Services

## Policy Manual

### *First Amendment Assemblies*

---

- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

#### 466.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for the following:

- (a) Command assignments, chain of command structure, roles and responsibilities
- (b) Staffing and resource allocation
- (c) Management of criminal investigations
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields)
- (e) Deployment of specialized resources
- (f) Event communications and interoperability in a multijurisdictional event
- (g) Liaison with demonstration leaders and external agencies
- (h) Liaison with City government and legal staff
- (i) Media relations
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation
- (k) Traffic management plans
- (l) First aid and emergency medical service provider availability
- (m) Prisoner transport and detention
- (n) Review of policies regarding public assemblies and use of force in crowd control
- (o) Parameters for declaring an unlawful assembly
- (p) Arrest protocol, including management of mass arrests
- (q) Protocol for recording information flow and decisions
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force
- (s) Protocol for handling complaints during the event

# Steamboat Springs Police Services

## Policy Manual

### *First Amendment Assemblies*

---

#### **466.5.3 MUTUAL AID AND EXTERNAL RESOURCES**

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

#### **466.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS**

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

#### **466.7 USE OF FORCE**

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER ® devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

# Steamboat Springs Police Services

## Policy Manual

### *First Amendment Assemblies*

---

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

#### **466.8 ARRESTS**

The Steamboat Springs Police Services should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation/ Summons and Release Policy).

#### **466.9 MEDIA RELATIONS**

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the News Media Relations Policy).

#### **466.10 DEMOBILIZATION**

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

# Steamboat Springs Police Services

## Policy Manual

### *First Amendment Assemblies*

---

#### **466.11 POST EVENT**

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, the Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

##### **466.11.1 AFTER-ACTION REPORTING**

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

#### **466.12 TRAINING**

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

## Civil Disputes

### 467.1 PURPOSE AND SCOPE

This policy provides members of the Steamboat Springs Police Services with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Colorado law.

### 467.2 POLICY

The Steamboat Springs Police Services recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

### 467.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

### 467.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent

# Steamboat Springs Police Services

## Policy Manual

### *Civil Disputes*

---

court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

#### **467.4.1 CIVIL STANDBY REQUESTS**

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

Officers will be available for a reasonable amount of time, generally considered about 10 minutes.

#### **467.5 VEHICLES AND PERSONAL PROPERTY**

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

#### **467.6 REAL PROPERTY**

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

---

## Medical Aid and Response

### 468.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons who appear to be in need of medical aid and establishes a law enforcement response to such situations.

### 468.2 POLICY

It is the policy of the Steamboat Springs Police Services that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

### 468.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact the Communications Center and request response by emergency medical services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide the Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
  1. Signs and symptoms as observed by the member.
  2. Changes in apparent condition.
  3. Number of patients, sex and age, if known.
  4. Whether the person is conscious, breathing and alert, or is believed to have consumed drugs or alcohol.
  5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

# Steamboat Springs Police Services

## Policy Manual

### *Medical Aid and Response*

---

#### **468.4 TRANSPORTING ILL AND INJURED PERSONS**

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

#### **468.5 PERSONS REFUSING EMS CARE**

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

##### **468.5.1 SICK OR INJURED ARRESTEE**

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

# Steamboat Springs Police Services

## Policy Manual

### *Medical Aid and Response*

---

#### **468.6 MEDICAL ATTENTION RELATED TO USE OF FORCE**

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

#### **468.7 AIR AMBULANCE**

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Patrol Division Commander should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

# Steamboat Springs Police Services

## Policy Manual

### *Medical Aid and Response*

---

#### **468.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE**

A member should use an AED only after the member has received the required training (CRS § 13-21-108.1).

##### **468.8.1 AED USER RESPONSIBILITY**

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Coordinator who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED shall contact the Communications Center as soon as possible and request response by EMS (CRS § 13-21-108.1).

##### **468.8.2 AED REPORTING**

Any member using an AED will complete an incident report detailing its use.

##### **468.8.3 AED TRAINING AND MAINTENANCE**

The Training Coordinator should ensure appropriate training that includes training in CPR and AED use is provided to members authorized to use an AED (CRS § 13-21-108.1).

The Training Coordinator is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer's operational guidelines, and will retain records of all maintenance and testing in accordance with the established records retention schedule (CRS § 13-21-108.1).

## Mobile Audio Video

### 469.1 PURPOSE AND SCOPE

The Steamboat Springs Police Services has equipped marked patrol cars with Mobile Audio Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

#### 469.1.1 DEFINITIONS

Definitions related to this policy include:

**Activate** - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

**In-car camera system and Mobile Audio Video (MAV) system** - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

**MAV technician** - Personnel, certified or non-sworn, trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who possess a working knowledge of video forensics and evidentiary procedures.

**Recorded media** - Audio-video signals recorded or digitally stored on a storage device or portable media or stored on portable media..

### 469.2 POLICY

It is the policy of the Steamboat Springs Police Services to use mobile audio and video technology to more effectively fulfill the Department's mission and to ensure these systems are used securely and efficiently.

### 469.3 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip him/herself to record mobile audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any mobile recordings . Each officer should have adequate recording media for the entire duty assignment.

In the event an officer works at a remote location and reports in only periodically, multiple recording media may be issued. Only Steamboat Springs Police Services identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by system set-up parameters the recording his/her name, serial number, badge or PIN number and the current date and time at the start and again at the end of each shift. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Audio Video*

---

#### **469.4 ACTIVATION OF THE MAV**

The MAV system is designed to turn on whenever the unit's emergency lights are activated. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.

##### **469.4.1 REQUIRED ACTIVATION OF THE MAV**

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes its use would be appropriate and/or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations.

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
  - 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
  - 2. Priority responses
  - 3. Vehicle pursuits
  - 4. Suspicious vehicles
  - 5. Arrests
  - 6. Vehicle searches
  - 7. Physical or verbal confrontations or use of force
  - 8. Pedestrian checks
  - 9. DVVI/DUI investigations including field sobriety tests
  - 10. Consensual encounters
  - 11. Crimes in progress
  - 12. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify the Communications Center
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
  - 1. Domestic violence calls
  - 2. Disturbance of peace calls

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Audio Video*

---

3. Offenses involving violence or weapons
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

#### 469.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive or in other similar situations.

#### 469.4.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

#### 469.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of the Communications Center.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
  1. The tracking number of the MAV system media.
  2. The date it was issued.
  3. The law enforcement operator or the vehicle to which it was issued.
  4. The date submitted.
  5. Law enforcement operators submitting the media.
  6. Holds for evidence indication and tagging as required.
- (c) The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Audio Video*

---

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of surveillance regarding the conversations or actions of an officer.

#### **469.5 REVIEW OF MAV RECORDINGS**

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media in pristine condition.

Recordings may be reviewed in any of the following situations:

- (a) For use when preparing reports or statements
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance
- (d) To assess proper functioning of MAV systems
- (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment.
- (h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- (i) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.
- (j) To assess possible training value

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Audio Video*

---

- (k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection.

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Shift Supervisor. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

#### **469.6 DOCUMENTING MAV USE**

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

#### **469.7 RECORDING MEDIA STORAGE AND INTEGRITY**

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence, will be retained for a minimum of 180 days and disposed of in compliance with the established records retention schedule.

##### **469.7.1 COPIES OF ORIGINAL RECORDING MEDIA**

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

##### **469.7.2 MAV RECORDINGS AS EVIDENCE**

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Steamboat Springs Police Services should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

#### **469.8 SYSTEM OPERATIONAL STANDARDS**

- (a) MAV system vehicle installations should be based on officer safety requirements and vehicle and device manufacturer recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Audio Video*

---

- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios, portable recorders, or other emergency equipment, other electronic devices should not be used inside a MAV-equipped law enforcement vehicle in order to prevent unintentional interference with the capability of the MAV system to record audio data.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

#### **469.9 MAV TECHNICIAN RESPONSIBILITIES**

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
  - 1. Ensures it is stored in a secured location with authorized controlled access.
- (c) Erasing of media:
  - 1. Pursuant to a court order.
  - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
  - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.
- (g) Managing the purging/destruction of recordings that have met the retention period and have not been tagged as evidence belonging to a case.

The Operations Commander will act as the MAV Technician.

# Steamboat Springs Police Services

## Policy Manual

### *Mobile Audio Video*

---

#### **469.10 TRAINING**

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

## Chapter 5 - Traffic Operations

---

## Traffic Function and Responsibility

### 500.1 PURPOSE AND SCOPE

The goal of traffic law enforcement is to reduce traffic collisions and improve the safety and quality of life for the community through traffic law compliance. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, traffic conditions and other data. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations but also in terms of traffic-related needs.

### 500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Steamboat Springs Police Services. Information provided by the Colorado State Patrol (CSP) is a valuable resource for traffic accidents and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of traffic laws and address accident-causing violations during those periods and at those locations where the incidence of collisions is increased. As a matter of routine, all officers will take directed enforcement action on request, and random enforcement action when appropriate, against violators. All officers shall maintain high visibility while working general enforcement, especially at high-accident incidence locations.

Other factors to be considered for deployment are citizen requests, construction zones, school zones or special events.

### 500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions (CRS § 42-4-101 and CRS § 42-4-104):

# Steamboat Springs Police Services

## Policy Manual

### *Traffic Function and Responsibility*

---

#### 500.3.1 WARNINGS AND STOPS WITHOUT CITATION OR ARREST

Warnings should be considered in minor traffic infractions and substituted for arrests or citations when circumstances warrant. Circumstances that do not result in a citation or arrest require providing a business card in compliance with the law, as outlined in the Racial/Bias Based Profiling Policy.

#### 500.3.2 TRAFFIC CITATIONS

Traffic citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at minimum:

- (a) Explanation of the violation or charge
- (b) Court appearance procedure, including the optional or mandatory appearance by the motorist
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court
- (d) The court contact information

#### 500.3.3 TRAFFIC CITATION COURT JURISDICTION

An officer who issues a traffic citation shall ensure that the place specified in the summons, complaint or penalty assessment notice is a county court within the county in which the offense is alleged to have been committed. (CRS § 42-4-1707(5)).

#### 500.3.4 REFUSAL TO SIGN TRAFFIC CITATION

If a person refuses to sign a traffic citation, the Officer should make efforts to reasonably determine the person's identity and properly serve the citation by writing "Refused to Sign" on the Promise to Appear.

Should a person's identity be underermined, a supervisor should be requested to assist with resolution of the incident prior to resorting to an arrest.

#### 500.3.5 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with, but are not limited to (CRS § 42-4-1705(1)):

- (a) Negligent homicide.
- (b) Driving under the influence of alcohol/drugs.
- (c) Hit-and-run resulting in serious injury or death.
- (d) Hit-and-run resulting in damage to any vehicle or property.
- (e) Reasonable cause to believe the violator may leave the state.

# Steamboat Springs Police Services

## Policy Manual

### *Traffic Function and Responsibility*

---

#### **500.4 SUSPENDED OR REVOKED DRIVER'S LICENSE**

If an officer contacts a traffic violator for driving on a suspended, revoked or restricted license and the violation is not an unclassified misdemeanor, the officer may, without a warrant, arrest the violator for a misdemeanor (CRS § 42-2-138).

#### **500.5 HIGH-VISIBILITY VESTS**

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to reduce the danger to employees who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment (Federal Manual on Uniform Traffic Control Devices, 23 CFR 655.601).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the employee.

##### **500.5.1 REQUIRED USE**

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used anytime a plainclothes officer might benefit from being readily identified as an officer.

##### **500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS**

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service, each employee shall ensure a serviceable high-visibility vest is properly stored.

Additional high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Coordinator should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

---

## Traffic Accident Response And Reporting

### 502.1 PURPOSE AND SCOPE

The public safety responsibilities of law enforcement include responding to traffic accidents, providing aid and assistance, documentation of the incident and identification of criminal activity. The Steamboat Springs Police Services prepares traffic accident reports in compliance with CRS § 42-4-1606 and as a public service makes traffic accident information available to the public.

### 502.2 CALL RESPONSE

Officers should respond without delay when dispatched to a traffic accident. A traffic accident with injuries reported may include an emergency response if the officer reasonably believes such a response is appropriate.

#### 502.2.1 RESPONSE CONSIDERATIONS

An officer responding to and upon arrival at an accident, should consider the following:

- (a) The most appropriate route to the incident
- (b) Proper placement of the emergency vehicle to provide protection for officers and the scene
- (c) Potential for involvement of hazardous materials
- (d) Additional support that may be necessary (e.g., traffic control, medical aid, HAZMAT, ambulance, tow vehicles and airship landing)
- (e) Providing first aid to any injured parties if it can be done safely, and obtaining medical assistance as necessary
- (f) Traffic control and protection of the scene
- (g) Clearance of the roadway

### 502.3 ACCIDENT INVESTIGATION

Investigation of traffic collisions should include, at minimum, the following:

- (a) Identification and interview of all involved parties
- (b) Identification and interview of any witnesses
- (c) Determination if any crime has occurred and taking appropriate enforcement action
- (d) Identification and protection of items of apparent evidentiary value
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on appropriate report forms

#### 502.3.1 SERIOUS BODILY INJURY OR FATAL INVESTIGATIONS

(a) The assistance of an Accident Investigation Specialist (generally a CSP Trooper) may be requested for all serious injury and/or fatal accident investigations.

# Steamboat Springs Police Services

## Policy Manual

### *Traffic Accident Response And Reporting*

---

(b) The first unit to arrive at the scene will notify the on-duty Supervisor, or in the event that no Supervisor is on duty at the time, notify the Supervisor who is on call. The first unit will then be responsible for protecting and securing the scene until relieved by an Accident Investigation Specialist (CSP), if available, and will assist in the completion of the investigation. This can include, but is not limited to, taking statements, taking measurements and serving summons.

(c) Once notified, the Supervisor may notify the Accident Investigation Specialist. The Supervisor will also be responsible to notify the Investigation Division and Command Staff, if appropriate.

(d) Upon arrival at the scene, the Accident Investigation Specialist will be briefed by the initial responding officer on all known facts regarding to the accident. After being briefed, the Accident Investigation Specialist will assume responsibility of the traffic accident investigation.

1. The Accident Investigation Specialist will be responsible to complete the traffic accident investigation and all reports/summons resulting from his investigation. Note: if the Specialist is a Trooper from the Colorado State Patrol, the Trooper will generally only complete the diagram and supporting documentation. The police officer will need to complete the information sections on the accident report unless other arrangements are made with C.S.P.

(e) At the discretion of the Accident Investigation Specialist, all consenting witnesses, uninjured drivers and passengers involved, may be transported to the Police Department for interview and/or statements. If necessary, involved vehicles may be towed to the City of Steamboat Springs Impound Lot and held as evidence.

#### **502.4 TAKING ENFORCEMENT ACTION**

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of Colorado law led to the accident, officers should issue a traffic citation or a misdemeanor citation to the offending driver. Officers may arrest a person when there is probable cause to believe that an offense was committed by the person to be arrested (CRS § 16-3-102).

Incidents involving more serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced immediately. If a driver subject to enforcement is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

#### **502.5 TRAFFIC ACCIDENT REPORTING**

##### **502.5.1 OFFICER RESPONSIBILITIES**

Department members shall utilize forms approved by the Department of Revenue, Motor Vehicle Division (CRS § 42-4-1608) for the reporting of traffic accidents. All traffic accident reports taken by members of this department shall be forwarded to the Patrol Sergeant for approval and data entry into the records management system.

##### **502.5.2 PATROL SERGEANT RESPONSIBILITIES**

The Patrol Sergeant will be responsible for:

# Steamboat Springs Police Services

## Policy Manual

### *Traffic Accident Response And Reporting*

---

- (a) Monthly and quarterly reports on traffic accident statistics, to be forwarded to the Patrol Division Commander or other persons as required.
- (b) Forwarding the traffic accident report to the Department of Revenue, Motor Vehicle Division within five days of receiving information regarding the accident or upon the completion of the investigation if the accident did not involve injury or death and the property damage is reasonably believed to be no more than \$1,000 (CRS § 42-4-1606).
- (c) Obtaining all updates in the Colorado Traffic Accident Reporting Manual, distribution of the manual and updates and ensuring conformity with this policy.

#### 502.5.3 MODIFICATIONS TO TRAFFIC ACCIDENT REPORTS

A change or modification of a written report that alters a material fact in the report may be made only by the person who prepared the report. A written supplemental report may be made by any authorized employee.

### **502.6 REPORTING SITUATIONS**

#### 502.6.1 TRAFFIC ACCIDENTS INVOLVING CITY VEHICLES

Traffic accident investigation reports shall be taken when a City-owned vehicle is involved in a traffic accident on a roadway or highway, wherein any damage or injury results. A general information report may be taken in lieu of a traffic accident report at the direction of a supervisor when the accident occurs on private property or does not involve another vehicle. Whenever there is damage to a City vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Division Commander.

A diagram shall be completed.

Photographs of the accident scene and vehicle damage shall be taken.

#### 502.6.2 INJURY OR FATALITY TRAFFIC ACCIDENTS WITH POLICE DEPARTMENT OFFICE EMPLOYEES

When an employee of this department, either on- or off-duty, is involved in a traffic accident within the jurisdiction of the Steamboat Springs Police Services and it results in a serious injury or fatality, the Patrol Sergeant or the Shift Supervisor should request the Colorado State Patrol (CSP) or other outside agency to complete an investigation and report.

The term serious bodily injury is defined as bodily injury that involves a substantial risk of death, serious permanent disfigurement, protracted loss or impairment of bodily function (CRS § 18-1-901(3)(p)).

#### 502.6.3 TRAFFIC COLLISIONS WITH OTHER POLICE DEPARTMENT EMPLOYEES

The Patrol Sergeant or Shift Supervisor should when practical request assistance from the CSP or other outside agency for the investigation of any traffic accident involving any Police Department employee.

# Steamboat Springs Police Services

## Policy Manual

### *Traffic Accident Response And Reporting*

---

#### 502.6.4 TRAFFIC COLLISIONS INVOLVING INJURED ANIMALS

Department members should refer to the Animal Control Procedures Policy when a traffic accident involves disposition of an injured animal.

#### **502.7 NOTIFICATION OF PATROL SERGEANT**

In the event of a serious injury or death-related traffic accident, the Shift Supervisor shall notify the Patrol Sergeant to relate the circumstances of the traffic accident and seek assistance from the Patrol Sergeant. In the absence of a Patrol Sergeant, the Shift Supervisor or any supervisor may assign an investigator or motor officer to investigate the traffic accident.

#### **502.8 OVER THE COUNTER REPORTS**

Severe weather conditions or other circumstances may increase the volume of traffic accidents beyond the ability to investigate them. At such times, the investigation of certain types of traffic accidents may be temporarily suspended. Counter reports will be authorized at these times. A Community Service Officer will be assigned to assist the citizen with filling out the counter report. If there is no Community Service Officer available, a sworn officer may be assigned.

##### 502.8.1 COLD REPORTING

When an officer is dispatched to the scene of a reported traffic accident where there is damage, injury or death, the traffic accident will be investigated and a report made. When there is a backlog of traffic accidents due to severe weather conditions or other circumstances, the Patrol Sergeant or Officer in charge may authorize counter-reporting of certain types of traffic accidents. Traffic accidents which may be counter-reported are those which result in minor damage to vehicles, do not require a tow truck, involve NO injury, and do not have alcohol/drugs involved.

All parties involved in the vehicle accident must be present and report at the same time, to the police station, for an over the counter report to be completed.

## Vehicle Towing and Release Policy

### 510.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Steamboat Springs Police Services and under the authority of CRS § 42-4-1803.

### 510.2 RESPONSIBILITIES

The responsibilities of those employees storing or impounding a vehicle are as follows.

#### 510.2.1 COMPLETION OF VEHICLE IMPOUND/STORAGE FORM

Department members requesting towing of a vehicle shall complete a vehicle impound/storage form that includes written authorization pursuant to CRS § 42-4-1803(1)(b) for the tow truck operator to possess the vehicle and a description of property within the vehicle. A copy is to be given to the tow truck operator and the original is to be submitted to the Records Section as soon as practicable after the vehicle is stored.

Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or for information should inquiries be made.

#### 510.2.2 REMOVAL OF A VEHICLE DISABLED IN A TRAFFIC ACCIDENT

When a vehicle has been involved in a traffic accident and must be removed from the scene, the officer shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to the Communications Center. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in the Communications Center.

If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in an accident, the officer shall request the dispatcher to call the tow company contracted by the City Of Steamboat Springs. The officer will then conduct an inventory and store the vehicle using a vehicle impound/storage form.

#### 510.2.3 DRIVING A NON-CITY VEHICLE

Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with parking regulations.

#### 510.2.4 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the the tow company contracted by the City of Steamboat Springs

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Towing and Release Policy*

---

#### 510.2.5 RECORDS DIVISION RESPONSIBILITY

Approved vehicle impound/storage forms shall be promptly filed so that they are immediately available for release or review should inquiries be made.

Records Section personnel should promptly enter pertinent data from a completed vehicle impound/storage form into the Motor Vehicle Verification System to determine if the vehicle has been reported stolen (CRS § 42-4-1804). No later than 10 working days after a vehicle has been towed by this department, Records Section personnel shall report the towing and related information to the Department of Revenue, Motor Vehicle Division as required by CRS § 42-4-1804(1)(b).

Records Section personnel shall make a good faith attempt to notify the owner or lien holder of abandoned vehicles within 10 working days after receipt of a vehicle impound/storage form pursuant to (CRS § 42-4-1804(4)(a); CRS § 42-4-1804(4)(b)). The notice shall inform the owner that he/she can request a hearing concerning the legality of the towing of the abandoned motor vehicle (CRS § 42-4-1804(4)(c)).

The Records Section should use the notice forms available from the Department of Revenue, Motor Vehicle Division when sending required notices to the owners or lien holders of stolen or abandoned vehicles (CRS § 42-4-1804(5)).

#### **510.3 TOWING SERVICES**

The City of Steamboat Springs periodically selects one or more firms to act as official tow services and awards contracts to those firms. Those firms will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

If more than one firm has been awarded contracts, they shall be placed on a rotation list. Nothing in this policy shall require the Department to tow a vehicle.

#### **510.4 TOWING AT ARREST SCENES**

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, a vehicle shall be towed if it would present a traffic hazard or if it would be in jeopardy of theft or damage if left at the scene in a high-crime area.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Towing and Release Policy*

---

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest
- Situations where the vehicle was not used to further the offense for which the occupant was arrested or is not subject to forfeiture proceedings
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene
- If the arrested driver requests the vehicle is left in the possession of another licensed driver, who is legally capable of driving the vehicle

In such cases, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages.

#### **510.5 VEHICLE INVENTORY**

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

If the apparent potential for damage to a locked container reasonably appears to outweigh the protection of the items inside, other options to consider regarding locked containers include, but are not limited to, obtaining access to the locked container from the owner, placing the locked container into safekeeping or obtaining a written waiver of responsibility for the contents of the locked container.

#### **510.6 PRESERVATION OF EVIDENCE**

An officer removing a vehicle pursuant to CRS § 42-4-1803, who has probable cause to believe that the vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense, should ensure that all legally required and reasonably necessary efforts to preserve the evidence, including but not limited to, safe storage, are taken until the evidence is released to the owner or otherwise disposed of according to law.

# Steamboat Springs Police Services

Policy Manual

## *Vehicle Towing and Release Policy*

---

### **510.7 SECURITY OF VEHICLES AND PROPERTY**

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, an officer should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property.

---

## Parking Enforcement

### 511.1 PURPOSE

The purpose of this policy is to set forth procedures used to manage the City's parking resources. \_

#### 511.1.1 POLICY

The Code Enforcement Division of the Steamboat Springs Police Department is the primary parking enforcement authority within the city limits of Steamboat Springs. The objective of enforcement is to maximize the usage of available parking spaces while allowing access to businesses, improving traffic flow, allowing for efficient snow removal, and maintaining the quality of life in residential neighborhoods.

#### 511.1.2 PROCEDURE

The City of Steamboat Springs has adopted the Model Traffic Code for Colorado Municipalities.

Code Enforcement Officers working out of the Police Department are responsible for enforcing the parking regulations within the City of Steamboat Springs in a fair and impartial manner. When a vehicle is parked illegally the Code Enforcement Officer may issue a parking citation. After three or more overdue parking tickets, the vehicle will be placed on the "Scofflaw List" and is subject to impoundment.

#### 511.1.3 PARKING CITATION DISPOSITION

##### WHEN A PERSON RECEIVES A PARKING CITATION THEY CAN:

Mail the fine to the City of Steamboat Springs Municipal Court, P.O. Box 775088, Steamboat Springs, Colorado, 80477.

Pay the fine in person at City Hall Reception Area 137 10th Street, Steamboat Springs, Colorado.

Contest the citation by attending Municipal Court on the first or third Wednesday of the month. The person contesting the citation will plead their case to the Parking Hearing Officer. The Parking Hearing Officer will make a determination if the citation is appropriate. Should the person disagree with the Parking Hearing Officer's ruling, the citation will go before the Municipal Court Judge. The Municipal Court Judge will make a final ruling.

##### WHEN A PERSON DOES NOT PAY A PARKING FINE:

14 days after the citation date the parking fine will be doubled. On a quarterly basis, the Municipal Court Clerk will mail a notice to all vehicle owners who have past-due parking tickets outstanding against them. If a parking fine is not paid after the third notice, they will be sent to a collections agency.

When a vehicle is impounded (towed) the owner will also be required to pay the costs of towing and storage.

.

## Citations

### 515.1 PURPOSE AND SCOPE

This policy outlines the responsibility for citations, the collection of data, the procedure for dismissal, correction and voiding of citations and summonses.

### 515.2 RESPONSIBILITIES

Employees of this department shall use the approved citation for all offense citations.

The Operations Commander shall be responsible for the development and design of all Department citations in compliance with state law (CRS § 42-4-1707).

The Patrol Sergeants are responsible for the supply and accounting of all citations issued to employees of this department. Citations will be kept in a secure location and issued to officers by a Patrol Sergeant. Officers will sign for the citation books when issued.

### 515.3 DISMISSAL OF CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Patrol Sergeant. Upon a review of the circumstances involving the issuance of the citation, the Patrol Sergeant may request that the Operations Commander recommend dismissal of the citation. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of citations whose request for dismissal has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request that the court dismiss the citation. Upon dismissal of the citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Operations Commander for review.

### 515.4 VOIDING CITATIONS

Voiding a citation may occur when a citation has not been completed or where it is completed but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The Officer will complete a supplemental report explaining the reason for voiding the citation. The citation and copies shall then be forwarded to the Patrol Sergeant or other appropriate supervisor who will approve and forward to the Records Section.

### 515.5 CORRECTION OF CITATIONS

When a citation is issued and in need of minor correction, the officer issuing the citation shall submit the citation and a supplemental report requesting a specific correction to his/her immediate supervisor. The citation and supplemental report shall then be forwarded to the Patrol Sergeant.

# Steamboat Springs Police Services

## Policy Manual

### *Citations*

---

The Patrol Sergeant shall advise the Records Division to send the citation and supplemental report to the District Attorney's Office and to the court having jurisdiction and to the recipient of the citation.

If a citation is determined to be defective (incorrect charge(s), date or location of offense incorrect, name of defendant incorrect) which could cause the citation to be dismissed by the court, then the officer who wrote the citation will prepare another citation and re-issue the citation to the defendant.

#### **515.6 DISPOSITION OF CITATIONS**

The court and file copies of all citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be retained with the Records Section.

Upon separation from employment with this department, all employees who were issued citation books shall return any unused citations to the Patrol Sergeant .

#### **515.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE**

Disposition of notice of parking violation appeals is conducted pursuant to local regulations (CRS § 43-2-135(1)(g) and CRS § 42-4-110(1)). A parking violation may be appealed by filing a request with the court and posting fees as required.

#### **515.8 JUVENILE CITATIONS**

Completion of traffic citation forms for juveniles vary from the procedure for adults (CRS § 42-4-1707(1)(b)). The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.

#### **515.9 REFUSAL OF VIOLATOR TO SIGN CITATION**

If a person refuses to sign a citation, the Officer should make efforts to reasonably determine the person's identity and properly serve the citation by writing "Refused to Sign" on the Promise to Appear.

Should a person's identity be underdetermined, a supervisor should be requested to assist with resolution of the incident prior to resorting to an arrest.

#### **515.10 TRAFFIC VIOLATIONS TO BE CITED INTO MUNICIPAL COURT**

Steamboat Springs is a home-rule City. By virtue of the decision to exercise these powers and enact traffic ordinances, the City Council has clearly established its desire for such matters to be handled in Municipal Court whenever practical. Officers are bound by this determination of policy and are not free to substitute their own judgment in this area.

The only instance in which a traffic violator shall be cited into County Court on a State charge is when the violator is cited for one or more traffic violations for which there is no corresponding Municipal charge. Any exception to this policy will be cleared through a supervisor.

# Steamboat Springs Police Services

## Policy Manual

### *Citations*

---

#### **515.11 TRAFFIC AND CRIMINAL VIOLATIONS COMBINED**

In order to facilitate record-keeping at both the municipal and state levels, if a violator is to be charged with both traffic and non-traffic violations, for the same case number, they shall be cited into the same court.

#### **515.12 CIVILIAN COMPLAINTS**

When an officer responds to a civilian complaint, it is his/her duty to evaluate the allegations to determine whether there is probable cause to believe there has been a violation of City or State law. If the facts of the allegations do not support probable cause that a crime has been committed, the officer shall not accept a signed complaint. If the officer determines there is probable cause to believe that a crime has been committed, he/she has the duty to accept a signed complaint from the civilian complainant. After evaluating the allegations made by the civilian complainant, the officer may determine that further investigation is warranted or that a supervisor should be contacted for the purpose of determining whether to accept a signed complaint. There may be rare cases in which it is proper for the officer or supervisor to contact either the City Attorney's or District Attorney's Office to explain the circumstances and solicit their opinion on the taking of a signed complaint. If a signed complaint is accepted from a complainant, the identity of all known witnesses to the alleged criminal act should be included in the report.

## Disabled Vehicles

### 519.1 PURPOSE AND SCOPE

The Steamboat Springs Police Services has adopted this policy regarding providing assistance to motorists in disabled vehicles within this organization's jurisdiction.

### 519.2 OFFICER RESPONSIBILITIES

When an on-duty officer observes a disabled vehicle, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer or other department member to respond as soon as practicable.

### 519.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After assistance is rendered or arrangements for assistance are made, continued involvement by Department personnel will be contingent on the time of day, the location, the availability of Department resources and the vulnerability of the disabled motorist.

#### 519.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle.

#### 519.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

If the vehicle is disabled to the point it cannot be moved out of a lane of traffic or causes a hazard to other vehicles, the officer should contact a tow company requested by the vehicle owner or a tow company contracted by the City of Steamboat Springs to move the vehicle from the roadway.

### 519.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

---

## Abandoned Vehicle Violations

### 522.1 PURPOSE AND SCOPE

This policy provides procedures for the removal, recording and storage of vehicles abandoned in violation of abandoned vehicle laws under the authority of CRS § 42-4-1803, et seq.

#### 522.1.1 DEFINITIONS

Definitions related to this policy include:

**Abandoned motor vehicle** - A motor vehicle is abandoned if:

- (a) It is on public property and (CRS § 42-4-1802(1)):
  - 1. Left unattended on a highway right-of-way outside the limits of a town or city for a period of 48 hours or longer.
  - 2. Left unattended on a highway right-of-way within the limits of a town or city longer than allowed by any local ordinance.
  - 3. Stored in an impound lot at the request of a law enforcement agency and not removed within 72 hours after notification to the owner that the vehicle is available for release.
  - 4. Fitted with an immobilization device and deemed to be abandoned.
  - 5. Left unattended at a regional transportation district parking facility.
- (b) It is on private property and (CRS § 42-4-2102(1)):
  - 1. Left unattended without consent for at least 24 hours or as established by a local ordinance.
  - 2. Not removed from an impound lot according to an agreement with the owner.
  - 3. Towed at the request of a property owner and not removed from the impound lot by the vehicle owner within 48 hours.
  - 4. Fitted with an immobilization device and deemed to be abandoned.

### 522.2 MARKING VEHICLES

Vehicles on public roadways suspected of being abandoned in violation of Colorado laws shall be marked (red tagged) and noted on the Steamboat Springs Police Services marked vehicle card or documented via the computer aided dispatch (CAD) system. No case number is required at this time.

### 522.3 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized towing service and a vehicle impound/storage form shall be completed by the officer authorizing the storage of the vehicle.

# Steamboat Springs Police Services

## Policy Manual

### *Abandoned Vehicle Violations*

---

#### 522.3.1 VEHICLE STORAGE REPORTING

The vehicle impound/storage form shall be submitted to the Records Section immediately following the storage of the vehicle. It shall be the responsibility of the Records Section to enter information from the vehicle impound/storage form into the Motor Vehicle Verification System and attempt to notify the owner as specified in the Vehicle Towing and Release Policy.

---

## Impaired Driving and Evidence Collection

### 524.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

### 524.2 POLICY

The Steamboat Springs Police Services is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Colorado's impaired driving laws.

### 524.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Patrol Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Colorado or another jurisdiction.

### 524.4 FIELD TESTS

The Patrol Sergeant should identify the standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

The officer will utilize Standard Field Sobriety Training per NHTSA standards. The assessment could include Horizontal Gaze Nystagmus, Standardized Field Sobriety Test battery, other field sobriety tests, preliminary breath testing or any combination of these techniques.

Two Officers will be present during the administration of the Standardized Field Sobriety Testing Maneuvers.

# Steamboat Springs Police Services

## Policy Manual

### *Impaired Driving and Evidence Collection*

---

#### **524.5 CHEMICAL TESTS**

A person implies consent under Colorado law to a chemical test or tests, and to providing the associated chemical sample, when an officer has probable cause to believe that the person was driving a motor vehicle in violation of CRS § 42-4-1301 (DUI, DUI per se, DWAI or UDD) (CRS § 42-4-1301.1).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

##### **524.5.1 STATUTORY NOTIFICATIONS**

Officers requesting a sample from a person suspected of DUI should inform the person that failure to submit to testing may result in the revocation of his/her license.

##### **524.5.2 CHOICE OF TESTS**

Officers shall respect a viable choice of chemical test made by an arrestee as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence). Generally, a person may request either a test of his/her blood or breath for determining alcohol content (CRS § 42-4-1301.1). However, if a person under the age of 21 is suspected of underage drinking and driving (UDD), the person may only submit to a breath test.

If a person is suspected of aggravated vehicular unlawful termination of a pregnancy, the type of test or tests shall be determined by the officer (CRS § 18-3.5-108).

For purposes of determining drug content within a person's system, officers may select the most appropriate and viable test of the of the person's blood, saliva and urine. The arrestee is required to take and complete the selected test or tests (CRS § 42-4-1301.1; CRS § 18-3.5-108).

##### **524.5.3 BREATH SAMPLES**

The Patrol Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Patrol Sergeant.

##### **524.5.4 BLOOD SAMPLES**

Only persons authorized by law to draw blood shall collect blood samples (CRS § 42-4-1301.1). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

# Steamboat Springs Police Services

## Policy Manual

### *Impaired Driving and Evidence Collection*

---

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

#### **524.6 REFUSALS**

When an arrestee refuses to provide a chemical sample, officers should:

- (a) Advise the arrestee of the requirement to provide a sample (CRS § 42-4-1301.1).
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

##### **524.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL**

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of revocation upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person and issue the person a seven day temporary permit unless the person already possesses one (CRS § 42-2-126).

##### **524.6.2 BLOOD SAMPLE WITHOUT CONSENT**

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.
- (c) Exigent circumstances exist and the officer has probable cause to believe the person committed any of the following offenses (CRS § 42-4-1301.1):
  1. Criminally negligent homicide.
  2. Vehicular homicide.
  3. Assault in the third degree.
  4. Vehicular assault.

A blood sample shall be obtained from a person suspected of aggravated vehicular unlawful termination of pregnancy when the person is dead or unconscious (CRS § 18-3.5-108). Unless exigent circumstances exist, officers should make reasonable efforts to obtain a search warrant.

# Steamboat Springs Police Services

## Policy Manual

### *Impaired Driving and Evidence Collection*

---

#### 524.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer), and attempt to persuade the individual to submit to such a sample without physical resistance.
  1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
  1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
  2. In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
  3. In felony cases, force that reasonably appears necessary to overcome the resistance to the blood draw may be permitted. Officers may physically restrain a person for the purpose of obtaining a sample only in cases of criminally negligent homicide, vehicular homicide, assault in the third degree, vehicular assault or aggravated vehicular unlawful termination of pregnancy (CRS § 42-4-1301.1; CRS § 18-3.5-108).
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

#### **524.7 ARREST AND INVESTIGATION**

##### 524.7.1 PRELIMINARY TESTING

An officer may request that a person provide a breath sample for a preliminary screening test when the officer (CRS § 42-4-1301):

# Steamboat Springs Police Services

## Policy Manual

### *Impaired Driving and Evidence Collection*

---

- (a) Has reason to believe the person was driving a motor vehicle while under the influence or impaired by alcohol and,
- (b) Has advised the person that he/she may refuse or agree to provide the preliminary breath sample.

If the person is under the age of 21, the officer may conduct a preliminary screening test, without the person's consent, if there is a reasonable belief the person has consumed alcohol (CRS § 42-4-1301).

An officer may use the results of the preliminary test in determining whether probable cause exists to believe the person was DUI and whether to administer additional testing (CRS § 42-4-1301).

#### 524.7.2 COLLECTING SAMPLES

Arrestee samples shall be collected and processed in accordance with standards set by the Department of Public Health and Environment (5 CCR 1005-2:1 et seq.).

#### 524.7.3 TIME TO COLLECT SAMPLE

If an officer requests that a person submit to a blood or breath test to determine the alcohol content of the person's blood or breath, the person must cooperate with the request such that the sample can be obtained within two hours of the person's driving (CRS § 42-4-1301.1).

If an officer requests that a person submit to a blood, saliva or urine test to determine the drug content within the person's system, the person must cooperate with the request such that the sample can be obtained within two hours of the person's driving (CRS § 42-4-1301.1).

#### 524.7.4 NOTICE TO COMMERCIAL MOTOR VEHICLE DRIVER

Officers investigating a driver of a commercial motor vehicle license for DUI shall advise the person that a refusal to submit to a chemical test shall result in an out-of-service order for a period of 24 hours and a revocation of the privilege to operate a commercial motor vehicle for one year (CRS § 42-4-1301.1).

#### 524.7.5 OFFICER RESPONSIBILITIES

An officer believing that a person should be subject to license revocation as a result of DUI shall forward the following to the Division of Motor Vehicles (DMV) on the forms prescribed by the DMV (CRS § 42-2-126):

- (a) A copy of the completed notice of revocation form.
- (b) A copy of any completed temporary permit.
- (c) The person's driver's license.
- (d) An affidavit, signed, dated and sworn to by the officer containing information relevant to the legal issues and facts to be considered by the DMV for revoking the person's license.

# Steamboat Springs Police Services

## Policy Manual

### *Impaired Driving and Evidence Collection*

---

#### **524.7.6 EXTRAORDINARY CIRCUMSTANCES**

If an officer requests a person to submit to a chemical test and subsequently determines that there are extraordinary circumstances that prevent the completion of the test elected by the person within the two-hour time period, the officer shall inform the person of such circumstances and request and direct the person to take and complete the other test. The person shall then be required to take and complete, and to cooperate in the completing of, the other test. Extraordinary circumstances include, but are not limited to, weather related delays, high call volume affecting medical personnel, malfunctioning breath test equipment and other circumstances that preclude the timely collection of a sample (CRS § 42-4-1301.1).

#### **524.7.7 UNCONSCIOUS OR DECEASED PERSONS**

If an officer believes a person to be DUI and the person cannot submit to a chemical test because the person is unconscious, hospitalized or undergoing medical treatment, the officer may (CRS § 42-4-1301.1):

- (a) Have access to and analyze any blood, urine or saliva that was obtained and not utilized by the health care provider.
- (b) Have access to medical tests administered by the health care provider that show test results of the alcohol or drug content in the person's system. The provisions of CRS § 13-90-107 relating to physician privileged communications do not apply to such test results.

In addition, the blood or urine sample of any deceased driver or pedestrian at least 15 years of age shall be tested for alcohol, drug and carbon monoxide concentration following the procedures established by the Department of Public Health and Environment (CRS § 42-4-1301.1; CRS § 42-4-1304).

#### **524.7.8 MEDICAL MARIJUANA REGISTRY IDENTIFICATION CARD**

A person who possesses a valid medical marijuana registry identification card (RIC) shall not be required to submit to a blood test solely based on the possession of the RIC (CRS § 42-4-1301).

#### **524.8 RECORDS SECTION RESPONSIBILITIES**

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

#### **524.9 ADMINISTRATIVE HEARINGS**

The Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the Division of Motor Vehicles (DMV).

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the DMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

# Steamboat Springs Police Services

Policy Manual

## *Impaired Driving and Evidence Collection*

---

### **524.10 TRAINING**

The Training Coordinator should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Coordinator should confer with the prosecuting attorney's office and update training topics as needed.

## Chapter 6 - Investigation Operations

---

## Investigation and Prosecution

### 600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

### 600.2 MODIFICATION OF CHARGES FILED

Employees should consult with a supervisor prior to recommending to the District Attorney, City Attorney or to any other official of the court that charges on a pending case be altered or the case dismissed. Engaging in discussions initiated by the prosecutor representing the District Attorney or City Attorney is not restricted. In all cases resulting in court prosecution, any intent by a member of the Department to modify the charges filed or to recommend dismissal of charges in a pending case shall be discussed with a Division Commander or the Chief of Police or the authorized designee prior to taking action.

### 600.3 TRAINING

Officers should receive training in conducting preliminary investigations prior to assignment to any investigative duties. Officers assigned to investigative follow-up or advanced investigations, or upon assignment to the Investigation Division, should have completed training in follow-up investigations.

### 600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

#### 600.4.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Division supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

# Steamboat Springs Police Services

## Policy Manual

### *Investigation and Prosecution*

---

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

#### **600.5 POLICY**

It is the policy of the Steamboat Springs Police Services to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

#### **600.6 INITIAL INVESTIGATION**

##### **600.6.1 OFFICER RESPONSIBILITIES**

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
  - 1. An initial statement from any witnesses or complainants.
  - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
  - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  - 2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
  - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Supervisor.
  - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
  - 5. Collect any evidence.
  - 6. Take any appropriate law enforcement action.
  - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

##### **600.6.2 NON-SWORN MEMBER RESPONSIBILITIES**

A non-sworn member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

# Steamboat Springs Police Services

## Policy Manual

### *Investigation and Prosecution*

---

#### **600.7 DISCONTINUATION OF INVESTIGATIONS**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
  - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sex Crime Victim's Rights and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

#### **600.8 COMPUTERS AND DIGITAL EVIDENCE**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

#### **600.9 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery

# Steamboat Springs Police Services

## Policy Manual

### *Investigation and Prosecution*

---

to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

#### **600.9.1 ACCESS RESTRICTIONS**

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

#### **600.9.2 INTERCEPTING ELECTRONIC COMMUNICATION**

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

#### **600.10 MODIFICATION OF CHARGES FILED**

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division Commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

---

## Sexual Assault Investigations

### 602.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

#### 602.1.1 DEFINITIONS

Definitions related to this policy include:

**Sexual assault** - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Title 18, Article 3, Part 4 (Unlawful Sexual Behavior).

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

### 602.2 POLICY

It is the policy of the Steamboat Springs Police Services that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

### 602.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with SART or other multidisciplinary investigative teams as applicable.

# Steamboat Springs Police Services

## Policy Manual

### *Sexual Assault Investigations*

---

#### **602.4 INVESTIGATION AND REPORTING**

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

##### **602.4.1 TRUTH VERIFICATION EXAMINATIONS**

Members of the Steamboat Springs Police Services shall not ask or require a victim of a sex crime to submit to a truth verification examination as a condition for proceeding with a criminal investigation (42 USC § 3796gg-8; CRS § 18-3-407.5).

A truth verification examination shall only be conducted upon a victim with the victim's written informed consent that includes notice that he/she has the right to refuse to submit to the examination. In addition, the victim shall be informed orally with information about the potential use of the result of the examination (CRS § 18-3-407.5(2)).

##### **602.4.2 VICTIM CONFIDENTIALITY**

The Department shall withhold public access to information that would reveal the identity of a victim or alleged victim of criminal sexual conduct pursuant to CRS § 24-72-304. The notation "SEXUAL ASSAULT" shall be made on Department official records involving a victim of a sex crime.

The name of any juvenile victim of a sex crime shall not be disseminated or published (CRS § 19-1-102(1.7)).

##### **602.4.3 VICTIM RIGHTS**

Officers investigating or receiving a report of an alleged sex crime shall ensure victims are provided a handout explaining the victim's rights, and information and resources available (see the Victim and Witness Assistance Policy) (CRS § 24-4.1-303).

As soon as available and when appropriate, the investigating member shall ensure the victim is provided (CRS § 24-4.1-303(10)(b)):

- (a) The business address and telephone number of the District Attorney.
- (b) The file number of the case and the name, business address and telephone number of any officer assigned to investigate the case.
- (c) Information regarding a suspect being taken into custody or released, unless such information would interfere with the investigation.
- (d) Information concerning any change in the status of a cold case and, upon a written request from the victim, an update at least annually concerning the status of a cold case when the criminal statute of limitations is longer than three years.
- (e) Information regarding any final decision not to file charges unless this department and the District Attorney's office have developed a separate policy specifying the manner of informing victims of decisions not to file charges.

# Steamboat Springs Police Services

## Policy Manual

### *Sexual Assault Investigations*

---

#### 602.4.4 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, it is critical to the investigation that a urine sample from the victim be collected by a medical professional.

Forensic medical evidence shall be collected if the victim requests the collection.

Prior to collection of any forensic medical evidence, the victim's written consent should be obtained using the form required by the Department of Public Safety (DPS).

Unless the victim withdraws consent, evidence collected shall be submitted for analysis to the Colorado Bureau of Investigation or an accredited crime laboratory within 21 days (8 CCR 1507-29; CRS § 18-3-407.5). Forensic evidence associated with an anonymous report made pursuant to CRS § 12-36-135 shall not be submitted to a laboratory for testing (CRS § 18-3-407.5).

The result and the case information should be entered into state and national registries in a timely manner.

No Steamboat Springs Police Services member shall ask or require a sex crime victim to participate or cooperate in an investigation as a condition of receiving a forensic medical examination (CRS § 18-3-407.5)(3)(a)).

The Steamboat Springs Police Services shall be responsible for direct costs associated with the collection of forensic evidence from a sex crime victim (CRS § 18-3-407.5(1)).

#### 602.4.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to the Communications Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of SART or the multidisciplinary response team should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

Victims are often reluctant or embarrassed to discuss details. Recanting or changing one or more aspects of a prior statement is not necessarily an indication of false reporting or that the case is unfounded. If the responding officer has reason to believe the incident may be without merit, he/she should document the evidence and inconsistencies. Due to physical and emotional trauma,

# Steamboat Springs Police Services

## Policy Manual

### *Sexual Assault Investigations*

---

and the myths and stereotypes associated with sexual assault, inconsistencies in the victim's report are not uncommon. No opinions of whether the case is unfounded shall be included in the report.

#### **602.4.6 AUDITING CASE DISPOSITIONS**

The Detective Division supervisor will ensure case dispositions are reviewed on a periodic basis using an identified group that is independent of the investigation process. The SART or multidisciplinary response team and/or victim advocates should be considered for involvement in this audit.

#### **602.5 TRAINING**

Subject to available resources, periodic training will be provided to:

- (a) Members who are first responders. This includes, but is not limited to, the following topics:
  - 1. Initial response to sexual assaults
  - 2. Legal issues
  - 3. Victim advocacy
  - 4. Victim's response to trauma
- (b) Qualified investigators who should receive advanced training on additional topics. This includes, but is not limited to, the following:
  - 1. Interviewing sexual assault victims
  - 2. SART or multidisciplinary response team
  - 3. Medical and legal aspects of sexual assault investigations
  - 4. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (VICAP)

#### **602.6 RELEASING INFORMATION TO THE PUBLIC**

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

## Asset Forfeiture Policy

### 606.1 PURPOSE AND SCOPE

This describes the authority and procedure for the seizure and forfeiture of property. This policy applies to seized and forfeited property in the form of real, personal, tangible or intangible property pursuant to the Colorado Public Nuisance Abatement Act and the Colorado Contraband Forfeiture Act (CRS § 16-13-302, et seq. and CRS § 16-13-501, et seq.).

#### 606.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 16-13-502):

**Contraband article** - Includes any controlled substance, any imitation controlled substance, any drug paraphernalia or the possession of any drug prohibited by the laws of Colorado.

**Proceeds traceable or traceable proceeds** - Includes all real and personal property, which is proceeds attributable to, derived from or realized through any unlawful act involving a contraband article.

### 606.2 ASSET SEIZURE AUTHORITY

An officer of this department may seize and hold property when there is probable cause to believe that property or articles are contraband and the seizure is incident to a lawful search or as directed by the court (CRS §16-13-308(1)(a)(I), CRS §16-13-309(3) and CRS § 16-13-504).

### 606.3 ASSET FORFEITURE PROCEDURE

Before seizing any currency, vehicle or personal property, a patrol officer should contact a narcotics detective. The following guidelines will be observed:

- (a) The seizing officer or the detective shall interview all involved persons concerning their possession of the seized assets, financial situation, employment, income and other resources. The interviewing officer shall ensure that *Miranda* warnings are given and waivers obtained before interviewing any person who is in custody.
- (b) When someone has made notification other than the asset forfeiture detective, a copy of all reports and all applicable asset forfeiture paperwork must be forwarded to the Commander of the Detective Division, for review.
- (c) Attempt to promptly determine all lien holders or all persons who may have a legal interest in the seized currency, vehicle or property for further contact, investigation and notification.
- (d) The seizure of assets subject to forfeiture is a civil proceeding filed through the county of origin, Office of the District Attorney or Narcotic Enforcement Team.

#### 606.3.1 SEIZED PROPERTY

Any property seized subject to forfeiture will be inventoried and booked into the Evidence Room or other location designated for evidence storage.

# Steamboat Springs Police Services

## Policy Manual

### *Asset Forfeiture Policy*

---

The property will be checked through CCIC to determine if the property has been stolen. Reasonable diligence in securing the property is required.

The property will be booked as evidence on a separate property form, with the notation in the comment section of the property form, "Seized Subject to Forfeiture." No other evidence from the case should be booked on this form.

#### **606.3.2 SEIZED CURRENCY**

Currency seized subject to forfeiture will be counted in accordance with the Cash Handling, Security and Management Policy. The currency will be placed in a money envelope with the denomination of the currency, totals of each denomination and the total amount of currency enclosed noted on the money envelope. The officer counting and the employee verifying the money will initial and sign the envelope when sealed. If the currency will not fit into a standard money envelope, place the currency in a larger envelope or bag, sealing and affixing a completed money envelope to the outside of the larger envelope or bag that contains the currency.

If there is a need to book the currency into evidence/property, the currency will be booked on a single property form noting "Seized Subject to Forfeiture" in the comments section of the property form. The seizing officer shall notify the Patrol Division Commander of the booked currency and the circumstances of the seizure as soon as possible.

Currency may be deposited in an interest-bearing account designated for holding seized currency if so ordered by the court upon motion of any party (CRS § 16-13-510).

#### **606.3.3 SEIZED BOATS AND MOTOR VEHICLES**

Vehicles, watercraft or aircraft seized subject to forfeiture will be taken to a designated storage facility appropriate for the storage of the item in a manner consistent with the Vehicle Towing and Release Policy. The officer seizing the vehicle shall notify the detective supervisor of the circumstances as soon as possible.

If the vehicle cannot be operated, a tow truck or trailer will be used to tow the boat or motor vehicle to the storage facility.

Personal property located in a seized boat or motor vehicle shall be removed and booked into property as either evidence or for safekeeping.

If a rented motor vehicle is seized, the Department shall notify the motor vehicle rental company of the seizure. A rented motor vehicle shall be returned to the rental company unless the vehicle must remain in custody for evidentiary purposes or if there is probable cause to believe the rental company had knowledge or notice of the criminal activity (CRS § 16-13-315(3) and CRS § 16-13-504(1.5)).

#### **606.4 PROPERTY FORFEITURE LOG**

A detailed internal control inventory of all asset forfeiture cases shall be kept in the Detective Division. The inventory shall include no less than the following:

- (a) The case number

# Steamboat Springs Police Services

## Policy Manual

### *Asset Forfeiture Policy*

---

- (b) Items seized
- (c) The amount of property acquired
- (d) The date the property was acquired
- (e) The value of the property
- (f) The type of seizure
- (g) The disposition of the property, which includes at minimum:
  - 1. The manner in which property was disposed.
  - 2. The date of disposition.
  - 3. Detailed financial records concerning any property sold.
  - 4. The name of any person who received the property.

Information maintained on the log will be provided to the Chief of Police or authorized staff, as requested.

#### **606.5 ASSET DISPOSITION**

Assets shall be disposed of pursuant to state law and may include (CRS § 16-13-311 and CRS § 16-13-506):

- (a) Retention by the Department.
- (b) Destruction.
- (c) Public sale.
- (d) Other disposition pursuant to applicable provisions of Colorado law.

Members of this department or persons related to members of this department by blood or marriage are prohibited from purchasing forfeited items sold by this department (CRS § 16-13-302(g)).

#### **606.6 DISTRIBUTION OF PROCEEDS FROM FORFEITURE**

Forfeited property sold shall be distributed pursuant to state law (CRS § 16-13-311(3) and CRS § 16-13-506).

All forfeiture proceeds must be applied first to satisfy any established claims and allocated in the following manner:

- (a) Reimbursement for costs associated with the forfeiture action, injury or property damage as a result of the acts which resulted in forfeiture.
- (b) Any special account established pursuant to Colorado law.
- (c) Equitably between agencies involved in the seizure and directed by the court.

# Steamboat Springs Police Services

## Policy Manual

### *Asset Forfeiture Policy*

---

- (d) To a person who petitions the court and suffered bodily injury or property damage as a result of the acts which resulted in forfeiture.

Any monies received shall be deposited to a special account established for asset seizure monies of this department

The Steamboat Springs Police Services shall not use or expend the proceeds of any forfeited property until approved by the Committee on the Disposition of Forfeited Property pursuant to CRS § 16-13-702.

#### **606.7 FORFEITURE REPORTING**

The Department shall prepare a report covering any forfeiture proceeds (CRS § 16-13-302(2)(f) and CRS § 16-13-501.5(2)(e)). Each quarter the Division Commander shall provide a report of the approximate value, receipt and use of forfeiture proceeds with the City Finance Director. At a minimum, the report should include the following information:

- (a) The amount forfeited
- (b) The statutory authority for the forfeiture
- (c) The date of the forfeiture
- (d) Whether the forfeiture was contested
- (e) A brief description of the circumstances involved
- (f) Identification of all boats, motor vehicles and firearms, including the number, make, model, and serial number of the items seized
- (g) The manner of disposition
- (h) For driving under the influence forfeitures, whether the forfeiture was initiated as an administrative or judicial forfeiture

If forfeiture proceeds are received from a federal forfeiture action, the Division Commander shall submit a copy of the report to the Department of Local Affairs (CRS § 16-13-701(3)).

## Informants

### 608.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

#### 608.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Steamboat Springs Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Steamboat Springs Police Department for a benefit (e.g., a quid pro quo in the form of any agreed upon consideration by the 14th Judicial District Attorney's Office or monetary gain).

#### 608.1.2 INFORMANTS AND DRUG INVESTIGATIONS

Drug and Narcotics investigations and the informants used to facilitate these investigations are currently handled by the multi-jurisdictional All Crimes Enforcement Team (ACET). It is not the purpose of this document to mandate how informants are handled or used in narcotics investigations by ACET. Should there be a unique circumstance in which an informant could be used to further a Steamboat Springs Police Department investigation, it would be sanctioned only after approval by the Steamboat Springs Police Department Chief of Police.

### 608.2 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Detective Division. The Administration Commander or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Administration Commander or their authorized designees.

The Administration Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Administration Commander is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

#### 608.2.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

# Steamboat Springs Police Services

## Policy Manual

### *Informants*

---

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
  - 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

### **608.3 INFORMANT INTEGRITY**

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Administration Commander or their authorized designees.
  - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the Steamboat Springs Police Services, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
  - 1. Members shall not become intimately involved with an informant.
  - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Detective Division supervisor.
  - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Administration Commander.

# Steamboat Springs Police Services

## Policy Manual

### *Informants*

---

1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
  - (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
  - (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

#### **608.3.1 UNSUITABLE INFORMANTS**

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member.

The Administration Commander shall determine whether the informant should be used by the Steamboat Springs Police Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The Administration Commander shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

#### **608.4 USE OF INFORMANTS**

##### **608.4.1 INITIAL APPROVAL**

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

# Steamboat Springs Police Services

## Policy Manual

### *Informants*

---

Members of this department should not guarantee absolute safety or confidentiality to an informant.

#### **608.4.2 JUVENILE INFORMANTS**

The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Chief of Police or the authorized designee

#### **608.4.3 INFORMANT AGREEMENTS**

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

#### **608.5 INFORMANT PAYMENTS**

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

The Detective Division supervisor will discuss the above factors with the Administration Division Commander and recommend the type and level of payment subject to approval by the Chief of Police.

#### **608.5.1 PAYMENT PROCESS**

Approved payments to an informant should be in cash using the following process:

- (a) Payments of \$500 and under may be paid in cash from a Detective Division buy/expense fund.
  1. The Detective Division supervisor shall sign the voucher for cash payouts from the buy/expense fund.

# Steamboat Springs Police Services

## Policy Manual

### *Informants*

---

- (b) Payments exceeding \$500 shall be made by issuance of a check, payable to the officer who will be delivering the payment.
  - 1. The check shall list the case numbers related to and supporting the payment.
  - 2. A written statement of the informant's involvement in the case shall be placed in the informant's file.
  - 3. The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
  - 4. Authorization signatures from the Chief of Police and the City Manager are required for disbursement of the funds.
- (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.
  - 1. The cash transfer form shall include the following:
    - (a) Date
    - (b) Payment amount
    - (c) Steamboat Springs Police Services case number
    - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
  - 2. The cash transfer form shall be signed by the informant.
  - 3. The cash transfer form will be kept in the informant's file.

#### 608.5.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as "other income" and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant's file.

#### 608.5.3 AUDIT OF PAYMENTS

The Administration Commander or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

# Steamboat Springs Police Services

## Policy Manual

### *Informants*

---

#### **608.6 POLICY**

The Steamboat Springs Police Services recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

---

## Eyewitness Identification

### 610.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (CRS § 16-1-109).

#### 610.1.1 DEFINITIONS

Definitions related to the policy include:

**Eyewitness identification process** -Any field identification, live lineup or photographic identification.

**Field identification** -A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live lineup** -A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

### 610.2 POLICY

This department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

### 610.3 INTERPRETIVE SERVICES

Officers should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating officer should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

### 610.4 EYEWITNESS IDENTIFICATION FORM

The Investigation supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process and any related forms or reports should provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

# Steamboat Springs Police Services

## Policy Manual

### *Eyewitness Identification*

---

- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An admonishment that the suspect may or may not be among those presented and that the witness is not obligated to make an identification (CRS § 16-1-109).
- (f) An admonishment to the witness that the investigation will continue regardless of whether an identification is made by the witness (CRS § 16-1-109).
- (g) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

The process and related forms should be reviewed at least annually and modified when necessary (CRS § 16-1-109).

#### **610.5 EYEWITNESS IDENTIFICATION**

Officers are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Officers should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified, or failed to identify, the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

##### **610.5.1 PHOTOGRAPHIC AND LIVE LINEUP CONSIDERATIONS**

When practicable, the person composing the lineup and the person presenting the lineup should not be directly involved in the investigation of the case. When this is not possible, the member presenting the lineup must take the utmost care not to communicate the identity of the suspect in any way.

When practicable, the employee presenting a lineup to a witness should not know which photograph depicts the suspect or which person in the live lineup is the suspect (e.g., randomly numbering photographs, shuffling folders, using a computer program).

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup (CRS § 16-1-109).

The employee presenting the lineup to a witness should do so sequentially and not simultaneously (i.e., show the witness one person at a time). The witness should view all persons in the lineup.

# Steamboat Springs Police Services

## Policy Manual

### *Eyewitness Identification*

---

The order of the suspect or the photos and the fillers should be randomized before being presented to each witness (CRS § 16-1-109).

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating officer should contact the appropriate prosecuting attorney before proceeding.

#### 610.5.2 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination or show-up identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the officer should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
  - 1. The length of time the witness observed the suspect.
  - 2. The distance between the witness and the suspect.
  - 3. Whether the witness could view the suspect's face.
  - 4. The quality of the lighting when the suspect was observed by the witness.
  - 5. Whether there were distracting noises or activity during the observation.
  - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
  - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
- (e) A person should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the suspects one at a time.
- (g) A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies an individual as the perpetrator, officers should not conduct any further field identifications with other witnesses for that suspect. In such instances

# Steamboat Springs Police Services

## Policy Manual

### *Eyewitness Identification*

---

officers should document the contact information for any additional witnesses for follow up, if necessary.

#### **610.6 DOCUMENTATION**

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report. Witness comments of how certain he/she is of the identification or non-identification should be quoted in the report (CRS § 16-1-109).

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

#### **610.7 PUBLIC ACCESS TO POLICY**

This policy shall be made available to the public, without cost, upon request (CRS § 16-1-109).

## Brady Material Disclosure

### 611.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

#### 611.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** -Information known or possessed by the Steamboat Springs Police Services that is both favorable and material to the current prosecution or defense of a criminal defendant.

### 611.2 POLICY

The Steamboat Springs Police Services will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Steamboat Springs Police Services will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

### 611.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

# Steamboat Springs Police Services

## Policy Manual

### *Brady Material Disclosure*

---

#### **611.4 BRADY PROCESS**

The Chief of Police shall select a member of the Department to coordinate requests for *Brady* information. This person shall be directly responsible to the Administration Division Commander or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the City Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady* information in their files or backgrounds.
  1. Updating this list whenever potential *Brady* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.

#### **611.5 DISCLOSURE OF PERSONNEL INFORMATION**

If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the officer to determine whether they contain *Brady* information. If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.
- (b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in camera review by the court.
  1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
  1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

# Steamboat Springs Police Services

## Policy Manual

### *Brady Material Disclosure*

---

The person or persons designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney should be notified.

#### **611.5.1 DISCLOSURE OF MISREPRESENTATIONS**

The Chief of Police or the authorized designee shall notify the local district attorney within seven days of any sustained finding that an officer has made a knowing misrepresentation in any of the following (CRS § 24-33.5-114; CRS § 30-10-525; CRS § 31-30-107; CRS § 33-9-111):

- (a) Testimony or an affidavit provided in the scope of the officer's employment.
- (b) During the course of any internal investigation of the officer that relates to alleged criminal conduct, official misconduct or the excessive use of force.

#### **611.6 INVESTIGATING BRADY ISSUES**

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

#### **611.7 SUBPOENA PROCESSING**

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed member's name against the current list of those who are known to have *Brady* information in their files or background, and shall alert the coordinator if a person on the list is subpoenaed.

#### **611.8 TRAINING**

Department personnel should receive periodic training on the requirements of this policy.

## Warrant Service

### 612.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

### 612.2 POLICY

It is the policy of the Steamboat Springs Police Services to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

### 612.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

### 612.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

### 612.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence

# Steamboat Springs Police Services

## Policy Manual

### *Warrant Service*

---

to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

#### **612.6 WARRANT PREPARATION**

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Material Disclosure Policy).

#### **612.7 HIGH-RISK WARRANT SERVICE**

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

# Steamboat Springs Police Services

## Policy Manual

### *Warrant Service*

---

- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

#### **612.8 DETENTIONS DURING WARRANT SERVICE**

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

#### **612.9 ACTIONS AFTER WARRANT SERVICE**

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

#### **612.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS**

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement

# Steamboat Springs Police Services

## Policy Manual

### *Warrant Service*

---

- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Steamboat Springs Police Services are utilized appropriately. Any concerns regarding the requested use of Steamboat Springs Police Services members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Shift Supervisor should assume this role.

If officers intend to serve a warrant outside Steamboat Springs Police Services jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Steamboat Springs Police Services when assisting outside agencies or serving a warrant outside Steamboat Springs Police Services jurisdiction.

#### **612.11 MEDIA ACCESS**

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

#### **612.12 TRAINING**

The Training Coordinator should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

---

## Operations Planning and Deconfliction

### 613.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

#### 613.1.1 DEFINITIONS

Definitions related to this policy include:

**High-risk operations** - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

### 613.2 POLICY

It is the policy of the Steamboat Springs Police Services to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

### 613.3 OPERATIONS DIRECTOR

The Chief of Police will designate a member of this department to be the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

### 613.4 RISK ASSESSMENT

#### 613.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

# Steamboat Springs Police Services

## Policy Manual

### *Operations Planning and Deconfliction*

---

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

#### 613.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

#### 613.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
  - 1. Combined Emergency Response Team (CERT)
  - 2. Additional personnel
  - 3. Outside agency assistance
  - 4. Special equipment
  - 5. Medical personnel
  - 6. Persons trained in negotiation
  - 7. Additional surveillance

# Steamboat Springs Police Services

## Policy Manual

### *Operations Planning and Deconfliction*

---

8. Canines
  9. Evidence Room or analytical personnel to assist with cataloguing seizures
  10. Forensic specialists
  11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
- (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
- (d) Coordinate the actual operation.

#### **613.5 DECONFLICTION**

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

#### **613.6 OPERATIONS PLAN**

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
  1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
  2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door

# Steamboat Springs Police Services

## Policy Manual

### *Operations Planning and Deconfliction*

---

- combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
  4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
  2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control Procedures policies.
- (k) Communications plan
- (l) Responsibilities for writing, collecting, reviewing and approving reports.

#### **613.6.1 OPERATIONS PLAN RETENTION**

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

#### **613.7 OPERATIONS BRIEFING**

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

# Steamboat Springs Police Services

## Policy Manual

### *Operations Planning and Deconfliction*

---

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
  - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
  - 1. It is the responsibility of the operations director to ensure that the Communications Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
  - 2. If the radio channel needs to be monitored by the Communications Center, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
  - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

#### **613.8 CERT PARTICIPATION**

If the operations director determines that CERT participation is appropriate, the director and the CERT supervisor shall work together to develop a written plan. The CERT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the CERT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

#### **613.9 MEDIA ACCESS**

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

#### **613.10 OPERATIONS DEBRIEFING**

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any CERT debriefing.

# Steamboat Springs Police Services

## Policy Manual

### *Operations Planning and Deconfliction*

---

#### **613.11 TRAINING**

The Training Coordinator should ensure officers and CERT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

## Chapter 7 - Equipment

---

## Department-Owned and Personal Property

### 700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for Department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or Department property while performing their assigned duties. Certain procedures are required depending on the loss and ownership of the item.

### 700.2 DOCUMENTATION OF ISSUED PROPERTY

All property issued shall be documented in the appropriate property sheet or equipment log and receipt acknowledged by signature. Upon an employee's separation from the Department, all issued equipment shall be returned and documentation of the return signed by a supervisor.

#### 700.2.1 CARE OF DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of Department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Employees shall promptly report through the chain of command, any loss, damage to or unserviceable condition of any department-issued property or equipment assigned for their use.
  1. A supervisor receiving such a report shall conduct an appropriate investigation and direct a memo to the appropriate Division Commander that shall include the result of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss, damage or unserviceable condition.
  2. A review by the staff to determine whether misconduct or negligence was involved should be completed.
- (b) The use of damaged or unserviceable Department property should be discontinued as soon as practicable and, if appropriate and approved by the staff, replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, Department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

# Steamboat Springs Police Services

## Policy Manual

### *Department-Owned and Personal Property*

---

#### **700.3 USE OF PERSONAL PROPERTY**

The carrying of personal equipment on-duty or its use in the performance of duties requires prior written approval by the Chief of Police or appropriate Division Commander. The employee should submit for approval the description of personal property that the employee has requested to carry, the reason for its use, the period of its use and the terms of its use. Personal property of the type routinely carried by persons not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

##### 700.3.1 DEFINITIONS

Definitions related to this policy include:

**Personal property** - Items or equipment owned by, provided by or purchased totally at the expense of the employee. This definition includes optional equipment items identified in the Police Uniform Regulations Policy.

##### 700.3.2 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report is made.

#### **700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER**

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement function shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as reasonably soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.

##### 700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to personal property or property belonging to the City of Steamboat Springs, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as reasonably soon as circumstances permit. The employee shall submit a written report before going off-duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

## Personal Communication Devices

### 702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCD) but is intended to include all mobile telephones, personal digital assistants (PDA) and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, e-mailing, using video or camera features, playing games and accessing sites or services on the Internet.

#### 702.1.1 PRIVACY POLICY

Any employee utilizing any computer, Internet service, telephone service or other wireless service provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communications utilizing such service might otherwise have, including the content of any such communications. The Department also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored using such service at any time.

### 702.2 POLICY

The Steamboat Springs Police Services allows employees to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, employees are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

#### 702.2.1 INDIVIDUALLY OWNED PCD

Employees may carry their own PCD while on-duty, subject to the following conditions:

- (a) Carrying an individually owned PCD is optional.
- (b) The device shall be purchased, used and maintained solely at the employee's expense.

# Steamboat Springs Police Services

## Policy Manual

### *Personal Communication Devices*

---

#### 702.2.2 USE OF PERSONAL COMMUNICATION DEVICES

PCDs, whether provided by the Department or personally owned, should only be used by on-duty employees for legitimate Department business except as provided for below. Employees may use a PCD to communicate with other personnel in those situations where the use of the radio is either impracticable or not feasible. PCDs should not be used to replace regular radio communications.

- (a) PCDs shall not be carried in a manner that allows it to be generally visible while in uniform, unless it is contained within a carrier that has been approved by the Department.
- (b) While employees may use PCDs for personal business, such usage should be limited to short conversations and as much as practicable to areas where the communication will not be seen or heard by the public.
- (c) The on-duty use of PCDs, including personally owned PCDs, for purposes other than what is specifically permitted within this policy is prohibited and may be subject to discipline. Employees may be responsible for reimbursing the Department for any charges incurred as a result of personal use.

#### 702.2.3 USE WHILE DRIVING

The use of a PCD while operating a motor vehicle can cause unnecessary distractions and presents a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices while driving to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location when utilizing the device.

Except in the case of an emergency, employees who are operating non-emergency vehicles shall not use cellular telephones or other PCDs while driving unless the device is specifically designed and configured to allow hands-free listening and talking. Such use should be restricted to business-related calls or calls of an urgent nature (CRS §42-4-239(3)).

#### 702.2.4 OFFICIAL USE

The use of PCDs may be appropriate in the following situations:

- (a) Barricaded suspects
- (b) Hostage situations
- (c) Mobile Command Post
- (d) Catastrophic disasters, such as plane crashes, earthquakes and floods
- (e) Major political/community events
- (f) Investigative stakeouts where regular telephone usage is not practicable
- (g) Emergency contact with outside agency or an outside agency field unit equipped with PCDs
- (h) When immediate communication is needed and the use of the radio is not appropriate and other means are not readily available

# Steamboat Springs Police Services

## Policy Manual

### *Personal Communication Devices*

---

#### **702.3 USE WHILE DRIVING**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, employees who are operating non-emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (CRS § 42-4-239). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

#### **702.4 PRIVACY POLICY**

Employees shall have no expectation of privacy with regard to any communication made with or stored in or through PCDs issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities. The use of any department-provided or -funded PCD, computer, Internet service, telephone service or other wireless service while on-duty is without any expectation of privacy that the employee might otherwise have in any communication, including the content of any such communication. Communications or data reception on personal, password-protected, web-based e-mail accounts and any other services are subject to monitoring if department equipment is used.

In accordance with this policy, supervisors are authorized to conduct a limited administrative search of electronic files, without prior notice, consent or a search warrant, on department-issued or personally owned PCDs that have been used to conduct department-related business. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the affected employee. Prior to conducting any search of personally owned devices, supervisors shall consult with the Chief of Police. All such searches shall be fully documented in a written report.

#### **702.5 DEPARTMENT-ISSUED PCD**

Depending on an employee's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless an employee is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

#### **702.6 USE OF PERSONAL COMMUNICATION DEVICES**

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

# Steamboat Springs Police Services

## Policy Manual

### *Personal Communication Devices*

---

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Employees shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Employees may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.
- (e) Officers are prohibited from taking pictures, video or making audio recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.
- (f) Employees will not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

#### **702.7 SUPERVISORY RESPONSIBILITIES**

Supervisors should ensure that members under their command are provided appropriate training on the use of PCDs consistent with this policy. Supervisors should monitor, to the extent practicable, PCD use in the workplace and take prompt corrective action if an employee is observed or reported to be improperly using a PCD. An investigation into improper conduct should be promptly initiated when circumstances warrant.

If, when carrying out any provision of this policy, the need to contact an employee who is off-duty arises, supervisors should consider delaying the contact, if practicable, until the employee is on-duty as such contact may be compensable.

#### **702.8 PERSONALLY OWNED PCD**

Employees may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the employee's expense.

# Steamboat Springs Police Services

## Policy Manual

### *Personal Communication Devices*

---

- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
  - 1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief of Police.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f) Use of a personally owned PCD constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, employees will provide the Department with all telephone access numbers for the device.
- (g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Steamboat Springs Police Services and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisor, employees are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If an employee is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the employee has prior express authorization from his/her supervisor, the employee may engage in business-related communications. Should employees engage in such approved off-duty communications or work, employees entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Employees who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

#### **702.9 OFFICIAL USE**

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, employees shall conduct sensitive or private communications on a land-based or other department communications network.

The following situations are examples of when the use of a PCD may be appropriate:

- (a) Barricaded suspects

# Steamboat Springs Police Services

## Policy Manual

### *Personal Communication Devices*

---

- (b) Hostage situations
- (c) Mobile Command Post
- (d) Catastrophic disasters, such as plane crashes, earthquakes, floods, etc.
- (e) Major political or community events
- (f) Investigative stakeouts
- (g) Emergency contact with an allied agency or allied agency field unit
- (h) When immediate communication is needed and the use of the radio is not available or appropriate and other means are not readily available

---

## Vehicle Maintenance

### 704.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, maintained, refueled and present a clean appearance.

### 704.2 DEFECTIVE VEHICLES

When a Department vehicle becomes inoperative or in need of a repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition. Paperwork, describing the correction needed, shall be promptly forwarded to vehicle maintenance for repair.

The employee's supervisor should be notified when an assigned vehicle becomes inoperative or needs of repair.

#### 704.2.1 SUSPECTED DAMAGE OR POOR PERFORMANCE

Vehicles that may have suffered damage, perform poorly or whose control or safety features has been diminished shall be immediately removed from service for inspection and repair.

#### 704.2.2 SEVERE USE INSPECTION

Vehicles operated under severe use conditions, which include operations for which the vehicle is not designed or that exceeds the manufacturer's use parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Severe conditions may include rough roadway or off-road operation, hard or extended braking, pursuits or prolonged high-speed operation.

#### 704.2.3 REMOVAL OF WEAPONS

All firearms, weapons and kinetic impact weapons shall be removed from a vehicle and properly secured in the armory or other designated location(s) prior to the vehicle being released for maintenance, service or repair.

### 704.3 VEHICLE REFUELING

Officers shall fuel their patrol vehicle at the end of their shift, absent emergency conditions or supervisor approval.

Whenever possible, vehicles should only be refueled at the City Shops.

### 704.4 WASHING OF VEHICLES

All units shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to enhance their appearance.

Employees using a vehicle shall remove any trash or debris at the end of the shift.

# Steamboat Springs Police Services

Policy Manual

## *Vehicle Maintenance*

---

### **704.5 CIVILIAN EMPLOYEE USE**

Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

## Vehicle Use

### 706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure City -owned vehicles are used appropriately.

### 706.2 POLICY

The Steamboat Springs Police Services provides vehicles for department-related business use and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

#### 706.2.1 SHIFT ASSIGNED VEHICLES

Officers will drive their assigned patrol car when it is available. If the Officer's car partner is driving it the same time they need it, or if it is down for repairs, the Officer will drive another car that will not interfere with another Officer's car assignment.

Employees shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

#### 706.2.2 UNSCHEDULED USE OF VEHICLES

Personnel utilizing a vehicle for any purpose other than their normally assigned duties shall first notify the Shift Supervisor or their respective supervisor of the reason for use.

#### 706.2.3 DETECTIVE DIVISION BUREAU VEHICLES

Investigation Division vehicle use is restricted to investigative personnel unless approved by an supervisor. Use of Investigation Division vehicles by personnel not assigned to the Investigation Division shall be approved by a supervisor.

#### 706.2.4 AUTHORIZED PASSENGERS

Personnel operating department-owned vehicles shall not permit persons other than City employees or persons required to be conveyed in the performance of duty, or as otherwise authorized by a supervisor, to ride as a passenger in their vehicle.

#### 706.2.5 INSPECTION AFTER USE FOR TRANSPORT

The interior of any vehicle used to transport any person other than an employee shall be inspected after completion of the transport to ensure unauthorized contents have not been left in the vehicle.

### 706.3 USE OF VEHICLES

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Use*

---

#### 706.3.1 SHIFT ASSIGNED VEHICLES

The Shift Supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

#### 706.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Supervisor. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

#### 706.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### 706.3.4 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify the Communications Center. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

#### 706.3.5 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Use*

---

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Operations Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

#### 706.3.6 KEYS

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

#### 706.3.7 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

#### 706.3.8 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

#### 706.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

#### 706.3.10 NON-SWORN MEMBER USE

Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

#### 706.3.11 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

department

### **706.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Use*

---

#### 706.4.1 KEYS

All uniformed field personnel approved to operate marked patrol vehicles shall insure the keys are returned to the key board at the end of every shift. Personnel assigned a permanent take home vehicle shall be issued keys for their respective vehicle. The loss of any assigned key shall be promptly reported in writing through the employee's chain of command.

#### 706.4.2 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

#### 706.4.3 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

#### 706.4.4 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Steamboat Springs City limits.

# Steamboat Springs Police Services

## Policy Manual

### *Vehicle Use*

---

- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

#### **706.5 ENFORCEMENT ACTIONS**

When driving an assigned vehicle outside of the jurisdiction of the Steamboat Springs Police Services, an officer shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

Officers driving marked vehicles or emergency equipped vehicles shall be armed at all times.

Officers may render public assistance, e.g. to a stranded motorist, when it is deemed prudent.

#### **706.6 DAMAGE, ABUSE AND MISUSE**

When any department vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction (see the Traffic Accident Response And Reporting Policy).

Damage to any department vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Shift Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

##### **706.6.1 ACCESSORIES AND/OR MODIFICATIONS**

No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without written permission from the Operations Commander or Chief of Police.

#### **706.7 ATTIRE AND APPEARANCE**

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

## Assigned Patrol Use Vehicle Policy

### 708.1 PURPOSE AND SCOPE

The Department may assign a patrol use vehicle to full-time officers. This policy shall not be construed to create or imply any contractual obligation by the City to assign patrol use vehicles and such assignment is at the discretion of the Chief of Police. Assigned patrol use vehicles have demonstrated a long-term fiscal and service benefit to the City. Vehicles get better care during operation and storage, and accumulate fewer service miles and hours of operation. This vehicle assignment results in an extended vehicle service life over pool patrol use vehicle assignment. Vehicles subsequently require less frequent replacement and a reduced frequency of transfer and replacement of support equipment (radios, emergency, safety equipment). Ultimately per-mile operational costs are reduced.

### 708.2 DEFINITIONS

Definitions related to this policy include:

**Patrol use vehicle** - Includes, but is not limited to, any marked or unmarked squad car, transport, truck, plow, ATV, snowmobile, boat, hovercraft, rescue craft, jet-ski, dive vehicle, SERT vehicle, mobile crime lab, undercover or unmarked vehicle or deployment trailers provided by the Department for the purpose of performing job duties as required by public safety or emergency response duties or essential job functions.

### 708.3 ASSIGNMENT OF PATROL USE VEHICLES

Assignment of Police patrol use vehicles shall be governed solely by the City and the Department under the discretion of the Chief of Police.

#### 708.3.1 ELIGIBILITY

Eligibility for assignment of a patrol use vehicle requires the officer to be in good standing with Department.

#### 708.3.2 ASSIGNMENT GUIDELINES AND USE CRITERIA

Assignment guidelines and criteria for patrol use vehicles include the following. The Chief of Police or the authorized designee may make exceptions to these provisions.

- (a) The location of the officer's home, nature of the officer's duties, job description and essential functions and employment status; residence in the City is a prime consideration.
- (b) The Chief of Police retains the right to assign/revoke any or all assigned patrol use vehicles.
- (c) Patrol use vehicles should be operated in accordance with Department policy and state law.
- (d) Patrol use vehicles shall not be used for unapproved use, either on- or off-duty, and are restricted to operation by City employees, peace officers assigned to the City or by peace officers under their direction.

# Steamboat Springs Police Services

## Policy Manual

### *Assigned Patrol Use Vehicle Policy*

---

- (e) Patrol use vehicles are to be parked off-street at the officer's residence unless prior arrangements have been made with the Chief of Police or the authorized designee.
- (f) Patrol use vehicles are subject to inspection, search and validation of location at all times by the Chief of Police, the authorized designee or any on-duty supervisor.
- (g) Patrol use vehicles are to be secured at the officer's home or the Department when an officer is on vacation. If the vehicle remains at the home of the officer, the Department shall have access to the vehicle, including if it is garaged. If the officer is unable or unwilling to provide access to the patrol use vehicle, it shall be parked at the Department.
- (h) A patrol use vehicle, despite assignment to an officer for specific duties, may be reassigned or utilized by other Department personnel at the discretion of the Department.
- (i) The assignment of a patrol use vehicle may be suspended when the officer is unable to perform his/her regular assignment.
- (j) Officers who live outside the City, who may be assigned a patrol use vehicle, may be required to secure or garage the vehicle at a designated location or the central office at the discretion of the Chief of Police.
- (k) Any patrol use vehicle assignment that is declined will be secured or garaged at a designated location or the station.
- (l) Patrol use vehicles will not be used by members when off-duty with the following exceptions:
  - 1. On-call administrative positions, Chief of Police and Division Commanders
  - 2. On-call investigators
  - 3. In circumstances when an officer has been placed on-call by the Chief of Police or Division Commanders and there is a high possibility the officer will be called back to duty.
  - 4. When the officer is performing a work-related function while off-duty, including patrol use vehicle maintenance or travelling to or from a work-related activity or function.
  - 5. When the officer has received permission for the use of the patrol use vehicle from the Chief of Police or Division Commanders.
- (m) An officer's family members or other persons will not be allowed to ride in any City vehicle except as stated in the Ride-Along Policy and under the following exceptions:
  - 1. Family members may ride with officers during assignments when the officer is not considered to be on-duty for regular duties under the following circumstances:
    - (a) Out-of-City overnight schools and conferences
    - (b) Parade functions as approved by the Chief of Police
    - (c) As authorized by the Chief of Police or Division Commanders

# Steamboat Springs Police Services

## Policy Manual

### *Assigned Patrol Use Vehicle Policy*

---

- (d) The officer is called to duty and it is reasonably necessary to drop off the family member at a safe location prior to responding to the call
  - 1. The officer will not operate the patrol/use vehicle at emergency response speeds with family members in the vehicle.
- (n) Officers are prohibited from operating a City-owned vehicle when on- or off-duty if the officer is or has been consuming alcohol, unless it is required by his/her duty assignment (task force, undercover work, etc.). However, regardless of the assignment, employees may not violate state law regarding vehicle operation while intoxicated.
- (o) Whenever operating vehicles owned by the Department, whether on- or off-duty, the officer will carry and have accessible his/her duty firearm and be prepared to perform any function he/she would be expected to perform while on-duty.
- (p) The two-way communications radio, MDT and Global Positioning Satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (q) Officers shall ensure all weapons are secure while the patrol use vehicle is unattended.
- (r) Unattended patrol use vehicles are to be locked and secure at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine environmental safety, and charging).

#### **708.4 VEHICLE ALTERATIONS**

Alterations of any type to a patrol use vehicle require prior written authorization of the Chief of Police or the authorized designee.

#### **708.5 OFFICER MAINTENANCE RESPONSIBILITIES**

Officers will be responsible for the upkeep of their assigned patrol use vehicle. Failure to adhere to these requirements may result in discipline and loss of patrol use vehicle assignment. The following should be performed as outlined below:

- (a) When in operation the officer must be prepared and reasonably available to respond to an emergency. If officers are summoned to, or involved in, a law enforcement activity, they shall notify dispatch of their response or activity and should continue the action until the incident or activity is cancelled or concluded.
- (b) Vehicles should be fueled at the end of each shift to prepare for an emergency response at the next use.
- (c) Upon start of shift, check all fluid levels, tires, all safety and emergency equipment, interior and exterior to verify that the vehicle is in a safe operating condition and prepared for emergency service.
- (d) At the start and end of any use, inspect the vehicle for any damage. If damage is discovered, advise your immediate supervisor.

# Steamboat Springs Police Services

## Policy Manual

### *Assigned Patrol Use Vehicle Policy*

---

- (e) Vehicle is to be kept clean both inside and out as is reasonable. The appearance of the vehicle reflects directly upon the officer and the entire Department.
- (f) Ensure all scheduled vehicle maintenance and car washes are performed as necessary at a facility approved by the Department supervisor in charge of vehicle maintenance. The Department shall be notified of problems with department-owned vehicles and approve any major repairs before they are performed. Scheduled regular maintenance includes:
  - 1. Unless specified otherwise, follow the vehicle maintenance schedule as set by the vehicle manufacturer. This includes no less than:
    - (a) Belts, battery, fluids and radiator.
    - (b) Tune-ups, tires, brakes.
    - (c) Lube, oil and filter service every 3,500 miles.
- (g) Vehicle maintenance should not be delayed and should be coordinated in advance when reasonably possible for completion during an officer's regular duty time to minimize cost to the City. If unanticipated circumstances thwart such advance planning, the officer should arrange an alternative for timely vehicle maintenance with the Department supervisor in charge of vehicle maintenance. Vehicle maintenance during off-duty time resulting in overtime pay should be avoided and is warranted only in unusual circumstances after prior approval of a supervisor.
- (h) Receipts for all maintenance and service work should be submitted monthly to the Department supervisor in charge of vehicle maintenance.
- (i) Vehicles should be plugged in when the temperature drops below 10 degrees.

#### **708.6 ATTIRE AND APPEARANCE**

When operating a patrol use vehicle off-duty, officers may dress in a manner appropriate for their intended activity. Attire and appearance whenever in view of or in contact with the public, regardless of the activity, should be suitable to reflect positively upon the Department.

## Cash Handling, Security and Management

### 710.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

### 710.2 POLICY

It is the policy of the Steamboat Springs Police Services to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

### 710.3 PETTY CASH FUNDS

The Chief of Police shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of accurate and current petty cash forms and the filing of receipts by the fund manager.

### 710.4 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the appropriate forms. Each person participating in the transaction shall sign a receipt or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

### 710.5 PETTY CASH AUDITS

The fund manager shall perform an audit no less than once every six months. This audit requires that the manager and at least one other command staff member, selected by the Chief of Police, review the forms and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the forms attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Chief of Police or the City.

# Steamboat Springs Police Services

## Policy Manual

### *Cash Handling, Security and Management*

---

#### **710.6 ROUTINE CASH HANDLING**

Those who handle cash as part of their property or Detective Division supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

#### **710.7 OTHER CASH HANDLING**

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence and Informants policies.

Cash in excess of \$1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

## **Chapter 8 - Support Services**

---

## Property and Evidence

### 800.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and those persons authorized to remove and/or destroy property.

#### 800.1.1 EVIDENCE ROOM SECURITY

The Evidence Room shall maintain secure storage and control of all property necessitating custody by the Department. The property and evidence technician reports to the Investigation Division supervisor and is responsible for the security of the Evidence Room. Evidence Room keys are maintained only by the property and evidence technician and the Investigation Division supervisor. An additional key is in a sealed and initialed envelope maintained in the safe in the Chief of Police's office. The property and evidence technician and the Investigation Division supervisor shall not loan Evidence Room keys to anyone and shall maintain keys in a secure manner.

Any individual entering the Evidence Room other than the property and evidence technician must be accompanied by the property and evidence technician or the Investigation Division supervisor and must sign in and out on the logbook, giving the date and time of entry and exit, and the purpose, including a specific case or property number. The entry shall be initialed by the accompanying individual.

### 800.2 DEFINITIONS

Definitions related to this policy include:

**Evidence** - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case.

**Found property** - Includes property found by an employee or citizen where the owner cannot be readily identified or contacted and has no apparent evidentiary value.

**Safekeeping** - Includes the following types of property:

- Property obtained by the Department for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

### 800.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room, along with the property label. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property that has no apparent evidentiary value, excluding contraband, such property may be released to the owner without the need for booking.

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

The property documentation must be completed to document the release of property not booked. The owner shall sign the appropriate form acknowledging receipt of the item.

#### 800.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty. Employees booking property shall observe the following guidelines:

- (a) Complete the property label describing each item separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) The officer shall provide complete and accurate information on all computer entry screens of the computer bar code entry system.
  - 1. Each packaged item or items shall be entered into the computer bar code entry system, located in the Evidence booking room.
  - 2. The booking officer shall provide a complete and detailed description of all items contained within the packaging, including the type, quantity, serial number, or other identifying information for each item. This shall include exact dollar amounts and denominations for all currency and coins. All money should be counted/verified by two people.
  - 3. Each packaged item or items shall be labeled and submitted with a bar code label provided by the police department.
- (c) If there is a known owner associated with the property/evidence they should be listed in the computer system. All owner information available should be entered.
- (d) When the property is too large to be placed in a temporary property locker, the item may be temporarily stored in any department supply room or other location that can be secured from unauthorized entry. The location shall be secured to prevent entry and a copy of the property record placed into the passthru locker indicating the location of the property.

#### 800.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately, each its own item number. Drug and narcotics paraphernalia shall also be booked separately.

The officer seizing the narcotics and dangerous drugs shall place them in the designated temporary property locker.

#### 800.3.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify an immediate supervisor or the Shift Supervisor. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials.

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

The Evidence Technician is responsible for transporting to an appropriate agency that is equipped to safely dispose of such materials, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

Any item placed in an area other than the temporary evidence lockers requires a copy of the property record be given to the Evidence Technician. An email explanation may also be necessary.

#### **800.3.4 EXCEPTIONAL HANDLING**

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Any evidence collected which may contain DNA, should be properly labeled as such.
- (b) Property stained with bodily fluids such as blood or semen stains shall be air-dried prior to booking.
- (c) License plates found not to be stolen or connected with a known crime should be released directly to the property and evidence technician or placed in the designated container for return to the Colorado Department of Revenue, Division of Motor Vehicles. No formal property booking process is required.
- (d) All bicycles and bicycle frames require a property record. Property labels will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property and evidence technician or placed in the bicycle storage area until a property and evidence technician can log the property.
- (e) All cash shall be counted in the presence of another officer and the package and currency label initialed by both officers. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall also witness the count and will initial and date the property documentation and specify any additional security procedures to be used.
- (f) All evidence collected by personnel processing a crime scene requiring specific storage requirements pursuant to laboratory procedures should clearly indicate storage requirements on the property label and the Evidence Technician should be notified.
- (g) Items that are potential biohazards shall be appropriately packaged and marked with a Biohazard sticker to reduce the risk of exposure or contamination.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

#### **800.4 PACKAGING OF PROPERTY**

Packaging will conform to certain procedures. Certain items require special consideration and shall be booked separately as follows:

- (a) Controlled substances

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

- (b) Firearms (ensure they are unloaded, rendered safe, and booked separately from ammunition. Empty magazines can be packaged with their appropriate firearm)
- (c) Property with more than one known owner
- (d) Drug paraphernalia
- (e) Fireworks
- (f) Contraband
- (g) Biohazards

#### 800.4.1 PACKAGING CONTAINER

Employees shall package all property, except controlled substances, in a suitable container that is appropriate for its size. Knife boxes or plastic containers should be used to package knives or any other sharp items. Handgun boxes should be used for handguns. Rifle boxes should be used for rifles. Syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

#### 800.4.2 PACKAGING CONTROLLED SUBSTANCES

##### (a) Marijuana

1. Dried marijuana and other cannabis should be packaged in premade narcotics bags.
2. Do not put green or "wet" marijuana in plastic bags. Plastic causes marijuana to mildew and become a toxic liquid. If the marijuana is in a plastic baggie, open the baggie and place the baggie with the green marijuana in it, in a paper bag for processing. Seal the paper bag with evidence tape, place the bar code label on the bag, and place in a temporary locker. DO NOT STAPLE.
3. Package paraphernalia, money, and other items separate from the marijuana.
4. Note the weight of the marijuana in the bar code system.
5. It is the investigating officer's duty to package the drug appropriately and note in the bar code system if the officer wants the evidence submitted to the CBI lab for testing.

(b) Narcotics: Narcotics such as heroin, methamphetamine, cocaine and PCP must be packed with care and caution.

1. Heat seal narcotics in the plastic evidence bags. Seal only one type of drug in each bag.
2. Enter all information into the bar code system, including weight or count.
3. Package paraphernalia, money, and other items separate from the narcotics.

(c) Paraphernalia: Assorted items of paraphernalia are usually found with every narcotics seizure. Proper packaging is essential for police personnel's safety and evidence preservation. Below are a few common items. You may seize a type of paraphernalia not indicated below. Please package

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

with safety in mind. If you need additional assistance with packaging an item, contact the Evidence Technician.

1. Bongs: Please package in appropriately size plastic bag. Seal and lable the bag as well as initial and date.
2. Razor blades: Always cover with tape and place in a plastic container in a plastic bag. Bag must be large enough for the lable. Note on the outside of the evidence envelope or bag "Caution - Secured Razor Blade Within".
3. Fragile glass pipes should be packaged in a cardboard box or plastic container to prevent injuries and secured or packaged so they do not move inside of the box. This will prevent damage to these items during shipping to the lab and storage.

#### **800.4.3 RIGHT OF REFUSAL**

The Evidence Technician has the right to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the property and evidence technician refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting officer's supervisor.

#### **800.5 RECORDING OF PROPERTY**

The Evidence Technician, upon verifying the accuracy of the evidence entered in the bar code computer and the correctness of the packaging, shall enter the final location of the evidence in the computer and then place the evidence in the correct location.

Chain of custody will be maintained through the bar code system as entries are made for the various states of items.

The owner of the property shall sign electronically for all items returned to them. This signature is captured and shows up in COC in the Beast system.

#### **800.6 PROPERTY CONTROL**

Each time the Evidencet Technician receives property or releases property to another person, he/she shall scan the appropriate status and required signatures electronically that will show in the COC of the system. . Officers desiring property for court shall contact the Evidence Technician at least one day prior to the court day.

##### **800.6.1 RESPONSIBILITIES OF OTHER PERSONNEL**

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of custody. No property or evidence is to be released without first receiving written authorization from a supervisor or investigator.

Request for analysis of items other than controlled substances shall be completed on the appropriate forms and submitted to the property and evidence technician. This request may be filled out anytime after booking of the property or evidence.

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

#### 800.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time and reason on the computerized evidence system.

The investigating officer must complete a CBI Transmittal letter and give to the Evidence Technician.

The Evidence Technician releasing the evidence must complete the required information. The lab form and transmittal letter will be transported with the property to the examining laboratory. The original copy of the lab form will remain with the evidence and the copy will be returned to the Evidence Technician for filing with the case.

Items may be submitted to the appropriate lab for examination using either UPS or FedEx as shipping agents. This will be documented in the computerized evidence system. Shipping receipt copies will be kept by the Evidence Technician.

#### 800.6.3 STATUS OF PROPERTY

The Evidence Technician will make the appropriate entry to document the chain of custody. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the property control card, stating the date, time and to whom it was released.

The property and evidence technician shall obtain the signature of the person to whom property was released and the reason for release. Any employee receiving property shall be responsible for such property until it is returned to the Evidence Room or released to another authorized person or entity.

The return of the property should be recorded in the scanned computerized system with the name of the person who returned it.

#### 800.6.4 AUTHORITY TO RELEASE PROPERTY

The Evidence Technician shall not release any property without a signed authorization from an appropriate authorized member of the Department. The Detective Division shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

For property in custody of the Department for investigatory or prosecutorial purposes and owned by a victim or witness, the Evidence Technician shall upon the request of the owner:

- (a) Provide a list describing the property, unless such release would seriously impede an investigation.
- (b) Return the property expeditiously, unless the property is contraband or required as evidence.

Upon the direction of a prosecuting attorney, property held as evidence of a crime may be photographed and released to the owner.

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

#### 800.6.5 RELEASE OF PROPERTY

A reasonable attempt shall be made to identify the rightful owner of found or stolen property or evidence not needed for an investigation.

Property belonging to a crime victim shall be promptly released to the victim unless needed for evidence (CRS § 24-4.1-302.5(1)(k)). Following a request from the victim, property no longer needed for evidence shall be returned to the victim within five working days unless the property is contraband or subject to forfeiture proceedings (CRS § 24-4.1-303(7)).

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or investigator and must conform to the items listed on the property label or must specify the specific item to be released. Release of all property shall be properly documented in the Beast system.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail and advertised in the newspaper when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed. Property with an estimated value of \$500 or more will be advertised in the local print media before it is destroyed or auctioned. The final disposition of all such property shall be fully documented in bar code system and related reports.

The Evidence Technician shall release the property to the owner or finder, upon valid identification and proper documentation presented by the owner or finder, for which an authorized release has been received. The owner or finder shall also pay any costs incurred by the agency, including costs for advertising or storage and shipping. A signature of the person receiving the property shall be recorded electronically and logged in the bar code system. All COC records will be maintained electronically in the Evidence Bar Code system.

Upon release or other form of disposal, the proper entry shall be recorded in evidence bar code system.

#### 800.6.6 STOLEN OR EMBEZZLED PROPERTY

Stolen or embezzled property or property believed to be stolen or embezzled that is in the custody of this department shall be restored to the legal owner. Such property may be released from law enforcement custody when the following is satisfied (CRS § 13-25-130(3)):

- (a) Photographs of the property are filed and retained by the Evidence Room.
- (b) Satisfactory proof of ownership is shown by the owner.
- (c) A declaration of legal ownership is signed under penalty of perjury.

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

- (d) If a defendant has been filed upon, he/she has been notified that such photographs, video tapes or films have been taken, recorded or produced.
- (e) A receipt for the property is obtained from the owner upon delivery.

#### **800.6.7 DISPUTED CLAIMS TO PROPERTY**

Occasionally more than one party may claim an interest in property being held by the department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a court order or other proof of the undisputed right to the involved property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for the Department may be asked to file an interpleader in court to resolve the disputed claim.

#### **800.6.8 RELEASE AND DISPOSAL OF FIREARMS**

A firearm may not be released until it has been verified that the person receiving the weapon is not prohibited from receiving or possessing the weapon (18 USC § 922 (d)); CRS § 13-14-105.5; CRS § 18-1-1001; CRS § 18-6-801).

#### **800.7 DISPOSITION OF PROPERTY**

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be sold at a public auction in compliance with existing laws, upon receipt of proper authorization for disposal. The property and evidence technician shall request a disposition or status on all property which has been held in excess of 120 days and for which no disposition has been received from a supervisor or detective. Unclaimed money/cash will be sent to city escrow fund, prepared by the Evidence Technician and a witness.

Upon any release or sale of any property, the proper notation shall be made in the bar code system. Proceeds from the sale of unclaimed property shall be deposited into the Cityescrow account, minus reimbursement for department expenses.

Abandoned motor vehicles impounded by the Department may be sold at a public or private sale following notice pursuant to CRS § 42-4-1805.

#### **800.7.1 EXCEPTIONAL DISPOSITIONS**

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law or by a court of competent jurisdiction:

- Weapons declared by law to be nuisances
- Animals, birds and equipment related to their care and containment that have been ordered forfeited by the court
- Counterfeiting equipment
- Gaming devices

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

- Obscene matter ordered to be destroyed by the court
- Altered vehicles or component parts
- Narcotics
- Unclaimed, stolen or embezzled property
- Destructive devices

#### **800.7.2 UNCLAIMED MONEY**

If found money is no longer required as evidence and remains unclaimed after one year, the money is presumed abandoned property (CRS § 38-13-108.2).

#### **800.7.3 RETENTION OF BIOLOGICAL EVIDENCE**

The Detective Division supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor
- (d) Any sexual assault victim
- (e) The Investigation Division supervisor

Biological evidence shall be retained for a minimum period established by law, the Investigation Division supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Investigation Division supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

#### **800.8 RETENTION OF BIOLOGICAL EVIDENCE**

The Evidence Room supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

- (d) Any sexual assault victim
- (e) The Investigation Division supervisor

Biological evidence shall be retained for a minimum period established by law or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file and a copy forwarded to the Investigation Division Commander.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the Investigation Division Commander should be consulted and the sexual assault victim should be notified.

#### 800.8.1 SUFFICIENT SAMPLE PRESERVATION

DNA evidence that is subject to preservation pursuant to CRS § 18-1-1103 shall be preserved in an amount and manner sufficient to develop a DNA profile, based on the best scientific practices at the time of collection, from the biological material contained in or included on the evidence (CRS § 18-1-1104(2)).

If DNA evidence is of such a size, bulk or physical character as to render retention impracticable, the property and evidence technician shall remove and preserve portions of the evidence likely to contain DNA related to the offense in a quantity sufficient, based on the best scientific practices at the time of collection, to permit future DNA testing.

The preserved DNA evidence shall, whenever possible, include a sample sufficient to allow for independent testing by the defendant. After preserving the necessary amount of the DNA evidence, the remainder of the evidence may be properly destroyed as allowed by law.

#### 800.8.2 RECORDS RETENTION AND PRESERVATION

The Department shall maintain a DNA record for the statutory period of a DNA specimen collection from an eligible individual from the date of collection.

- (a) DNA evidence collected in reference to a criminal investigation of a felony that does not result in or has not resulted in charges being filed shall be preserved for the length of the statute of limitations for the felony crime that was investigated (CRS § 18-1-1103(1)).
- (b) Except as provided by law (CRS § 18-1-1105; CRS § 18-1-1106; CRS § 18-1-1107), the Department shall preserve the DNA evidence for the life of a defendant who is convicted, if the sample was collected in a criminal investigation that resulted in a conviction listed in CRS § 18-1-1102(1); CRS § 18-1-1103(2).

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

- (c) A court may order the Department to preserve existing biological evidence for DNA testing at the request of a defendant (CRS § 18-1-414(2)).

#### **800.8.3 EXPUNGEMENT OF DNA EVIDENCE**

A person may qualify for expungement and destruction of DNA evidence. This department will destroy DNA evidence after written notice is received from the Colorado Bureau of Investigation (CRS § 16-23-105).

#### **800.8.4 DISPOSITION OF DNA EVIDENCE**

In cases described in state law (CRS § 18-1-1102(1)(c); CRS § 18-1-1102(1)(d)), the Department may seek to dispose of DNA evidence by providing notice to the District Attorney who prosecuted the charges (CRS § 18-1-1105(2)).

If the District Attorney determines that the DNA evidence should not be disposed of, the District Attorney will provide notice. Upon receipt of the notice, the Department shall preserve the DNA evidence until such time that a court order is obtained to dispose of the DNA evidence (CRS § 18-1-1105(4)).

If the Department does not receive notice from the District Attorney within a reasonable amount of time, the Department may file a motion with the court that entered the conviction in the case, asking for a court order to dispose of the DNA evidence.

The Department may not request permission to dispose of DNA evidence in cases described in state law (CRS § 18-1-1102(1)(a); CRS § 18-1-1102(1)(b); CRS § 18-1-1105(1)).

#### **800.8.5 DISPOSITION OF VICTIM DNA EVIDENCE**

If DNA evidence is being held that is the property of the victim, the victim may request the District Attorney to review whether the DNA evidence may be returned. If the District Attorney determines the DNA evidence may be returned, the District Attorney may file a petition with the court for the return of the DNA evidence. Upon proper receipt, the Department will release DNA evidence belonging to the victim (CRS § 18-1-1107).

#### **800.9 REPORT OF ABANDONED PROPERTY (MONEY)**

The Detective Division supervisor shall complete and file a report of presumed abandoned property to the State Treasurer each year. The report shall cover the period from July 1 to June 30 and shall be submitted no later than the immediately following November 1 date (CRS § 38-13-110).

#### **800.10 INSPECTIONS OF THE EVIDENCE ROOM**

On a monthly basis, the Detective Division supervisor shall inspect the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

- (a) Unannounced inspections of evidence storage areas shall be conducted annually, as directed by the Chief of Police.

# Steamboat Springs Police Services

## Policy Manual

### *Property and Evidence*

---

- (b) An annual audit of evidence held by the Department shall be conducted by a Division Commander who is not routinely or directly connected with evidence control, as assigned by the Chief of Police.
- (c) Whenever a change is made in personnel who have access to the Evidence Room , an inventory of all evidence/property shall be made by an individual not associated with the Evidence Room or function to ensure that records are correct and all evidence property is accounted for.

---

## Records Division Procedures

### 802.1 PURPOSE AND SCOPE

The Records Supervisor shall keep the Steamboat Springs Police Services Records Division procedures continuously updated to reflect the procedures being followed within the Division . Policies and procedures that apply to all employees of Steamboat Springs Police Services are contained in this chapter.

#### 802.1.1 NUMERICAL FILING SYSTEM

Calls for service are created numerically through our electronic records management system.

Calls are numbered commencing with the letter P, the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number P1200001 would be the first new case beginning January 1, 2012.

#### 802.1.2 PRIVACY POLICY

The Records Supervisor shall apply, and assist in the development and maintenance of, the Department's policy standardizing the collection, storage, transfer and use of personally identifiable information pursuant to CRS § 24-72-502. Minimally, the policy shall include:

- (a) A declaration supporting the protection of individual privacy.
- (b) Standards which minimize the collection of personally identifiable information to the least amount of information required to complete a particular transaction.
- (c) The applicability of the Colorado Open Records Act.
- (d) A method for feedback from the public on compliance with the privacy policy.
- (e) Notation that the policy applies to the collection of all personally identifiable information, regardless of the source or medium.

The privacy policy shall be published on the organization's website by the Executive Assistant to the Chief of Police.

### 802.2 FILE ACCESS

All reports including, but not limited to, initial, supplemental, follow-up, evidence and all reports related to a case shall be maintained in a secure area within the Records Division, accessible only to authorized Records Division personnel or within the records management system subject to appropriate security and access permission. Access to report files after hours or when records personnel are otherwise not available may be obtained through the Shift Supervisor.

Evidence reports are maintained by the Evidence Tech in the Beast system.

# Steamboat Springs Police Services

## Policy Manual

### *Records Division Procedures*

---

#### **802.2.1 REQUESTING ORIGINAL REPORTS**

Generally, original reports shall not be removed from the Records Section. Should an original report be needed for any reason, the requesting employee shall first obtain authorization from the Records Supervisor. All original reports removed from the Records Section shall be recorded on the report check-out log, which shall constitute the only authorized manner by which an original report may be removed from the Records Section.

All original reports to be removed from the Records Section shall be photocopied and the photocopy retained in the report file location of the original report until the original is returned to the Records Section. The photocopied report shall be shredded upon return of the original report to the file.

#### **802.3 RECORDS MANAGER TRAINING**

The Records Supervisor and all Records Technicians shall receive training in records management, including proper maintenance, retention and disposal of records and the proper release of records under state and federal law.

#### **802.4 PRIVACY POLICY**

The Records Supervisor shall apply, and assist in the development and maintenance of, the organization's policy standardizing the collection, storage, transfer and use of personally identifiable information pursuant to CRS § 24-72-502. Minimally, the policy shall include:

- (a) A declaration supporting the protection of individual privacy.
- (b) Standards which minimize the collection of personally identifiable information to the least amount of information required to complete a particular transaction.
- (c) The applicability of the Colorado Open Records Act.
- (d) A method for feedback from the public on compliance with the privacy policy.
- (e) Notation that the policy applies to the collection of all personally identifiable information, regardless of the source or medium.

The privacy policy shall be published on the organization's website.

#### **802.5 REPORTING**

The Records Supervisor shall ensure that data required to be collected by CRS § 24-33.5-412, including offense and arrest information separated by summons, custody and on-view, is submitted to the Colorado Division of Criminal Justice for each calendar year by March 31 of the following year (CRS § 24-33.5-518).

---

## Restoration of Firearm Serial Numbers

### 804.1 PURPOSE AND SCOPE

The primary purpose for restoring firearm serial numbers is to determine the prior owner or origin of the item. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this policy is to develop standards, methodologies and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of firearm serial numbers will observe the following guidelines.

### 804.2 PROCEDURE

Any firearm coming into the possession of the Steamboat Springs Police Services as evidence and found property, where the serial numbers have been removed or obliterated, shall be processed in the following manner.

#### 804.2.1 PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm with removed or obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.

#### 804.2.2 OFFICER RESPONSIBILITIES

The property and evidence technician receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the [add- Colorado Bureau of Investigation or other recognized crime laboratory for restoration of the serial numbers and to maintain the chain of custody.

#### 804.2.3 DOCUMENTATION

Case reports should be prepared in order to document the chain of custody and the initial examination and handling of evidence, from the time it is received or collected until it is released.

This report shall include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form, depending on the type of evidence.

#### 804.2.4 FIREARM TRACE

After the serial number has been restored (or partially restored) by the crime laboratory, a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) will be completed and forwarded to the (NTC) in Falling Waters, West Virginia or entered into the ATF eTrace system.

# Steamboat Springs Police Services

Policy Manual

## *Restoration of Firearm Serial Numbers*

---

### **804.3 OTHER CONSIDERATIONS**

Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the ATF's National Integrated Ballistic Information Network (NIBIN), which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.

---

## Records Maintenance and Release

### 806.1 PURPOSE AND SCOPE

The policy provides guidance on the maintenance and release of Steamboat Springs Police Department criminal justice records. Protected information is separately covered in the Protected Information Policy.

#### 806.1.1 DEFINITIONS

Definitions related to this policy include:

**Criminal Justice Record** - A record kept by the Department that is made, maintained or kept by Steamboat Springs Police Services for use in the exercise of functions required or authorized by law or administrative rule.

**Records Custodian** -The official custodian or any authorized person having personal custody and control of the criminal justice records in question. (CRS § 24-72-202(2)).

### 806.2 POLICY

The Steamboat Springs Police Services is committed to providing public access to records in a manner that is consistent with the Colorado Open Records Act (CRS § 24-72-200.1 et seq.; CRS § 24-72-301 et seq.).

#### 806.2.1 PROCESSING OF REQUESTS

Any member of the public, including the media, may request to inspect records of this department by submitting the appropriate fee and a written and signed request including signing a statement affirming that such records shall not be used for pecuniary gain for each individual and specifically identified record sought to an authorized employee during normal business hours. Requests shall be forwarded to the Records Custodian or their designee to process.

Request for records of the department will be handled by the Records Custodian as follows:

- (a) The Records Custodian shall determine whether the requested record is available and/or subject to any exemption from disclosure. Processing of such requests may not take more than three days, unless the Records Custodian finds there are extenuating circumstances (CRS § 24-72-203(3)(b)).
  1. A finding that extenuating circumstances exist shall be made in writing by the Records Custodian and shall be provided to the person making the request within the three-day period.
  2. The fact that portions of records are exempt from disclosure shall not preclude portions that are not exempt from being released. If portions of a record are redacted, those portions should be identified as redacted or the person requesting the record shall be notified of the redaction.

# Steamboat Springs Police Services

## Policy Manual

### *Records Maintenance and Release*

---

3. If the Records Custodian finds there are extenuating circumstances, he/she shall make such records available for inspection within seven business days.
- (b) The requesting party should be required to pay in advance any established fee for each record sought.
- (c) Requests for information that the Records Custodian believes is confidential and wishes to withhold from the public that is not specifically allowed by statute or judicial decision should be discussed with legal counsel for the Department.
- (d) If the Records Custodian denies access to any public record, the applicant may request a written statement of the grounds for the denial. The Records Custodian shall prepare the written statement citing the law or regulation under which access is denied or the general nature of the public interest to be protected (CRS § 24-72-204(4), CRS § 24-72-305(6)).
- (e) The Department is not required to create records which do not otherwise exist. However, existing records may be copied in such a manner as to provide the requesting party with unrestricted portions of any record.

#### **806.3 CUSTODIAN OF RECORDS RESPONSIBILITIES**

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include, but are not limited to (CRS § 24-72-203; CRS § 24-72-304):

- (a) Managing the records management system for the Steamboat Springs Police Department, including the retention, archiving, release and destruction of Steamboat Springs Police Department criminal justice records.
- (b) Maintaining and updating the department records retention schedule including:
  1. Identifying the minimum length of time the Steamboat Springs Police Department must keep records.
  2. Identifying the department division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of Steamboat Springs Police Department criminal justice records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring a current schedule of fees for criminal justice records as allowed by law is available (CRS § 24-72-205; CRS § 24-72-306).
- (g) Preparing and making available a published or posted written policy that specifies the applicable conditions concerning the research and retrieval of public records, including any fees that may be assessed for research and retrieval (CRS § 24-72-205).

# Steamboat Springs Police Services

## Policy Manual

### *Records Maintenance and Release*

---

#### 806.3.1 PERSONAL IDENTIFYING INFORMATION

Employees shall not access, use or disclose personal identifying information, including an individual's photograph, Social Security number, driver identification number, name, address, telephone number and the individual's medical or disability information, which is contained in any driver's license record, motor vehicle record or any department record except as authorized by the Department and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721, 18 USC § 2722).

#### **806.4 PROCESSING REQUESTS FOR PUBLIC RECORDS**

Any Steamboat Springs Police Department member who receives a request for records shall route the request to the Custodian of Records or the authorized designee.

##### 806.4.1 REQUESTS FOR RECORDS

The processing of requests for records is subject to the following:

- (a) The Steamboat Springs Police Department is not required to create records that do not exist.
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
  1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions.
- (c) The payment of any authorized fees required for the copying or mailing of the records requested as authorized by CRS § 24-72-205 or CRS § 24-72-306.
- (d) If the records requested are in active use, in storage or otherwise not readily available, the Custodian of Records shall set a date and hour at which the records will be available to the requestor (CRS § 24-72-203):
  1. The date and time shall be within a reasonable time after the request is made but not more than three working days, unless extenuating circumstances exist to warrant extension of the time to seven working days.
  2. A finding that extenuating circumstances exist shall be made in writing by the Custodian of Records and shall be provided to the person making the request within the three-day period.

If the Custodian of Records denies access to a public record and the applicant has requested a written statement of the grounds for the denial, the Custodian of Records shall prepare the written statement and provide it to the applicant within 72 hours, citing to the law or regulation under which access is denied or the general nature of the public interest to be protected by the denial (CRS § 24-72-204; CRS § 24-72-305).

#### **806.5 RELEASE RESTRICTIONS**

Examples of release restrictions include, but are not limited to:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address and telephone number; and medical or

# Steamboat Springs Police Services

## Policy Manual

### *Records Maintenance and Release*

---

- disability information that is contained in any driver's license record, motor vehicle record or any Steamboat Springs Police Department record, including traffic accident reports, are restricted except as authorized by the Steamboat Springs Police Department , and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; CRS § 24-4.1-303).
- (b) Victim information that may be protected by statutes (CRS § 24-72-304).
  - (c) Juvenile-related information that may be protected by statutes (CRS § 19-1-304).
  - (d) Certain types of reports involving, but not limited to, child abuse or neglect (CRS § 19-1-307) and elder abuse (CRS § 26-3.1-102).
  - (e) Records that contain information concerning an application for victim's compensation (CRS § 24-72-204; CRS § 24-4.1-107.5).
  - (f) Information received, made or kept by the Safe2Tell® program (CRS § 24-72-204; CRS § 24-31-607).
  - (g) Records of the investigations conducted by the Steamboat Springs Police Department , records of the intelligence information or security procedures of the Steamboat Springs Police Department , or any investigatory files compiled for any other law enforcement purpose (CRS § 24-72-204; CRS § 24-72-305).
  - (h) Records of official actions and criminal justice records unless the requestor signs a statement which affirms that the records shall not be used for the direct solicitation of business for pecuniary gain (CRS § 24-72-305.5).
  - (i) The result of chemical biological substance testing (CRS § 24-72-305).
  - (j) The address of an individual who has requested and been approved for address confidentiality under CRS § 24-72-204(3.5) or CRS § 24-30-2108.
  - (k) The release of a record that the Custodian of Records believes would do substantial injury to the public interest, notwithstanding the fact that said record may otherwise be available to public inspection, or if the Custodian of Records is otherwise unable to determine if disclosure is prohibited by law (CRS § 24-72-204).
    - 1. The Custodian of Records should apply to the district court for an order permitting restriction from disclosure or a request for the court to determine if disclosure is prohibited.
  - (l) Personnel records, medical records and similar records which would involve personal privacy (CRS § 24-72-204).
  - (m) Protection order witness
  - (n) At risk adult
  - (o) Mental health
  - (p) Medical marijuana
  - (q) Any other record subject to inspection where such inspection would be or is (CRS § 24-72-204; CRS § 24-72-305):
    - (a) Contrary to any state statute.

# Steamboat Springs Police Services

## Policy Manual

### *Records Maintenance and Release*

---

- (b) Contrary to any federal statute or regulation.
- (c) Prohibited by rules promulgated by the state supreme court or by order of any court.

#### **806.6 SUBPOENAS AND DISCOVERY REQUESTS**

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Steamboat Springs Police Department so that a timely response can be prepared.

#### **806.7 EXPUNGEMENT OR SEALED RECORDS**

Expungement orders or orders to seal criminal records received by the Steamboat Springs Police Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge or seal such records as ordered by the court as long as they contain identifying information to ensure identification of the specific record to be sealed. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once the record is expunged or sealed, members shall respond to any inquiry as though the record did not exist.

#### **806.8 RELEASED RECORDS TO BE MARKED**

Each page of any record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the Steamboat Springs Police Department name and to whom the record was released.

Steamboat Springs Police Department will retain a record of who it was released to by retaining an electronic copy of the request form.

---

## Protected Information

### 808.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Steamboat Springs Police Services. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

#### 808.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored or accessed by members of the Steamboat Springs Police Services and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public

### 808.2 POLICY

Members of the Steamboat Springs Police Services will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

### 808.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Division of Motor Vehicles (DMV) records and the Colorado Crime Information Center (CCIC).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

# Steamboat Springs Police Services

## Policy Manual

### *Protected Information*

---

#### **808.4 ACCESS TO PROTECTED INFORMATION**

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Steamboat Springs Police Services policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

#### **808.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION**

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the CCIC Coordinator for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section with permission from the CCIC Coordinator to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

#### **808.6 SECURITY OF PROTECTED INFORMATION**

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

# Steamboat Springs Police Services

## Policy Manual

### *Protected Information*

---

- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

#### **808.6.1 MEMBER RESPONSIBILITIES**

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

#### **808.7 CHALLENGE TO CRIMINAL OFFENDER RECORD**

Any person has the right to challenge the accuracy and completeness of criminal justice records pertaining to him/her and to request that said records be corrected (CRS § 24-72-307). Any such requests shall be forwarded to the Records Supervisor.

Upon receipt of a request to correct the record, the Records Supervisor will evaluate the request as follows:

- (a) The Records Supervisor will review the request for correction and make a determination of whether to grant or refuse the request, in whole or in part.
- (b) In the event that the Records Supervisor requires additional time to evaluate the merit of the request for correction, the Records Supervisor shall notify the applicant in writing.
  - 1. The Records Supervisor shall then have 30 days from the date of receipt of the request for correction to evaluate the request and to make a determination of whether to grant or refuse the request, in whole or in part.
  - 2. The Records Supervisor will communicate that decision to the applicant in writing.
- (c) If the Records Supervisor refuses to make the requested correction and the person requests a written statement of the grounds for the refusal, the Records Supervisor shall promptly provide such a written statement.
- (d) If the Records Supervisor decides to make the correction, the Records Supervisor will ensure the change is made in the records of the Steamboat Springs Police Services and communicate the correction to the Colorado Bureau of Investigation by providing the request for change in writing with the Chief of Police as the requesting agent.

#### **808.8 TRAINING**

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies

# Steamboat Springs Police Services

Policy Manual

## *Protected Information*

---

authorized access and use of protected information, as well as its proper handling and dissemination.

---

## Computers and Digital Evidence

### 810.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information. This policy also establishes procedures for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

### 810.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

- (a) Photograph each item, front, back and surrounding desktop or office setup, specifically including cable connections to other items. Try to determine how the device gets internet access. Look for a telephone line or cable to a modem for Internet access.
- (b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation, such as fingerprints, biological or trace evidence and/or documents.
- (c) If the computer is off, do not turn it on.
- (d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
  1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
  2. Disconnect the power cable from the back of the computer box. If the computer is a portable notebook style, disconnect any power cable from the case and remove the battery.
- (e) Label each item with the in accordance with evidence policies and procedures.
- (f) Handle and transport the computer and storage media (e.g., tape, disks, memory cards, flash memory, external drives) with care so that potential evidence is not lost.
- (g) Book and store all computer items into the Evidence Room. Do not store computers where normal room temperature and humidity is not maintained.
- (h) At minimum, officers should document the following in related reports:

# Steamboat Springs Police Services

## Policy Manual

### *Computers and Digital Evidence*

---

1. Where the computer was located and whether it was in operation
  2. Who was using it at the time
  3. Who claimed ownership
  4. If it can be determined, how it was being used
- (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (e.g., printers, remote drives, hard drives, tape drives and disk drives) should be seized along with all media.

#### **810.2.1 BUSINESS OR NETWORKED COMPUTERS**

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Until properly secured, networked computers can be accessed remotely to alter critical hard drive data. Therefore, cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner as soon as practicable for instructions or a response to the scene. It may be possible to perform an on-site inspection or to image the hard drive only of the involved computer. This should be done by someone specifically trained in processing computers for evidence. The forensic copy of the image of the hard drive shall be marked and maintained as primary evidence.

#### **810.2.2 FORENSIC EXAMINATION OF COMPUTERS**

If an examination of the contents of the computer's hard drive, disks or any other storage media is required, forward the following items to a computer forensic examiner:

- (a) A copy of reports involving the computer, including the evidence/property sheet
- (b) A copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to the investigation or other legal authority for examination
- (c) A list of the items to search for (e.g., photographs, financial records, e-mail, documents)
- (d) A forensic copy of the media will be made; subsequent forensic examination of the copy will be conducted by a trained digital forensic examiner.

#### **810.3 SEIZING DIGITAL STORAGE MEDIA**

Digital storage media, including hard drives, floppy disks, CDs, DVDs, tapes, memory cards or flash memory devices, should be seized and stored in a manner that will protect them from damage.

- (a) If the media has a write-protection tab or switch, it should be activated.
- (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation, request the Evidence Room to copy the contents to an appropriate form of storage media.

# Steamboat Springs Police Services

## Policy Manual

### *Computers and Digital Evidence*

---

- (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
- (d) Do not leave storage media where it would be subject to excessive heat, such as in a parked vehicle on a hot day.
- (e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

#### **810.4 SEIZING PERSONAL COMMUNICATION DEVICES**

Personal communication devices (PCD), such as cellular phones, Personal Data Assistants (PDA) or other handheld devices connected to any communication network must be handled with care to preserve evidence that may be on the device, including messages, stored data and/or images.

- (a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
- (b) Do not turn the device on or off. The device should be wrapped in no less than six sheets of heavy duty aluminum foil, or placed in a solid metal container, such as a paint can or in a Faraday bag, to prevent the device from sending or receiving information from its host network.
- (c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead, all the data may be lost.

#### **810.5 DIGITAL EVIDENCE RECORDED BY OFFICERS**

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of the evidence.

##### **810.5.1 COLLECTION OF DIGITAL EVIDENCE**

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

##### **810.5.2 DOWNLOADING OF DIGITAL FILES**

Digital information, such as video or audio files recorded on devices using internal memory, must be downloaded to storage media. The following procedures are to be followed:

- (a) Files should not be opened or reviewed prior to downloading and storage.
- (b) Where reasonably possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

# Steamboat Springs Police Services

## Policy Manual

### *Computers and Digital Evidence*

---

#### 810.5.3 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only evidence technicians are authorized to copy original digital media that is related to case documentation and held as evidence. Only digital forensic examiners are authorized to copy original media seized as evidence. The original digital media shall remain in evidence and shall remain unaltered.
- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

---

## Animal Control Procedures

### 816.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for Animal Control Officers (ACO) and Steamboat Springs Police Services personnel in dealing with calls related to animal control and to set forth procedures regarding animal control services, the handling of injured animals and the abatement of animal nuisances.

When an ACO is not available, Community Service Officers (CSO) or Police Officers will be assigned to animal complaints within the City limits. Therefore, Officers must familiarize themselves with this policy.

#### 816.1.1 TRAINING

ACOs shall successfully complete the required basic and continuing education animal control courses as approved by the Department or required by local or state authorities.

### 816.2 ANIMAL CONTROL OFFICER RESPONSIBILITIES

ACOs shall be responsible for enforcing local, state and federal laws relating to animals and for appropriately resolving or referring animal problems as outlined in this policy. Specifically the ACO is assigned the tasks necessary for the day-to-day responsibilities including, but not limited to, those identified under the Colorado Animal Protection Act (CRS § 35-42-101, et seq.).

ACOs shall be under the operational control of the Administration Commander. The assigned working hours will be scheduled by the Animal Control Supervisor. During hours when an ACO is on-duty, requests for animal control services shall be assigned by the Communications Center or the Shift Supervisor.

Requests for assistance by an ACO shall be acknowledged and responded to promptly.

### 816.3 OFFICER\_DEPUTY RESPONSIBILITIES

During hours when no ACO is on-duty, or if an ACO is otherwise unavailable, the following animal-related calls for service will be handled by the appropriate on-duty officer.

Officers may be dispatched to animal-related calls and should take appropriate actions to control the situation until the arrival of an ACO. Due to the hazards of handling animals without proper equipment and the proper training, responding officers generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of an ACO. The following are examples of when an officer may consider acting before the arrival of an ACO:

- (a) When there is a threat to public safety
- (b) When an animal has bitten someone, officers should take measures to confine the animal and prevent further injury
- (c) When an animal is creating a traffic hazard

# Steamboat Springs Police Services

## Policy Manual

### *Animal Control Procedures*

---

- (d) When the owner/handler has been arrested and there is no other alternative placement for the animal
- (e) When an animal is gravely injured

#### 816.3.1 ANIMAL CRUELTY COMPLAINTS

The ACO shall investigate all reports of animal cruelty during hours when no ACO is on-duty, an Officer shall conduct a preliminary investigation on all reports of animal cruelty and forward the information to the ACO for follow-up. Officers shall not hesitate to take any immediate actions deemed necessary to prevent the perpetration of any act of cruelty to animals in his/her presence and may use such force as is necessary to prevent the crime.

The assistance of an Animal Control Officer may be requested to assist with the investigation when appropriate for the purpose of handling the disposition of any animal associated with the case.

#### 816.3.2 STRAY ANIMALS

If an animal has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the animal should be released to the owner or keeper and a warning or citation may be issued if appropriate.

If an animal is taken into custody, it shall be transported to the animal shelter.

The "Officer and Deputy Intake Form" must be completely filled out. If after hours, follow the "After Hours Shelter Drop-Off Procedures" located at the Shelter. Release of impounded animals requires a fee be paid. Release will be handled by animal shelter personnel only.

#### 816.3.3 ANIMAL BITES TO HUMANS

Officers or ACOs shall obtain as much information (victim, animal, animal owner) as possible.

If an animal bite occurs, the animal must be held in quarantine for a minimum of ten (10) days.

If it is an owned animal, the owner must show proof of rabies vaccination at the time of the report. If the owner/keeper cannot show proof of current rabies vaccinations and/or the dog owner is not capable of keeping the dog quarantined for ten (10) days at home, the animal must be quarantined at the animal shelter. If the animal has been impounded for quarantine at the shelter and the owner/keeper later shows proof of current vaccinations and can properly quarantine the animal at home, the animal can be released to the owner for in-home quarantine for the remainder of the quarantine period. (\*See In-Home Quarantine Guidelines)

If the animal is a stray, then every effort shall be made to capture and transport the biting animal to the shelter for quarantine immediately.

# Steamboat Springs Police Services

## Policy Manual

### *Animal Control Procedures*

---

If a biting animal has been killed in order to prevent further injury or death, the local board of health shall be notified of the facts related to the bite and the killing, and the body of the animal shall be held for release to the board of health (6 CCR 1009-1:1).

#### **816.3.4 PUBLIC NUISANCE CALLS RELATING TO ANIMALS**

In the event an ACO is unavailable, a CSO or patrol officer shall obtain and forward to an ACO as much information as possible regarding the nature of the complaint, the complaining person, owner and animal information (if possible) and location of the problem. Officers will also document any actions taken, citation issued and related report numbers.

In the event responding officers cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, an ACO may be called. If an ACO is unavailable, the patrol supervisor may request the assistance of an animal control officer from an outside agency.

All requests to call in an ACO must be approved by a field supervisor or the Shift Supervisor.

#### **816.4 DECEASED ANIMALS**

Deceased animals on public property will be removed and properly disposed of by an ACO. Officers will remove deceased animals when an ACO is not on-duty. Domestic animals may be taken to the animal shelter for owner identification. In the Crematorium Room at the shelter, the animal should be placed in the freezer. Officers need to fill out the officer intake form and note "in the freezer". The bag should be tagged with animal description, date, time and location found.

- (a) For health and sanitary reasons, deceased animals should be double bagged in sealed plastic bags prior to placing them in an ACO vehicle for transport to the animal shelter.
- (b) Neither an ACO nor any officer will be required to climb onto or under any privately owned structure for the purpose of removing a deceased animal.

#### **816.5 INJURED ANIMALS**

When any injured domesticated animal is brought to the attention of a member of this agency, all reasonable attempts shall be made to contact the owner or responsible handler. When the owner or responsible handler cannot be located and the animal is not an immediate danger to the community, it shall be taken to a doctor of veterinary medicine as described below:

- (a) During normal business hours, the animal should be taken to an authorized veterinary care clinic.
- (b) If it is after normal business hours, the animal should be taken to an authorized veterinary emergency services clinic.
- (c) The only exception to the above is when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.
- (d) When it is necessary to dispatch a seriously injured or dangerous animal, the Firearms Policy shall be followed.

# Steamboat Springs Police Services

## Policy Manual

### *Animal Control Procedures*

---

1. An ACO or an officer may euthanize an animal when, in his/her judgment and in the opinion of a licensed veterinarian, the animal is experiencing extreme pain or suffering or is severely injured, disabled or diseased past recovery. In the event a licensed veterinarian is not available, the animal may be euthanized at the request of the owner.
  2. Injured wildlife may be euthanized whenever the ACO or officer determines that no other reasonable action would be practical, humane or effective for the rehabilitation of the wildlife (2 CCR 406-14:1405).
- (e) Injured or deceased wildlife should be referred to the appropriate agency as listed by the Colorado Division of Wildlife.
- (f) When handling dead or injured animals, Department employees shall attempt to identify and notify the owner of the final disposition of the animal.
- (g) Each incident shall be documented, at minimum, to include the name of the reporting party and the veterinary hospital and/or person to whom the animal is released. If an ACO is off-duty, the information will be forwarded for follow-up.

#### **816.6 ENFORCEMENT**

An ACO of this department may issue citations or summonses and complaints enforcing any local or state law concerning the control of pet animals (CRS § 30-15-105).

It should be at the discretion of the handling officer or the field supervisor as to the need for, or advisability of, the issuance of a citation for a violation.

#### **816.7 POST-ARREST PROCEDURES**

Employees should take reasonable efforts to ensure that animals or pets in an arrestee's care will be provided with proper care. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animals. Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.

---

## Jeanne Clery Campus Security Act

### 818.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

### 818.2 POLICY

The Steamboat Springs Police Services encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any Steamboat Springs Police Services facility. Reports will be accepted anonymously, by phone or via e-mail or on the institution's website.

It is the policy of the Steamboat Springs Police Services to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Steamboat Springs Police Services and the administration of the institution.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

### 818.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Ensure that the Steamboat Springs Police Services establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).
- (b) Enter into agreements as appropriate with local law enforcement agencies to:
  1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
  2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
  3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).
  4. Notify the Steamboat Springs Police Services of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).

# Steamboat Springs Police Services

## Policy Manual

### *Jeanne Clery Campus Security Act*

---

5. Notify the Steamboat Springs Police Services of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).
- (d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).
- (e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including, but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explains the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).
- (f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

#### **818.4 RECORDS COLLECTION AND RETENTION**

The Records Supervisor is responsible for providing Steamboat Springs Police Services statistics upon completion of a Statistical Request Form to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):
  1. Criminal Homicide
  2. Sex offenses, forcible or non-forcible
  3. Robbery
  4. Aggravated assault
  5. Burglary

# Steamboat Springs Police Services

## Policy Manual

### *Jeanne Clery Campus Security Act*

---

6. Motor vehicle theft
  7. Arson
  8. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
  9. Dating violence, domestic violence and stalking
- (b) Statistics concerning the crimes described in the section above, in addition to theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of hate crimes (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46 (c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 42 USC § 13925(a); 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur in the following places (20 USC § 1092(f)(12); 34 CFR 668.46 (c)(5)):
1. On campus.
  2. In or on a non-campus building or property.
  3. On public property within or immediately adjacent to and accessible from the campus.
  4. In dormitories or other on-campus, residential or student facilities
- (d) Statistics will be included by the calendar year in which the crime was reported to the Steamboat Springs Police Services (34 CFR 668.46(c)(3)).
- (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
- (f) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

#### 818.4.1 CRIME LOG

The Records Manager is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

(a) The daily crime log will record all crimes reported to the Steamboat Springs Police Department, including

the nature, date, time and general location of each crime, and the disposition, if known.

# Steamboat Springs Police Services

## Policy Manual

### *Jeanne Clery Campus Security Act*

---

(b) All log entries shall be made within two business days of the initial report being made to the Department.

(c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.

(d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection.

Information in the log is not required to be disclosed when:

1. Disclosure of the information is prohibited by law.
2. Disclosure would jeopardize the confidentiality of the victim.
3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

#### **818.5 INFORMATION DISSEMINATION**

It is the responsibility of the Administration Division Commander to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with the institution's procedures. This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e) and (g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46 (b)). This report will include, but is not limited to:
  1. Crime statistics and the policies for preparing the crime statistics.
  2. Crime and emergency reporting procedures, including the responses to such reports.
  3. Policies concerning security of and access to campus facilities.
  4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including:
    - (a) Procedures victims should follow.

# Steamboat Springs Police Services

## Policy Manual

### *Jeanne Clery Campus Security Act*

---

- (b) Procedures for protecting the confidentiality of victims and other necessary parties.
- 5. Enforcement policies related to alcohol and illegal drugs.
- 6. Locations where the campus community can obtain information about registered sex offenders.
- 7. Emergency response and evacuation procedures.
- 8. Missing student notification procedures.
- 9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

#### 818.5.1 INTERNAL INFORMATION DISSEMINATION

This department may provide information, including police reports, regarding any incident within its jurisdiction to (CRS § 23-5-141):

- (a) The director, or director's designee, of any campus program or unit with administrative responsibility for victim assistance, mental health services, university housing, student discipline processes or student affairs.
- (b) A campus behavioral intervention task force.

When providing information regarding a sexual assault or attempted sexual assault, the victim's name and identifying information shall be redacted unless the victim agrees otherwise, in writing, with respect to each administrator or task force that will be given the information.

---

## Communications Protocols

### 819.1 PURPOSE AND SCOPE

To guide personnel in using the police radio communications system in order to ensure effective and efficient command and control of police resources and to maximize employee safety.

### 819.2 POLICY

All calls received from the Communications Center will be responded to immediately unless a Steamboat Springs Police Supervisor or Officer in Charge approves otherwise.

### 819.3 DEFINITIONS

**CALL SIGN:** Each employee of the Department is assigned a "call sign" as a permanent designation. Whenever an employee uses the radio communications system, the appropriate call sign shall be used to assure proper identification.

**INDICATION OF DURESS:** A Department employee will use his/her assigned employee number to indicate duress when use of clear communication is prohibited by the nature of the situation (for example: being held hostage or other situation when the employee is in immediate need of assistance and cannot otherwise communicate the need). An employee will not use their assigned employee number in place of a call sign for identification during routine radio transmissions.

**USE OF RADIO CHANNELS:** Radio channels to be used by the Steamboat Springs Police Services Department will be assigned by the Communications Center with approval by the Communications Board. If the primary channel is being used by another agency to the extent police operations are becoming difficult, the Supervisor or Officer in Charge will make a request to the dispatcher to use another channel for police operations until the primary channel is clear. The Communications Center may inform officers to use another channel for police operations in some situations when deemed necessary.

**NATURE OF TRANSMISSION:** Employees shall restrict their transmissions to official business matters.

### 819.4 RADIO CODES AND PROCEDURES

**RADIO CODES AND PROCEDURES:** The following codes and phrases shall be used, when applicable, in local radio transmissions:

**OFFICER NEEDS HELP** - This emergency call shall be broadcast when immediate aid is needed by an officer. The requesting officer shall include their call sign, the location, and all other pertinent information. Dispatch will air an officer needs help at which time all available units will advise dispatch of their location. The closest unit will then be assigned "Code 3" and other available units shall respond "Code 2." An "Officer Needs Help" call shall be broadcast when "emergency assistance" is needed.

# Steamboat Springs Police Services

## Policy Manual

### *Communications Protocols*

---

OFFICER NEEDS ASSISTANCE - This emergency call shall be broadcast when additional aid is needed by an officer. The officer requesting shall include the location, followed by the call sign and all other pertinent information, including the reason for request. A specific unit shall be dispatched. This response will be "Code 2", and other available units in the vicinity shall respond when practicable.

OFFICER NEEDS BACK UP OR COVER - This call shall be broadcast when additional aid is needed however the response from other officers will be "Code 1".

CODE 1: A "Code 1" response is when a department vehicle is operated in compliance with all the rules of the road following all Colorado Motor Vehicle Laws. Normal Driving.

CODE 2: A "Code 2" response is when a department vehicle is operated in compliance with all the rules of the road, however the responding officer may use the lights and siren to move past slow vehicles or an intersection showing a red light when necessary. Officers must remember that during a Code 2 response, they must keep in mind the welfare of the public and drive accordingly. A Code 2 response does not give officers the right to exceed the speed limit or drive in a reckless manner. Code 2 allows officers to provide assistance to another officer by responding in a safe yet non-stop manner. Officers driving through an intersection showing a red light on a Code 2 response will use all necessary caution, using their lights and siren, ensuring the intersection is clear, and traffic is stopped before proceeding through the intersection.

CODE 3: The officer assigned the call will make the initial determination when a "Code 3" response is warranted. The shift sergeant or officer in charge will monitor the call and the Steamboat Springs Pursuit Policy will be followed. Police calls requiring a "Code 3" response will be responded to immediately, but in a manner which will enable the unit to reach the scene as quickly and safely as possible. The red light and siren shall be used whenever it is necessary to disregard provisions of Colorado Motor Vehicle Laws.

Incidents which may justify a "Code 3" response are listed below:

A life threatening public hazard.

The preservation of life.

A life threatening crime of violence in progress.

The prevention of a life threatening crime of violence.

An immediate pursuit.

A call for help from another officer.

An officer shall immediately broadcast his/her "Code 3" response to a call. The "Code 3" broadcast shall include the nature and location of the activity and, when known, the starting point, and destination.

When the "Code 3" has been terminated, the officer shall notify Communications as soon as is practical

# Steamboat Springs Police Services

## Policy Manual

### *Communications Protocols*

---

When more than one vehicle, (for example: ambulance, fire, police) is "Code 3" in the same general area, they shall be notified by Communications that units are "Code 3" in the vicinity. No more than one police vehicle shall be operated "Code 3" in any single incident, except with supervisory approval.

CODE 4: Will be used to indicate a situation is secured; sufficient units are on hand for the situation; or assistance is not needed. Units which are not at the scene shall return to their assigned patrol area when a "Code 4" is broadcast.

CLEAR FOR INFORMATION: When a one-man unit receives a "Clear for Information" in answer to a request for information on a suspect, the officer shall place himself/herself in a position of advantage and wait for assistance. Communications will wait for the officer's request before broadcasting the information. Once control is established, the officer can choose to request the information or to wait until another unit arrives before doing so.

PHONETIC ALPHABET: The following phonetic alphabet is to be used in radio transmissions.

TIME DESIGNATION: Standard military time designation shall be used in radio transmission; (for example: 9 a.m. is 0900 hours, 9 p.m. is 2100 hours.)

#### **819.5 DISPATCHING PROCEDURES**

The following procedures shall apply to the dispatching of calls:

DISPATCH TO CALL: Officers may respond to calls assigned to other units to provide back-up or other assistance. If another officer is in the vicinity of a call requiring immediate attention, that officer should inform dispatch that they will be handling the call. The dispatcher will then assign the call to the closer officer.

Any disagreements on call assignment will be handled by the shift Sergeant or Officer in Charge after the call has been handled. Call response shall not be delayed due to the fact the assigned officer feels an error in assignment has occurred.

Officers receiving a call near the end of a tour of duty shall be responsible for properly completing the call, except when specifically relieved of that call by an officer from an oncoming shift or a supervisor.

ARRIVAL AT SCENE: Upon arrival at the location of a dispatched call, officers shall properly inform the dispatcher of their arrival.

LEAVING THE VEHICLE: Whenever an officer is assigned to duties requiring immediate radio contact and must leave his/her Department vehicle, the officer shall inform the dispatcher, giving the location. Upon returning to the vehicle, the officer shall inform the dispatcher they are in service or clear.

# Steamboat Springs Police Services

## Policy Manual

### *Communications Protocols*

---

**COMPLETION OF CALL:** Upon completing an assignment or call, Department personnel shall notify the dispatcher, giving a short description of the action taken and that they are clear from the call.

**ACKNOWLEDGMENTS:** Neither field personnel nor dispatchers shall assume that their transmission has been received until a proper acknowledgment is received. After a reasonable pause, transmissions should be repeated until acknowledged.

**REQUESTING WANTS, WARRANTS, ETC.:** To determine if persons, vehicles, other items, etc., are wanted, the following information must be provided to Communications:

Persons: Name and date of birth.

State of origin for driver's license, if other than Colorado.

Vehicles: License number and state of issuance or vehicle identification number.

Other Articles: Item description, brand, serial number.

If the officer needs information on an extensive list of items, persons, etc., a telephone (land line) call should be placed directly to the Communications Center. Radio channels should be used only if telephone contact is not possible.

**REQUESTING CRIMINAL HISTORY INFORMATION BY RADIO:** The radio shall not be used for routine transmission of criminal history information. Criminal history information is protected under various federal and state laws and can only be broadcast over the radio in the following situations:

When there is a situation affecting the safety of a law enforcement officer or the general public.

When a law enforcement officer determines that in order to further the investigation, an immediate need for the information is required.

Absent either of the above situations, all criminal history information shall be requested from personnel authorized to obtain such information and the requests shall be made in person or by phone (land line).

**DESCRIPTION INFORMATION:** If suspects have fled from the scene of an incident, descriptions of the suspects and/or vehicles involved, etc., shall be given to Communications as soon as possible to be aired to all appropriate agencies.

**ADVISING ADJOINING LAW ENFORCEMENT AGENCIES OF SERIOUS CRIMES:** When Communications personnel receive information of a felony crime of violence (for example: armed robbery, etc.), information will be directed to Colorado law enforcement agencies by a "Be On the Lookout" (BOLO).

The information on a crime and/or suspect must be sent to adjoining agencies as soon as the Steamboat Springs Police Services Department determines a crime has taken place and sufficient information is available to alert outside agencies of the crime. Suspect and additional information may be sent as an update to the original BOLO.

# Steamboat Springs Police Services

## Policy Manual

### *Communications Protocols*

---

#### **819.6 MISSED CALLS**

**MISSED CALLS:** If an officer who is required to be in radio contact with Communications (for example: patrol units, etc.) fails to respond to a radio call and has not arrived at the scene of a call or notified Communications that she/he will be out of radio contact, these procedures will be followed:

The shift Sergeant or officer in charge will be notified.

Each time a radio call for that unit is made the time is automatically recorded via dictaphone recorder in dispatch.

Attempts to call the unit shall continue for fifteen minutes after the first missed call.

When a missing officer is located, the Patrol Sergeant or Officer in Charge will ascertain why the officer was not available and report the findings either orally or in writing to the Operations Commander. The Operations Commander may take immediate action, which is appropriate and authorized, or may forward the report for action to the Chief of Police.

The involved Supervisor or Officer in Charge shall request recorded call times from dispatch. These times will then be made available to the Operations Commander to aid in determining if disciplinary action is warranted.

## Chapter 9 - Custody

## Custody Searches

### 900.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of persons in custody.

#### 900.1.1 PHILOSOPHY

It is the policy of this department that all custody searches should be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of persons subject to any search.

### 900.2 DEFINITIONS OF SEARCHES

Definitions related to this policy include:

**Body cavity search** - An inspection of any body cavity, including the stomach, anal or vaginal cavity, of a person that is conducted visually, manually or in any other manner. For purposes of this policy, a body cavity search does not include a search of a person's mouth (CRS § 16-3-405(5)).

**Booking search** - A search of an arrested person and the arrested person's personal property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Search** - A thorough visual and manual examination of an arrested person and the area immediately around that person for weapons, contraband or evidence that might be destroyed. A search does not require the removal or arrangement of some or all of a person's undergarments or clothing directly covering the person's genitalia, buttocks, anus or female breasts.

**Strip search** - A search that requires a person to remove or arrange some or all of his/her clothing to permit a visual inspection of the genitals, buttocks, anus or female breasts of such person (CRS § 16-3-405(2)).

### 900.3 ARREST AND TRANSPORTATION SEARCHES

An officer should conduct a search of an arrestee immediately after the arrest, when receiving an arrestee from another person, and before transporting an arrestee in any police vehicle.

Whenever practicable, a search should be conducted by an officer of the same gender as the person being searched. If an officer of the same gender is not reasonably available, it is recommended that a witness officer be present during any search of a person of opposite gender as the searching officer.

When an officer conducts a search on a person of the opposite sex, the officer will prepare written documentation in the arrest report of the manner and location of the search and the name of the witnessing officer.

# Steamboat Springs Police Services

## Policy Manual

### *Custody Searches*

---

#### **900.4 BOOKING SEARCHES**

For the safety of everyone in the holding facility, all detainees brought into the facility will be searched.

##### **900.4.1 SEARCHES AT TEMPORARY HOLDING OR CUSTODIAL FACILITIES**

Immediately upon securing weapons, officers bringing detainees into the holding facility shall thoroughly search their detainees.

All detainees brought into the facility shall be searched by an officer or other authorized employee of the facility before the officer bringing in the detainee relinquishes control. When a detainee has been handcuffed, the detainee should remain handcuffed until the search is substantially completed.

In the case of female detainees, all searches shall be conducted by a female officer or designated female employee. Male employees shall remain outside the closed door. However, they should remain available to assist immediately if needed. Should a female detainee become combative, an officer of either gender may be assigned to restrain her. The appropriate search may be completed when additional female officers are available to assist in the search.

##### **900.4.2 HANDLING OF DETAINEE'S PROPERTY**

Employees shall take reasonable care in the handling of a detainee's property to avoid discrepancies or losses.

Any personal property belonging to a detainee but retained by an officer for safekeeping shall be kept in a secure location until the detainee is released or transferred. Smaller items, such as a driver's license, pocket knife, wallet, prescription medication, jewelry and other similar property, shall be placed in a property bag and sealed. Any property too large to be secured in the facility shall be booked into property for safekeeping. Any property that will not otherwise be accepted by a receiving facility in the event of a detainee transfer should also be booked into property for safekeeping. All property shall be listed by objective description on the booking form and the detainee's signature shall be affixed to the completed inventory. If the detainee's signature cannot be obtained, the inventory shall be witnessed by another staff person.

Property belonging to the detainee but retained by an officer as evidence, shall be booked according to procedures. The detainee shall be advised that such property will be kept as evidence and if requested, the officer shall issue the detainee a receipt. Such receipt may be a copy of the property booking form, written out in the officer's handwriting or typed for his/her personal signature. It should include the description of the property (but not its value), the case number, date, time, officer's badge number and signature. When a receipt is issued, it should be mentioned in the arrest report.

If the detainee is legally in possession of marijuana or marijuana products, the arresting officer should make an attempt to leave the marijuana in the detainee's home or vehicle, whenever practical.

# Steamboat Springs Police Services

## Policy Manual

### *Custody Searches*

---

#### 900.4.3 VERIFICATION OF DETAINEE'S MONEY

All money belonging to the detainee and retained by an officer shall be counted in front of the detainee. When possible, the detainee shall initial the dollar amount on the booking sheet. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The person sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added to the cash envelope, the officer making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

#### **900.5 STRIP SEARCHES**

A strip search at the holding facility may be conducted as follows:

- (a) An employee may strip search a person only:
  1. If the employee has a reasonable belief that the person is concealing a weapon or controlled substance that could not otherwise be discovered (CRS § 16-3-405(1)).
  2. Pursuant to a search warrant authorizing the search.
- (b) No strip search shall be conducted without prior written authorization from the Shift Supervisor or supervisor (CRS § 16-3-405(4)).
- (c) All strip searches shall be conducted in a secure area of privacy so that the search cannot be observed by persons not physically conducting the search (CRS § 16-3-405(3)).
- (d) The employee(s) conducting the strip search shall be of the same gender as the person being searched (CRS § 16-3-405(3)).
- (e) Whenever possible, a second employee of the same gender should assist in conducting the search.
- (f) Employees conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched.
- (g) The primary employee conducting the search shall prepare a written report to include:
  1. The written authorization for the search obtained from the Patrol Captain.
  2. The name of the person who was searched.
  3. The name of the person who conducted the search.
  4. The name of any person who assisted during the search.
  5. The time and date of the search.
  6. The place at which the search was conducted.
  7. A list of the items, if any, recovered during the search.

# Steamboat Springs Police Services

## Policy Manual

### *Custody Searches*

---

8. The facts upon which the employee believed the person searched was concealing a weapon or controlled substance.
- (h) A copy of the written authorization and report shall be retained and made available upon request to the detainee or the detainee's authorized representative.
- (i) No employee should view a detainee's private underclothing, buttocks, genitalia or female breasts while that person is showering or changing clothes, unless the detainee otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the detainee with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the detainee's consent and/or otherwise protect the detainee's privacy and dignity.

#### 900.5.1 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

No strip search shall be conducted outside of the holding facility, except as follows:

- (a) An officer must have authorization from the Shift Supervisor or supervisor before conducting a strip search outside of the holding facility.
- (b) The Shift Supervisor or supervisor may authorize a strip search in the field only in exceptional circumstances, when transporting the person to be searched to the holding facility is impracticable, and when:
  1. The officer articulates probable cause to arrest the subject and probable cause to believe that the subject is concealing a weapon or other dangerous items.
  2. The officer articulates probable cause to arrest the subject and probable cause to believe that the subject is concealing a controlled substance and there is no reasonable alternative to ensure the arrestee cannot destroy or ingest the substance during transportation.
- (c) The officer conducting the strip search shall be of the same gender as the person being searched.
- (d) Whenever possible, a second officer of the same gender should assist in conducting the search as necessary.
- (e) Officers conducting the search shall not touch the breasts, buttocks or genitalia of the person being searched.
- (f) The strip search shall be conducted in an area of privacy so that the search cannot be observed by persons not participating in the strip search.
- (g) The primary officer conducting the search shall prepare a written report to include:
  1. The name of the Shift Supervisor or supervisor who authorized the search.
  2. The name of the person who was searched.
  3. The name of the person who conducted the search.

# Steamboat Springs Police Services

## Policy Manual

### *Custody Searches*

---

4. The name of any person who witnessed the search.
  5. The time and date of the search.
  6. A description of the place at which the search was conducted.
  7. A list of the items, if any, recovered during the search.
  8. The reason transporting the person to the holding facility prior to the search was impracticable.
  9. The facts upon which the officer based his/her probable cause for the search.
- (h) A copy of the report shall be maintained and a copy shall be given to the person who was searched.

#### **900.6 BODY CAVITY SEARCH**

A body cavity search at the holding facility may be conducted as follows:

- (a) An officer shall not conduct a body cavity search. A body cavity search shall only be conducted by a physician or nurse (CRS § 16-3-405(5)). A facility operated by another entity (such as a hospital detention or custody facility) may require determination of which physician or nurse is capable or willing to perform the search.
- (b) No person shall be subjected to a body cavity search without a search warrant unless there is a legitimate medical emergency that makes obtaining a warrant impracticable.
- (c) Authorized medical personnel may conduct a body cavity search only for one or more of the following reasons:
  1. There is probable cause to believe that the person to be searched is concealing evidence of the commission of a criminal offense, including fruits or tools of a crime, contraband or a deadly weapon that could not otherwise be discovered.
  2. There is a legitimate medical or hygienic reason.
- (d) No person shall be subjected to a body cavity search without written approval of the Shift Supervisor or supervisor unless there is a legitimate medical emergency that makes obtaining written approval impracticable.
- (e) A body cavity search must be performed under sanitary conditions.
- (f) Except for medical personnel, persons present must be of the same gender as the person being searched.
- (g) A body cavity search must be conducted in an area of privacy so that the search cannot be observed by persons not participating in the strip search.
- (h) Upon completion of a body cavity search, the employee requiring the search shall complete a written report concerning the search, which shall include:

# Steamboat Springs Police Services

## Policy Manual

### *Custody Searches*

---

1. The written authorization for the search obtained from the Shift Supervisor or supervisor.
  2. If the body cavity search was conducted before or without the issuance of a search warrant, or if the body cavity search was conducted before or without the granting of written authorization from the Shift Supervisor or supervisor, the legitimate medical reason or medical emergency that justified the warrantless search or made obtaining written authorization impracticable
  3. The name of the person who was searched.
  4. The name of the person or persons who conducted the search.
  5. The name of any person who participated in the search.
  6. The time and date of the search.
  7. The place at which the search was conducted.
  8. A list of the items, if any, recovered during the search.
  9. The facts upon which the officer based his/her probable cause for the body cavity search.
- (i) A copy of the report shall be maintained and a copy shall be given to the person who was searched. A copy of the search warrant and the result of a body cavity search shall be included in a written report and made available, upon request, to the detainee or the detainee's authorized representative.

---

## Temporary Custody of Adults

### 901.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Steamboat Springs Police Services for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

#### 901.1.1 DEFINITIONS

Definitions related to this policy include:

**Holding cell/cell** - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

**Safety checks** - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

**Temporary custody** - The time period an adult is in custody at the Steamboat Springs Police Services prior to being released or transported to a housing or other type of facility.

### 901.2 POLICY

The Steamboat Springs Police Services is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

### 901.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

#### 901.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Steamboat Springs Police Services, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Adults*

---

- (d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy).
  - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

#### **901.3.2 SUPERVISION IN TEMPORARY CUSTODY**

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision (6 CCR 1010-13:18.0). Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, male department members should not enter the cell of a female unless a female department member is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

#### **901.4 INITIATING TEMPORARY CUSTODY**

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others (6 CCR 1010-13:14.0). The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent. If there is any suspicion that the individual may

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Adults*

---

be suicidal, he/she shall be transported to the Routt County jail or the appropriate mental health facility.

The officer should promptly notify the Shift Supervisor of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Supervisor shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

#### **901.5 SAFETY, HEALTH AND OTHER PROVISIONS**

##### **901.5.1 MEDICAL CARE**

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times (6 CCR 1010-13:14.0).

Should a person in custody be injured or become ill, appropriate medical aid will be summoned. A supervisor shall meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Steamboat Springs Police Services. They should be released or transferred to another facility as appropriate.

##### **901.5.2 ORTHOPEDIC OR PROSTHETIC APPLIANCE**

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Shift Supervisor shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

##### **901.5.3 TELEPHONE CALLS**

Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival (CRS § 16-3-402).

- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.
  1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
- (b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Adults*

---

1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.
- (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

#### **901.5.4 ATTORNEYS**

The Shift Supervisor is responsible to ensure the following:

- (a) Any attorney in this state shall be permitted to see and consult with a person in custody, alone and in private (CRS § 16-3-404):
  1. Upon the demand of the person in custody.
  2. Upon demand of a friend, relative, spouse or attorney of the person in custody, if the person expressly consents to see or to consult with the attorney.
- (b) A person in custody shall be allowed to consult with an attorney as many times and for as long as reasonable.
- (c) Any attorney and the person in custody should be searched for weapons prior and after being admitted to an interview room.
- (d) Attorneys must produce a current identification card or license from a recognized state regulatory or licensing agency, as well as other matching appropriate identification.
- (e) Interviews between attorneys and their clients shall not be monitored or recorded.

#### **901.6 USE OF RESTRAINT DEVICES**

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Steamboat Springs Police Services unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

##### **901.6.1 PREGNANT ADULTS**

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

#### **901.7 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY**

The Patrol Division Commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Steamboat Springs Police Services. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate

# Steamboat Springs Police Services

## Policy Manual

### *Temporary Custody of Adults*

---

- (b) Immediate notification of the Shift Supervisor, Chief of Police and Investigation Division Commander
- (c) Notification of the spouse, next of kin or other appropriate person
- (d) Notification of the appropriate prosecutor
- (e) Notification of the City Attorney
- (f) Notification of the Coroner
- (g) Evidence preservation

#### **901.8 RELEASE AND/OR TRANSFER**

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the Steamboat Springs Police Services unless escorted by a member of the Department.
- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.
  - 1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as required.

#### **901.9 TRAINING**

Department members should be trained and familiar with this policy and any supplemental procedures.

## Chapter 10 - Personnel

---

## Recruitment and Selection

### 1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Steamboat Springs Police Services and that are promulgated and maintained by the Department of Human Resources.

### 1000.2 STANDARDS

Employment standards shall be established for each job classification and shall include minimally, the special training, abilities, knowledge and skills required to perform the duties of the job in a satisfactory manner. The Steamboat Springs Department of Human Resources maintains standards for all positions.

The challenge facing the Department is one of developing a job-valid and non-discriminatory set of policies that will allow it to lawfully exclude persons who do not meet the Steamboat Springs or State of Colorado hiring standards. The Colorado Peace Officer Standards and Training (POST) Board statutorily prescribes minimum standards for employment for certified employees and a preemployment investigation of a candidate's background (CRS § 24-31-303(1(f) and CRS 24-31-304(3)).

The following standards have been adopted for public safety applicants.

#### 1000.2.1 OPERATION OF A MOTOR VEHICLE

- (a) The ability to possess a valid Colorado driver's license.
- (b) The ability to drive safely.
- (c) The ability to control a motor vehicle at high speeds.
- (d) The ability to operate a motor vehicle in all types of weather conditions.
- (e) The following may be disqualifying:
  - 1. Receipt of three or more moving violations within three years or a reckless driving conviction within five years prior to application. Moving violations for which there is a factual finding of innocence shall not be included.
  - 2. Involvement as a driver in two or more chargeable (at fault) collisions within three years prior to the date of application.
  - 3. A conviction for driving under the influence of alcohol (DUI or DWI) and/or controlled substances within 5 years preceding the date of application or during the hiring process.

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

#### 1000.2.2 INTEGRITY

- (a) Refusing to yield to the temptation of bribes, gratuities and payoffs.
- (b) Refusing to tolerate unethical or illegal conduct on the part of other law enforcement personnel.
- (c) Showing strong moral character and integrity in dealing with the public.
- (d) Being honest in dealing with the public.
- (e) The following shall be disqualifying:
  - 1. Any material misstatement of fact or significant admission during the application or background process shall be disqualifying, including inconsistent statements made during the initial background interview, documents submitted or discrepancies between this background investigation and other investigations conducted by other law enforcement agencies.
  - 2. Any forgery, alteration or intentional omission of material facts on an official employment application document or sustained episodes of academic cheating.

#### 1000.2.3 CREDIBILITY AS A WITNESS IN A COURT OF LAW

- (a) The ability to give testimony in a court of law without being subject to impeachment due to honesty or veracity (or their opposites) or due to a conviction for a felony or crime involving dishonesty or making a false statement.
- (b) Applicants shall be disqualified for:
  - 1. Conviction of one DUI violation within the preceding five years.
  - 2. Conviction of a second DUI violation.
  - 3. Admission, conviction or adjudication of having committed any act defined as a felony under Colorado law, federal law, the law of another state or the Uniform Code of Military Justice.
  - 4. Violations of the public trust, including admissions or administrative findings of any act while employed as a peace officer (including military police officers) involving lying, falsification of any official report or document or theft.
  - 5. Admissions or conviction of any act of family violence as defined by law, committed as an adult.
  - 6. Admissions of any criminal or delinquent act, whether misdemeanor or felony, committed against children including, but not limited to, molesting or annoying children, child abduction, child abuse, criminal sexual conduct or indecent exposure.
  - 7. Admission, conviction or adjudication of having committed any misdemeanor pursuant to CRS § 24-31-305(1.5)(b-h).

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

8. Any history of work-related actions resulting in civil lawsuits that found against the applicant or his/her employer may be disqualifying.

#### 1000.2.4 DEPENDABILITY

- (a) Having a record of submitting reports on time and not malingering on calls.
- (b) A record of being motivated to perform well.
- (c) A record of dependability and follow through on assignments.
- (d) A history of taking the extra effort required for complete accuracy in all details of work.
- (e) A willingness to work the hours needed to complete a job.
- (f) Applicants may be disqualified for:
  1. Missing any scheduled appointment during the hiring process without prior permission.
  2. Arriving late for any scheduled appointment during the hiring process without making telephone notification as to the reason for the delay.
  3. Having been disciplined by any employer, including military, as an adult for abuse of leave, gross insubordination, dereliction of duty or persistent failure to follow established policies and regulations.
  4. Having been involuntarily dismissed, for any reason other than layoff, from two or more employers as an adult.
  5. Having held more than seven paid positions with different employers within the past four years, or more than 15 paid positions with different employers in the past 10 years (excluding military). Students who attend school away from their permanent legal residence may be excused from this requirement as well as other persons with a reasonable explanation for an extensive job history.
  6. Having undergone personal bankruptcy more than once.
  7. Having current financial obligations for which legal judgments have not been satisfied.
  8. Having wages currently garnished.
  9. Any other history of financial instability.
  10. Resigning from any paid position without notice may be disqualifying, except where the presence of a hostile work environment is alleged or other reasonable cause existed.
  11. Having any outstanding warrant of arrest at time of application.
  12. Pending criminal matters.

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

#### 1000.2.5 LEARNING ABILITY

- (a) The ability to comprehend and retain information.
- (b) The ability to recall information pertaining to procedures, rules or regulations.
- (c) The ability to recall information pertaining to laws, statutes and codes.
- (d) The ability to learn and to apply what is learned.
- (e) The ability to learn and apply the material, tactics and procedures that are required of the position.
- (f) Applicants shall be disqualified for:
  - 1. Being under current academic dismissal from any college or university where such dismissal is still in effect and was initiated within the past two years prior to the date of application.
  - 2. Having been academically dismissed from any POST-certified basic law enforcement academy wherein no demonstrated effort has been made to improve in the deficient areas. Subsequent successful completion of another POST basic law enforcement academy shall rescind this prohibition.

#### 1000.2.6 PERSONAL SENSITIVITY

- (a) The ability to resolve problems in a way that shows sensitivity for the feelings of others.
- (b) Empathy.
- (c) Discretion in applying authority.
- (d) Effectiveness in dealing with people without arousing irrational antagonism.
- (e) The ability to understand the motives of people and how they will react and interact.
- (f) Applicants may be disqualified for:
  - 1. Having been disciplined by any employer, including the military and/or any law enforcement training facility, for acts constituting racial, ethnic or sexual harassment or discrimination.
  - 2. Uttering any epithet derogatory of another person's race, religion, gender, national origin or sexual orientation.
  - 3. Having been disciplined by any employer as an adult for fighting in the workplace.

#### 1000.2.7 JUDGMENT UNDER PRESSURE

- (a) The ability to apply appropriate problem-solving and decision-making skills under stressful conditions.
- (b) The ability to make sound decisions on the spot.

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

- (c) The ability to use good judgment in dealing with potentially explosive situations.
- (d) The ability to make effective, logical decisions under pressure.
- (e) Applicants shall be disqualified for:
  - 1. Admissions of administrative findings or criminal convictions for any act amounting to assault under color of authority, use of excessive force pursuant to CRS § 18-8-803 or any violation of federal or state civil rights laws.
  - 2. Admission of administrative findings or criminal conviction for failure to properly report witnessed criminal conduct committed by another law enforcement officer pursuant to CRS § 18-8-802 or equivalent laws.

#### 1000.2.8 ILLEGAL USE OR POSSESSION OF CONTROLLED SUBSTANCES

- (a) The following examples of illegal controlled substance use or possession will be considered automatic disqualifiers for applicants, with no exceptions:
  - 1. Any adult use or possession of a drug classified as a hallucinogenic within seven years prior to application for employment.
  - 2. Any adult use or possession of marijuana within two years prior to application for employment.
  - 3. Any other illegal adult use or possession of a controlled substance not mentioned above, including cocaine, within seven years prior to application for employment.
  - 4. Without regard to date, any illegal adult use or possession of a controlled substance while employed in any law enforcement capacity, military police or as a student enrolled in college accredited courses related to the criminal justice field.
  - 5. Any adult sale, manufacture or cultivation of a controlled substance.
  - 6. Failure to honestly divulge to the Department any information about personal illegal use or possession of a controlled substance.
  - 7. Any drug test of the applicant, during the course of the hiring process, where illegal controlled substances are detected.
- (b) The following examples of illegal controlled substance use or possession will be considered in relationship to the overall background of that individual and may result in disqualification:
  - 1. Any illegal use or possession of a controlled substance as a juvenile.
  - 2. Any illegal adult use or possession of a controlled substance that does not meet the criteria of the automatic disqualifiers specified above (e.g., marijuana use longer than two years ago or cocaine use longer than seven years ago).
  - 3. Any illegal or unauthorized use of prescription medications.

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

#### **1000.3 OFFICER SELECTION PROCESS**

- (a) Applicants for entry-level officer positions will apply to the City Department of Human Resources and are required to (CRS § 24-31-303):
  - (a) Meet qualifications of POST and the Department, as required by this policy or law.
  - (b) Pass an entrance examination.
  - (c) Pass a physical agility test. Applicant must sign a waiver indicating they are in sufficient physical condition to take a physical agility test.
  - (d) Obtain an acceptable passing score from a structured oral interview board.
  - (e) At the discretion of the Chief of Police a non sworn applicant may be allowed to participate in the hiring process. This would be consideration to be sponsored by the Police Department to a P.O.S.T. academy
- (b) The highest ranking candidates based on the above criteria will advance to the following process, any unactable results will disqualify the candidate and they will no longer be considered for employment:
- (c) The top candidates meeting Department hiring criteria may then be given a conditional offer of employment, with hiring and appointment contingent upon the successful completion of the following:
  - (a) Pre-Psychological evaluation (acceptable Pre-Psychological candidate receives a conditional job offer)
  - (b) Post-Psychological
  - (c) Polygraph evaluation
  - (d) Medical evaluation (with drug test)
  - (e) Background investigation
  - (f) Chief of Police final interview
- (a) Regular employee status may be granted upon:
  - 1. Successful completion of field training.
  - 2. Successful completion of probation.

#### **1000.3.1 LATERAL TRANSFER OFFICER SELECTION PROCESS**

Basic certified officer applicants (laterals) currently employed full time with other agencies with a minimum four years full-time patrol law enforcement experience may be deemed to have met various entry requirements and specific steps may be waived at the discretion of the Chief of Police or the authorized designee.

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

#### **1000.4 CIVILIAN SELECTION PROCESS**

- (a) Applicants for all non-sworn positions will apply to the City Department of Human Resources and are required to:
1. Meet Department qualifications.
  2. Successfully complete an employment examination, if applicable.
  3. Obtain an acceptable passing score from a structured oral interview board.
  4. Successfully complete a background investigation.
- (b) Candidates meeting Department hiring criteria may then be given a conditional offer of employment, with hiring and appointment contingent upon the successful completion of the following:
1. Drug test
  2. Chief of Police final interview
- (c) Regular employee status may be granted upon:
1. Successful completion of training.
  2. Successful completion of probation.

#### **1000.5 EMPLOYMENT STANDARDS**

All candidates shall meet the minimum standards required by state law (CRS § 24-31-305; 4 CCR 901-1:10). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

##### **1000.5.1 STANDARDS FOR OFFICERS**

Candidates shall meet the following minimum standards established by the Colorado Peace Officer Standards and Training (POST) Board (CRS § 24-31-305; 4 CCR 901-1:10):

- (a) Completion of basic training and passage of a POST administered examination, as applicable (CRS § 24-31-305).
- (b) Be a citizen of the United States, a legal permanent resident or otherwise lawfully present in the United States pursuant to federal law (CRS § 24-76.5-103).
- (c) Be a resident of the state of Colorado (CRS § 29-5-101).
- (d) Possess a valid Colorado driver's license or United States military card (CRS § 24-76.5-103).

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

- (e) Have submitted to both a physical and a psychological evaluation (CRS § 24-31-303).
- (f) Have a high school diploma or equivalent (CRS § 24-31-305).
- (g) Possess a current first aid and cardio pulmonary resuscitation certificate (CRS § 24-31-305).
- (h) Have submitted to a fingerprint-based criminal history record check (CRS § 24-31-303).
- (i) Free of any felony convictions or any misdemeanor convictions provided in CRS § 24-31-305(1.5).

#### **1000.6 POLICY**

In accordance with applicable federal, state and local law, the Steamboat Springs Police Services provides equal opportunities for applicants and employees, regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, genetic information, veteran status, marital status, sex or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

#### **1000.7 RECRUITMENT**

The Operations Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong Internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Operations Commander shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

#### **1000.8 SELECTION PROCESS**

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Citizenship verification, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents
- (e) Information obtained from public Internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state and federal criminal history record checks
- (h) Polygraph or computer voice stress analyzer (CVSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

##### 1000.8.1 VETERAN'S PREFERENCE

Veterans and spouses of veterans of the United States Armed Forces shall receive preference as applicable (CRS § 29-5.5-104; Colorado Constitution Article XII, § 15(1)).

#### **1000.9 BACKGROUND INVESTIGATION**

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Steamboat Springs Police Services.

##### 1000.9.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d; 16 CFR 600 et seq.).

##### 1000.9.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administration Division Commander should not require candidates to provide passwords, account information or access to password-protected social media accounts.

# Steamboat Springs Police Services

## Policy Manual

### *Recruitment and Selection*

---

The Administration Division Commander should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, Internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administration Division Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

#### **1000.9.3 DOCUMENTING AND REPORTING**

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

#### **1000.9.4 RECORDS RETENTION**

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

#### **1000.10 DISQUALIFICATION GUIDELINES**

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

## Reporting of Employee Convictions

### 1010.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

### 1010.2 DOMESTIC VIOLENCE CONVICTIONS AND PROTECTION ORDERS

Colorado and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; CRS § 18-12-108).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

### 1010.3 CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Colorado (CRS § 24-31-305(1.5)(a)).

If a person is convicted of a misdemeanor crime listed in CRS § 24-31-305(1.5) after July 1, 2001, they may not obtain POST certification without a waiver or may have their POST certification suspended or revoked.

Even when legal restrictions are not imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by a member of this department may prohibit him/her from carrying out law enforcement duties.

#### 1010.3.1 COURT ORDERS

All employees shall promptly notify the department if they are part of any criminal or civil court order. Court orders may prevent peace officers from possessing a firearm or require suspension or revocation of their peace officer POST certificate (see generally CRS § 24-31-303).

### 1010.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction, regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired

# Steamboat Springs Police Services

## Policy Manual

### *Reporting of Employee Convictions*

---

officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

#### **1010.5 PROCEDURE FOR RELIEF**

A peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such judicial relief and the granting of a state court petition will not relieve one of the restrictions imposed by federal law.

Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on his/her own time and through his/her own resources.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

## Alcohol and Drug Use

### 1012.1 PURPOSE AND SCOPE

The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any employee or member of the public. The Steamboat Springs Police Services discourages alcohol and drug abuse and strives to achieve a workforce free from the influence of drugs and alcohol.

### 1012.2 GENERAL GUIDELINES

The consumption of illegal drugs including, but not limited to the personal possession and use of marijuana, is strictly prohibited and the consumption of alcohol by on-duty personnel is generally prohibited except as necessary and expressly authorized in the performance of an official special assignment. Personnel who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Employees who have consumed an amount of an alcoholic beverage or taken any medication that would tend to adversely affect their mental or physical abilities shall not report for duty. The affected employee shall notify the Shift Supervisor or appropriate supervisor as soon as the employee is aware that he/she will not be able to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner.

#### 1012.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY

Department employees shall not purchase or possess alcohol while on-duty except in the performance of a special assignment as described in this policy.

Department employees shall not purchase or possess controlled substances, unless prescribed by a medical professional with the authority to prescribe controlled substances.

Department employees shall not illegally manufacture any alcohol or drugs.

#### 1012.2.2 USE OF PRESCRIBED MEDICATIONS

Department employees who are medically required to take prescription medication during work hours shall not allow such medication to impair their ability to perform their work. Any employee who is required to take any medication with side effects which might impair his/her ability to fully and safely perform all requirements of the position shall report the need for such medication to his/her immediate supervisor.

No employee shall be permitted to work on or drive a vehicle owned or leased by the Department while taking such potentially impairing medication without a written release from his/her physician.

### 1012.3 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary Employee Assistance Program to assist employees who wish to seek help for alcohol and drug problems. There may also be available a variety of insurance coverages which provide treatment for drug and alcohol abuse. Employees may contact the

# Steamboat Springs Police Services

## Policy Manual

### *Alcohol and Drug Use*

---

Department of Human Resources, their insurance provider or the Employee Assistance Program for additional information.

Employees who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through an Employee Assistance Program or their insurance provider. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

Employees may use leave for confidential visits consistent with the Paid Time Off Policy.

#### **1012.4 WORK RESTRICTIONS**

If an employee informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with the safe and efficient performance of his/her duties, the employee may be required to obtain clearance from his/her physician before he/she continues to work.

If a supervisor reasonably believes, based upon objective facts, that an employee's ability to perform his/her duties safely and efficiently may be impaired by the consumption of alcohol or other drugs, the supervisor may ask the employee whether he/she has consumed any alcohol or other drugs and, if so the amount and type of alcohol or other drug consumed, the time of consumption and the name of the person who prescribed the controlled substance.

If the supervisor reasonably believes, based on objective facts, that an employee is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the employee from continuing work and shall transport him/her or cause him/her to be transported safely away from the Department.

#### **1012.5 REQUESTING SCREENING TESTS**

The department may request an employee to submit to a screening test if the department:

- (a) Reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) Informs the employee of the specific facts supporting its belief and prepares a written record of those facts, and:
  1. Informs the employee in writing whether the test will be for alcohol or drugs, or both.
  2. Informs the employee that the result of the test is not admissible in any criminal proceeding against him/her.
  3. Informs the employee that he/she may refuse the test, but that his/her refusal may result in dismissal or other disciplinary action.

##### **1012.5.1 ADDITIONAL SCREENING TESTS FOR OFFICERS**

The department may request an employee to submit to a screening test if the employee:

- (a) Is a law enforcement officer and, during the performance of his/her duties, discharges a firearm other than by accident.

# Steamboat Springs Police Services

## Policy Manual

### *Alcohol and Drug Use*

---

- (b) During the performance of his/her duties, drives a motor vehicle in such a manner as to cause bodily injury to him/herself or another person or substantial damage to property.

#### **1012.5.2 SCREENING TEST REFUSAL**

An employee is subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test which indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested by his/her appointing authority, that he/she had taken the controlled substance as directed pursuant to a current and lawful prescription issued in his/her name.

#### **1012.6 CONFIDENTIALITY**

The Department recognizes the confidentiality and privacy due employees. Disclosure of any information relating to chemical abuse treatment, except on a need to know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening test may be provided to the employee but will remain confidential and separate from the employee's other personnel files.

## **Paid Time Off**

### **1014.1 PURPOSE AND SCOPE**

Employees of this department are provided with a leave benefit that gives them continued compensation during times of absence . The number of hours available is detailed in the City of Steamboat Springs Personnel and Regulation Manual (PARM). Employees may also be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (29 CFR 825.100).

---

## Communicable Diseases

### 1016.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

#### 1016.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

**Exposure** - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Steamboat Springs Police Services. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

### 1016.2 POLICY

The Steamboat Springs Police Services is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

### 1016.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
  1. Providing baseline testing for members who are exposed to known or possible sources of hepatitis C during the course and within the scope of employment (CRS § 8-42-101).

# Steamboat Springs Police Services

## Policy Manual

### *Communicable Diseases*

---

2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
3. Reporting of diseases to (6 CCR 1009-1:1 et seq.; 6 CCR 1009-7:1 et seq.; 6 CCR 1009-9:1 et seq.).
4. Reporting cases of active or suspected tuberculosis to the Colorado Department of Public Health and Environment (CRS § 25-4-502; 6 CCR 1009-1:4).

The ECO should periodically review and update the exposure control plan and review implementation of the plan.

#### **1016.4 EXPOSURE PREVENTION AND MITIGATION**

##### **1016.4.1 GENERAL PRECAUTIONS**

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
  1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

# Steamboat Springs Police Services

## Policy Manual

### *Communicable Diseases*

---

#### 1016.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost.

#### **1016.5 POST EXPOSURE**

##### 1016.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

##### 1016.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury and Death Reporting and Illness and Injury Prevention Program policies).

##### 1016.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.

# Steamboat Springs Police Services

## Policy Manual

### *Communicable Diseases*

---

- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

#### 1016.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

#### 1016.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Working with the Colorado Department of Public Health and Environment or local health officers through their authority to investigate and control communicable diseases (CRS § 25-1.5-102; CRS § 25-4-506; CRS § 25-4-1405).
- (c) Obtaining a court order for exposures related to assault offenses (CRS § 18-3-202; CRS § 18-3-203; CRS § 18-3-204).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

#### **1016.6 CONFIDENTIALITY OF REPORTS**

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law).

Test results from persons who may have been the source of an exposure are to be kept confidential as well.

#### **1016.7 TRAINING**

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training:

- (a) Should be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Should be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

# Steamboat Springs Police Services

## Policy Manual

### *Communicable Diseases*

---

- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

## Smoking and Tobacco Use

### 1018.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Steamboat Springs Police Services facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### 1018.2 POLICY

The Steamboat Springs Police Services recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy.

### 1018.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Steamboat Springs Police Services.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

### 1018.4 ADDITIONAL PROHIBITIONS

No person shall smoke or use any tobacco product inside department facilities and no member shall smoke tobacco products within 15 feet of an entryway of any department building (CRS § 25-14-204).

## Personnel Complaints

### 1020.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Steamboat Springs Police Services. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

### 1020.2 POLICY

The Steamboat Springs Police Services takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

### 1020.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

#### 1020.3.1 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Complaints*

---

#### 1020.3.2 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the Shift Supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

#### 1020.3.3 REPORTING AUTHORITY

The person responsible for the Internal Affairs has the authority to report matters directly to the Chief of Police when necessary.

### **1020.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS**

#### 1020.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

#### 1020.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

### **1020.5 DOCUMENTATION**

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint.

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Complaints*

---

On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

#### **1020.6 ADMINISTRATIVE INVESTIGATIONS**

Allegations of misconduct will be administratively investigated as follows.

##### **1020.6.1 SUPERVISOR RESPONSIBILITIES**

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
  1. The original complaint form will be directed to the Shift Supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
  2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
  1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
  2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Supervisor.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Supervisor and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Department of Human Resources and the Shift Supervisor for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Shift Supervisor, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.

# Steamboat Springs Police Services

## Policy Manual

### Personnel Complaints

---

- (h) Investigating a complaint as follows:
  - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
  - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

#### 1020.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs, the following applies to employees:

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the Steamboat Springs Police Services or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
  - 1. This should be provided in written form and include the employee's rights and responsibilities relative to the investigation.
  - 2. The employee should be informed of the ranks, names and commands of the person in charge of the interview and of all other persons to be present during the interview.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
  - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement and after the investigator has consulted with the prosecuting agency.
- (g) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.
  - 1. Upon request, the member shall be provided copies of recordings, transcriptions and reports made of an interview session.
- (h) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Complaints*

---

integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

1. Uninvolved attorneys or representatives present during interviews shall not be required to disclose any information received from the employee during the administrative investigation.
  - (i) All employees shall provide complete and truthful responses to questions posed during interviews.
  - (j) No employee may be compelled to submit to a deception detection device examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

Information concerning administrative interviews shall not be released to the public unless approved by the Chief of Police or the authorized designee.

#### 1020.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

**Introduction** - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

**Synopsis** - Provide a brief summary of the facts giving rise to the investigation.

**Summary** - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

**Evidence** - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

**Conclusion** - A recommendation regarding further action or disposition should be provided.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

#### 1020.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Complaints*

---

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

**Not Involved** - When the investigation discloses that the alleged department member was not involved in the incident.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

#### 1020.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

#### 1020.6.6 NOTIFICATION TO COMPLAINANT

Supervisors should periodically communicate the status of an investigation to the complainant. Upon final disposition of a formal Internal Affairs investigation and after taking into account any restrictions provided in applicable collective bargaining agreements and by Colorado law, the complaining party should be provided written notification of the outcome of the investigation.

#### 1020.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

#### 1020.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

#### 1020.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Complaints*

---

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

The Steamboat Springs Police Services may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction.

No disciplinary action should be taken until an independent administrative investigation is conducted.

#### **1020.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES**

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

##### **1020.10.1 DIVISION COMMANDER RESPONSIBILITIES**

Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Division Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

##### **1020.10.2 CHIEF OF POLICE RESPONSIBILITIES**

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Complaints*

---

event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
  - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
  - 2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

#### 1020.10.3 FORMS OF DISCIPLINE

The following methods may be considered for correcting poor job performance or misconduct:

- (a) Training
- (b) Counseling
  - 1. Counseling may be administered by the Chief of Police, Division Commander or other supervisor depending on the severity of the matter.
  - 2. The supervisor or staff member administering the counseling shall document the purpose and effect of the counseling.
- (c) Verbal reprimand
- (d) Written reprimand
- (e) Loss of leave
- (f) Suspension without pay
- (g) Punitive transfer
- (h) Demotion
- (i) Reduction in pay or step
- (j) Termination

The order of the above listed methods does not imply a required sequence. The Chief of Police should determine the method of correction by considering the actions of the member.

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Complaints*

---

#### **1020.11 PRE-DISCIPLINE EMPLOYEE RESPONSE**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

#### **1020.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

#### **1020.13 POST-DISCIPLINE APPEAL RIGHTS**

Non-probationary employees have the right to appeal discipline using the procedures established by any collective bargaining agreement and/or personnel rules.

#### **1020.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS**

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

#### **1020.15 RETENTION OF PERSONNEL INVESTIGATION FILES**

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Files Policy.

## Seat Belts

### 1022.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

#### 1022.1.1 DEFINITIONS

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213 (CRS § 42-4-236).

### 1022.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty or when in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained (CRS § 42-4-236; CRS § 42-4-237).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

### 1022.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

### 1022.4 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

# Steamboat Springs Police Services

## Policy Manual

### *Seat Belts*

---

#### **1022.5 VEHICLES MANUFACTURED WITHOUT SEAT BELTS**

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operating requirements for safe use.

#### **1022.6 POLICY**

It is the policy of the Steamboat Springs Police Services that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

#### **1022.7 TRANSPORTING CHILDREN**

All children younger than 8 years of age shall be restrained in a child restraint system (CRS § 42-4-236).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

#### **1022.8 VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

## Body Armor

### 1024.1 PURPOSE AND SCOPE

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

### 1024.2 POLICY

It is the policy of the Steamboat Springs Police Services to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

### 1024.3 ISSUANCE OF BODY ARMOR

The Administration supervisor shall ensure that body armor is issued to all officers when the officer begins service at the Steamboat Springs Police Services and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

#### 1024.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform, including extra duty assignments, or taking part in Department range training.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

#### 1024.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Officers are responsible to insure their body armor's design is appropriate for fit, cleanliness and signs of damage, abuse and wear

## *Body Armor*

---

### 1024.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

### **1024.4 RANGEMASTER RESPONSIBILITIES**

The Lead Firearms Instructor should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

## Personnel Files

### 1026.1 PURPOSE AND SCOPE

This policy governs the maintenance, retention and access to personnel files. It is the policy of the Department to maintain the confidentiality of personnel data in personnel files pursuant to state law CRS § 24-72-204(3)(a)(II)(A)).

### 1026.2 PERSONNEL FILES DEFINED

Definitions related to this policy include:

**Department file** - Any file which is maintained in the office of the Chief of Police or the authorized designee or by the Department of Human Resources as a permanent record of a member's employment with this department.

**Division file** - Any file that is separately maintained internally by an employee's supervisor within an assigned division for the purpose of completing timely performance evaluations.

**Internal Affairs file** - Any file which contains complaints of employee misconduct, and all materials relating to the investigation into such allegations, regardless of disposition.

**Medical file** - That file which is maintained separately and that exclusively contains material relating to an employee's medical history.

**Personnel file** - Any file, including a Department, Division, supervisor, training, Internal Affairs or medical file, of an employee containing information about the employee maintained because of the employer-employee relationship (CRS § 24-72-202(4.5)).

**Supervisor log entries** - Any written comment, excluding actual performance evaluations, made by a supervisor concerning the conduct of an employee of this department.

**Training file** - Any file which documents the training records of an employee.

### 1026.3 TYPES, LOCATION AND MAINTENANCE OF PERSONNEL FILES

The Department may maintain a personnel file on an employee for the Department use.

#### 1026.3.1 DEPARTMENT FILE

The Department file should contain at least the following:

- (a) Personal data, including marital status, family members, educational and employment history or similar information
- (b) Election of employee benefits
- (c) A photograph of the employee
- (d) Personnel action reports reflecting assignments, promotions and other changes in the employee's employment status

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Files*

---

- (e) Performance evaluation reports regularly completed by the appropriate supervisor and signed by the affected employee shall be permanently maintained and a copy provided to the employee.
- (f) Records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education.
  - 1. It shall be the responsibility of the involved employee to provide the Training Coordinator or immediate supervisor with evidence of completed training/education in a timely manner.
  - 2. The Training Coordinator or supervisor shall ensure that copies of such training records are placed in the employee's Department file.
- (g) Records of disciplinary action.
  - 1. Records shall be maintained in the individual employee's Department file at least four years and as otherwise required by the current records retention schedule.
  - 2. Investigations of complaints that result in a finding of not sustained, unfounded or exonerated should not be placed in the employee's Department file, but should be separately maintained for the appropriate retention period in the Internal Affairs file as required by the current records retention schedule.
  - 3. Documents or records related to discipline which have been entirely overturned on appeal shall not be maintained in the employee's Department file, but will be separately maintained for the period required by the current records retention schedule.
- (h) Documents reflecting any commendation, congratulation or honor bestowed on an employee by a member of the public or by the Department for an action, duty or activity that relates to official duties. These documents should be retained in the employee's Department file, with a copy provided to the involved employee.

#### 1026.3.2 DIVISION FILE

The Division file should contain, but is not limited to:

- (a) Supervisor log entries, notices to correct and other materials intended to assist the supervisor in the completion of timely performance evaluations.
  - 1. Once the permanent performance evaluation form has been made final, the underlying foundational material and/or duplicate copies may be purged in accordance with the current records retention schedule.
- (b) A record of a supervisory intervention procedure or a policy and procedure inquiry regarding an officer.

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Files*

---

#### 1026.3.3 INTERNAL AFFAIRS FILE

The Internal Affairs file shall be maintained under the PD\_Admin folder under the exclusive control of the Chief of Police or Division Commander. Access to these files may only be approved by the Chief of Police or Division Commander. These files shall contain the complete investigation of all formal complaints of employee misconduct regardless of disposition.

- (a) Each investigation file shall be sequentially numbered with a case number.
- (b) Each investigation file arising out of a formal citizen's complaint or a complaint involving discriminatory harassment or hostile work environment shall be kept no less than four years and as otherwise required by the current records retention schedule.

#### 1026.3.4 TRAINING FILES

An individual training file shall be maintained by the Training Coordinator for each employee. Training files will contain records of all training and education mandated by Peace Officers Standards and Training (P.O.S.T.), law or the Department, including firearms qualifications and mandated annual proficiency requalification.

- (a) It shall be the responsibility of the involved employee to provide the Training Coordinator or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Coordinator or supervisor shall ensure that copies of such training records are placed in the employee's training file.

#### 1026.3.5 MEDICAL FILE

A confidential medical file shall be maintained separately from all other files and shall contain all documents relating to the employee's medical condition and history. No medical information shall be kept outside the medical file. Medical file contents should include, but are not limited to:

- (a) Materials relating to medical leaves of absence.
- (b) Documents relating to workers' compensation claims or receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal an employee's medical condition.
- (e) Any other documents or material that reveal the employee's medical history or medical condition, including past, present or anticipated mental, psychological or physical limitations.

#### **1026.4 CONFIDENTIALITY OF ALL PERSONNEL FILES**

Personnel files are private and confidential and may be exempt from disclosure. A request to release, inspect or copy a personnel record shall be forwarded to legal counsel for review and a decision regarding the action to be taken. The person requesting this type of record shall be

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Files*

---

informed in writing that their request involves records that are believed to be restricted from release, inspection or copying, and that the request is being reviewed by legal counsel to ensure that exempt, protected or restricted information is not improperly released.

Nothing in this section is intended to preclude review of personnel files by the Director of Human Services, an employee's supervisor or manager, members of an authorized review board reviewing conduct of the employee, the City Manager, the City Attorney or other attorneys or representatives of the City in connection with official business.

#### **1026.5 REQUESTS FOR DISCLOSURE**

Only written requests for the disclosure of any data contained in any personnel record will be considered. Any employee receiving a request for disclosure of personnel files shall promptly notify the Shift Supervisor and the custodian of records.

Upon notice of any such request, the Shift Supervisor shall ensure that the affected employee is notified as soon as practicable that such a request has been made.

The custodian of records shall ensure that an appropriate response to the request is made in a timely manner, in accordance with applicable law. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure that result in access to an employee's personnel data shall be logged in the corresponding file and the affected employee shall be notified.

##### **1026.5.1 RELEASE OF CONFIDENTIAL INFORMATION**

No employee of this department may disclose private or confidential data without the written consent of the affected employee or written authorization of the Chief of Police or the authorized designee, except as provided by this policy, pursuant to lawful process and pursuant to state law or court order.

Any person who willfully and knowingly discloses confidential information contained in a personnel file, including but not limited to, an officer's home address or telephone number may be guilty of a crime (CRS § 24-72-206).

#### **1026.6 EMPLOYEE ACCESS TO HIS/HER OWN FILE**

Upon request, an employee may review his/her personnel file, except for letters of reference concerning employment, licensing or issuance of permits regarding the employee (CRS § 24-72-204(3)).

Employees may be restricted from accessing files containing any of the following information:

- (a) Ongoing Internal Affairs investigations to the extent that it could jeopardize or compromise the investigation, pending final disposition or notice to the employee of the intent to discipline.
- (b) Confidential portions of Internal Affairs files that have not been sustained against the employee.

# Steamboat Springs Police Services

## Policy Manual

### Personnel Files

---

- (c) Criminal investigations involving the employee.

#### 1026.7 PURGING OF FILES

Data in personnel files not related to pending litigation or other ongoing legal proceedings may be purged from respective Department files once the required records retention period has been met.

- (a) Each supervisor responsible for completing the employee's performance evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Chief of Police.
- (c) During the preparation of each employee's performance evaluation, all complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline or training and career development. If, in the opinion of the Chief of Police or the authorized designee, a complaint or disciplinary action beyond the statutory retention period is no longer relevant, all records of such matter may be destroyed pursuant to the current records retention schedule.

#### 1026.8 BRADY MATERIAL IN PERSONNEL FILES

The purpose of this section is to establish a procedure for releasing potentially exculpatory information, known as *Brady* material, contained within personnel files.

##### 1026.8.1 DEFINITIONS

Definitions related to this policy include:

**Brady material** - Evidence held by the prosecution that is favorable to the defendant, as held by the U.S. Supreme Court in *Brady v. Maryland* 9373 U.S. 83 (1963).

**The prosecution** - Includes the prosecutor and all investigative agencies involved in the criminal prosecution of a defendant, including this department.

##### 1026.8.2 RELEASE OF PERSONNEL FILES TO THE PROSECUTOR

Generally, the only time the prosecutor is entitled to access confidential personnel data that is exempt from disclosure without filing a court motion is when he/she is investigating the conduct of an employee or this department. Such access shall not be considered a waiver of the privacy of the data contained in these files.

Absent a specific investigation of an identified officer or a specific investigation of this department, or the consent of an involved officer, no confidential information from any officer's personnel file shall be released to the District Attorney or grand jury without full compliance with the court process. The prosecution of a criminal defendant is not considered an investigation of any involved employee.

# Steamboat Springs Police Services

## Policy Manual

### *Personnel Files*

---

Should an officer's credibility or other issues related to an officer's personnel file arise in the context of an officer acting as a witness for the prosecution, access to that officer's personnel file by either the District Attorney or the criminal defendant shall be limited to that which is authorized by law or through the process set forth in court and evidentiary rules.

#### 1026.8.3 PROCEDURE

If an employee is a witness in a criminal case, a person or persons designated by the Chief of Police may examine the subject employee's personnel data to determine whether there are *Brady* materials contained therein (e.g., evidence that may be favorable to the defendant). If potential *Brady* material is located, the following procedure shall apply:

- (a) In the event that a court motion has not already been filed by the criminal defendant or other party, the prosecutor shall be notified of the potential presence of *Brady* material in the employee's personnel file.
- (b) Nonexempt documents may be provided.
- (c) The District Attorney should be instructed to file a court motion in order to initiate an in camera (in chambers) review by the court to access exempt documents.
- (d) As with any court motion, and prior to any review of the files by the court, the subject officer shall be notified in writing that a court motion has been filed.
- (e) The responsible custodian of records shall accompany all relevant exempt personnel files during any in camera inspection and address any issues or questions raised by the court in determining whether any material contained in the file is both material and favorable to the criminal defendant.
- (f) If the court determines that there is relevant *Brady* material contained in the exempt files, only that material ordered released will be copied and released to the parties filing the court motion.
  1. Prior to the release of any data pursuant to this process, the custodian of records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.

## Request for Change of Assignment

### **1028.1 PURPOSE AND SCOPE**

It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

### **1028.2 REQUEST FOR CHANGE OF ASSIGNMENT**

Personnel wishing a change of assignment are to complete a Request for Change of Assignment memo. The memo should then be forwarded through the chain of command to the Division Commander.

### **1028.3 SUPERVISOR'S COMMENTARY**

The officer's immediate supervisor shall make appropriate comments in a separate memo before forwarding it to the involved employee's Division Commander. In the case of patrol officers, the Shift Supervisor must comment on the request with his/her recommendation before forwarding the request to the Division Commander. If the Shift Supervisor does not receive the Request for Change of Assignment memo, the Division Commander will initial the memo and return it to the employee without consideration.

## Commendations and Awards

### 1030.1 PURPOSE AND SCOPE

Special recognition may be in order whenever an employee performs his/her duties in an exemplary manner. Citizens may at times perform a meritorious act that deserves recognition. This procedure provides general guidelines for commending exceptional employee performance or meritorious acts by citizens.

### 1030.2 WHO MAY MAKE COMMENDATIONS

A written commendation may be made by a supervisor regarding any other employee of the Department, provided the reporting person is superior in rank or is the person in charge of the individual being commended. Additionally, investigating officers may commend uniformed officers for exceptional assistance in investigative functions, with approval from the investigator's supervisor. Any employee may recommend a commendation to the supervisor of another employee.

A written commendation may also be made by a member of the public regarding any Department employee.

Written recommendations for a citizen's meritorious acts may be made by any member of this department or any member of the public.

### 1030.3 MERITORIOUS OR COMMENDABLE ACTIONS

#### 1030.3.1 MERITORIOUS OR COMMENDABLE ACTS BY EMPLOYEES

A meritorious or commendable act by an employee of this department may include, but is not limited to, the following:

- (a) Superior handling of a difficult situation
- (b) Conspicuous bravery or outstanding performance
- (c) Any action or performance that is above and beyond the typical duties of an employee

#### 1030.3.2 COMMENDATION INCIDENT REPORT

The Commendation memo shall be used to document the commendation of the employee and shall contain the following:

- (a) Employee name, bureau and assignment at the date and time of the commendation
- (b) A brief account of the commendable action with report numbers, as appropriate
- (c) Signature of the commending supervisor

Completed reports should be forwarded to the appropriate Division Commander for review. The Division Commander shall sign and forward the memo to the Chief of Police for review.

# Steamboat Springs Police Services

## Policy Manual

### *Commendations and Awards*

---

The Chief of Police will return the commendation to the employee for signature. The memo will then be returned to the administrative secretary for entry into the employee's personnel file.

#### 1030.3.3 MERITORIOUS ACTS BY CITIZENS DOCUMENTATION

Meritorious acts performed by citizens and documented by members of this department should be documented on a Commendation Incident Report under the same process for employees, with areas for inapplicable information left blank. Adequate information to identify the persons performing the meritorious act should be included on the form.

Any documentation in any form from the public identifying meritorious conduct of a citizen should be accepted by any employee and forwarded to the receiving employee's Division Commander. Attempts to obtain detailed information regarding the matter and the person performing the meritorious act and the person submitting the document should be attempted by the employee, with additional details documented as appropriate.

#### **1030.4 AWARDS**

Awards may be bestowed upon employees and members of the public. These awards include:

- Award of Valor
- Award of Merit
- Lifesaving Award
- Meritorious Conduct

Criteria for each award, the selection, presentation and display of any award is detailed in the awards procedure guide.

## **Fitness for Duty**

### **1032.1 PURPOSE AND SCOPE**

All officers are required to be free from any physical, emotional or mental condition that might adversely affect the exercise of peace officer duties. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

### **1032.2 EMPLOYEE RESPONSIBILITIES**

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of the position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive and capable of performing assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

### **1032.3 SUPERVISOR RESPONSIBILITIES**

- (a) A supervisor observing an employee, or receiving a report of an employee, who is perceived to be unable to safely perform his/her duties due to a physical, medical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made to determine the level of inability of the employee to perform his/her duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) In conjunction with the Shift Supervisor or the employee's Division Commander, a determination should be made whether the employee should be temporarily relieved from his/her duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

### **1032.4 NON-WORK RELATED CONDITIONS**

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off in order to obtain medical treatment or other reasonable rest period.

# Steamboat Springs Police Services

## Policy Manual

### *Fitness for Duty*

---

#### **1032.5 WORK-RELATED CONDITIONS**

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Shift Supervisor or unit supervisor and with the concurrence of a Division Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy and law.
- (b) If appropriate, the employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

#### **1032.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS**

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with the Department of Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, list any functional limitations that limit the employee's ability to perform job duties. If the employee places his/her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information that is relevant to such proceeding.
- (c) To facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the examination, evaluation and/or treatment.
- (d) All reports and examinations or evaluations submitted by the treating physician or therapist shall be part of the employee's private medical file.
- (e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and may subject the employee to discipline, up to and including termination.
- (f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

# Steamboat Springs Police Services

## Policy Manual

### *Fitness for Duty*

---

- (g) If an employee is deemed unfit for duty by the Department, the employee may submit a report from his/her personal physician, psychiatrist, psychologist or other health care provider that will be taken into consideration.

#### **1032.7 LIMITATION ON HOURS WORKED**

Absent emergency operations, members should not work more than:

- 16 hours in one-day period (24-hour period)
- 30 hours in any two-day period (48-hour period)
- 84 hours in any seven-day period (168-hour period)

Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, special events, contract work, general overtime and any other work assignments.

#### **1032.8 APPEALS**

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness-for-duty examination shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

## Meal Periods and Breaks

### 1034.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as reasonably possible, shall conform to the policy governing all City employees.

#### 1034.1.1 MEAL PERIODS

Certified employees and dispatchers shall remain on-duty subject to call during meal breaks. All other employees are not on-call during meal breaks unless directed otherwise by a supervisor.

Uniformed officers shall take their breaks within the City limits and shall monitor their radios and be able to respond unless on assignment outside of the City.

## Lactation Break Policy

### 1035.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

### 1035.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor and Standards Act and the Colorado Workplace Accommodations for Nursing Mothers Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to two years after a child's birth (29 USC § 207, CRS § 8-13.5-101 and CRS § 8-13.5-104(1)).

### 1035.3 LACTATION BREAK TIME

Employees wishing to express breast milk for their nursing child shall be permitted to do so during any authorized break. A break period should be permitted each time the employee has the need to express breast milk (29 USC § 207). Such breaks, if feasible, should be taken at the same time as the employee's regularly scheduled break or meal periods. In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period are reasonable.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled break time will be considered unpaid.

A reasonable period for such break should be consistent with existing law regulating work breaks under the FLSA, which are generally 5 to 20 minutes in duration (29 CFR § 785.18).

Employees desiring to take a lactation break shall notify the Communications Center or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt Department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

### 1035.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

The area assigned for this purpose should not be used for storage of any devices, supplies or expressed milk and should be returned to its original state after each use.

# Steamboat Springs Police Services

## Policy Manual

### *Lactation Break Policy*

---

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

#### **1035.5 STORAGE OF EXPRESSED MILK**

Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such. No expressed milk shall be stored at the Department beyond the employee's shift.

## Payroll Record Procedures

### 1036.1 PURPOSE AND SCOPE

Payroll records are submitted to Administration on a biweekly basis for the payment of wages.

#### 1036.1.1 RESPONSIBILITY FOR COMPLETION OF PAYROLL RECORDS

Employees are responsible for the accurate and timely submission of payroll records for the payment of wages.

#### 1036.1.2 TIME REQUIREMENTS

All employees are paid on a biweekly basis usually on Friday with certain exceptions such as holidays. Payroll records shall be completed and submitted to Administration no later than 8:00 a.m. on the Monday morning immediately following the end of the pay period, unless specified otherwise.

Hours worked will be entered in to the employees payroll management system on the day the hours are worked. In the event an employee will be on an extended leave, the employee can enter the Paid Time Off (PTO) in advance.

## Overtime Compensation

### 1038.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate nonexempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the -City of Steamboat Springs current pay plan, or by the allowance of accrual of compensatory time off. In order to qualify for either, the employee must complete and submit a Request for Overtime Payment as soon as practicable after overtime is worked.

#### 1038.1.1 DEPARTMENT POLICY

Because of the nature of law enforcement work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Nonexempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked, rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a request for such a period, the employee shall comply.

The individual employee may request compensatory time in lieu of receiving overtime payment. The employee may not exceed the number of hours identified in the Policies and Regulations Manual (PARM).

### 1038.2 DOCUMENTATION OF OVERTIME COMPENSATION

Employees will document all overtime worked in KRONOS (Electronic Time Card). The documentation will also include the correct description in the drop down comment section.

#### 1038.2.1 EMPLOYEE RESPONSIBILITY

Employees shall complete the entry into KRONOS immediately after working the overtime, if the overtime was not pre-scheduled. This entry will include the description of the overtime worked.

#### 1038.2.2 SUPERVISOR RESPONSIBILITIES

The supervisor who verifies and approves the overtime in KRONOS will both verify that the overtime was worked and determine if the overtime was justified.

After the entry has been made in the employee's payroll record, the overtime payment request will be forwarded to the employee's Division Commander for final approval.

# Steamboat Springs Police Services

## Policy Manual

### *Overtime Compensation*

---

#### 1038.2.3 DIVISION COMMANDER RESPONSIBILITIES

Division Commanders, after approving payment, will then forward the request to the Chief of Police for review.

#### **1038.3 ACCOUNTING FOR OVERTIME WORKED**

All overtime will be recorded in KRONOS.

##### 1038.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1.0 hour

##### 1038.3.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case or court trial, and the amount of time for which payment is requested varies between the two, the Shift Supervisor or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

---

## Outside Employment

### 1040.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for Department employees engaging in outside employment, all employees shall initially obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

#### 1040.1.1 DEFINITIONS

Definitions related to this policy include:

**Outside employment** - The employment of any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, products or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, products or benefits rendered.

**Outside overtime** - Overtime involving any member of this department who performs duties or services on behalf of an outside organization, company or individual within this jurisdiction on behalf of the Department. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

### 1040.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy is grounds for disciplinary action.

To obtain approval for outside employment, the employee must complete an application "Request to Engage in Extra Duty Employment form", hereinafter referred to as application that shall be submitted to the employee's immediate supervisor. The application will then be forwarded through the appropriate chain of command to the Chief of Police for consideration.

If approved, the employee will be provided with a copy of the approved application. Unless otherwise indicated in writing on the approved application, an approved application will be valid through the end of the calendar year in which it is approved. Any employee seeking to continue outside employment shall submit a new application in a timely manner.

Any employee seeking approval of outside employment whose application has been denied shall be provided with a written reason for the denial of the application at the time of the denial and within 30 days of the application.

# Steamboat Springs Police Services

## Policy Manual

### *Outside Employment*

---

#### 1040.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's application is denied or rescinded by the Department, the employee may file a written notice of appeal to the Chief of Police within 10 days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance pursuant to the Grievance Policy or the procedure set forth in the current collective bargaining agreement.

#### 1040.2.2 REVOCATION/SUSPENSION OF AN APPROVED OUTSIDE EMPLOYMENT APPLICATION

Any approved outside employment application may be revoked or suspended after the employee has received written notification of the reasons for revocation or suspension. Additionally, revocation or suspension will only be implemented after the employee has exhausted the appeal process.

The outside employment may be revoked:

- (a) If an employee's performance declines to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of minimum acceptable competency, and the outside employment may be related to the employee's performance. The Chief of Police may, at his/her discretion, notify the employee of the intent to revoke any previously approved outside employment application. After the appeal process has concluded, the revocation will remain in force until the employee's performance directly related to the outside employment has been re-established to the minimum level of acceptable competency.
- (b) If, at any time during the term of an approved outside employment application, an employee's conduct or outside employment conflicts with the provisions of Department policy, or any law.
- (c) The outside employment creates an actual or apparent conflict of interest with the Department or City.

#### 1040.2.3 EXTRA DUTY EMPLOYMENT REQUIREMENTS

Officers shall not allow extra duty employment to interfere with the scheduling and on duty status of the Department. Officers shall not be allowed time off to work extra duty.

Officers shall not work where on-duty and extra duty type employment hours, in any 7-day period, exceed 64 hours. (During a normal 40 hour work week, an officer may be able to work 24 hours of extra duty employment.)

Officers shall not work to exceed 16 consecutive hours unless approved by Command Staff.

Officers shall sign up for posted extra duty work personally.

Officers shall adhere to all policies, rules, and regulations of an employer as long as no conflict exists between the S.S.P.D. and the companies' policies. Any conflict shall be brought to the attention of the employer and the Operations Commander.

# Steamboat Springs Police Services

## Policy Manual

### *Outside Employment*

---

Members are accountable to perform the duties of extra duty employment as they are to perform S.S.P.D. duties.

Officers are required to work an extra duty job once it has been signed up for or by personally finding an eligible officer to work the assignment.

If the officer has signed up for extra employment and becomes ineligible to work, the officer shall notify the Operations Commander of the changed status. In the event the Operations Commander cannot be reached, the on duty supervisor will be notified. The on duty supervisor shall attempt to find a replacement.

No member shall conduct any off-duty or extra duty work during assigned duty hours.

#### **1040.3 PROHIBITED OUTSIDE EMPLOYMENT**

The Department expressly reserves the right to deny any application submitted by an employee seeking to engage in any activity that:

- (a) Involves the employee's use of Department time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act that the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department below minimum standards or would render the employee unavailable for reasonably anticipated overtime assignments and other job-related demands that occur outside regular working hours
- (e) Sworn officers shall not work as extra duty or as a civilian employee in an establishment where the primary function and profits of the business are derived from selling, and/or serving alcoholic beverages and or marijuana, without the approval of the Chief of Police or his designee.

#### **1040.3.1 OUTSIDE SECURITY EMPLOYMENT**

Due to the potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard and or private investigator.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request and application to the Chief of

# Steamboat Springs Police Services

## Policy Manual

### *Outside Employment*

---

Police Operations Commander in advance of the desired service. Such outside overtime will be monitored by the patrol supervisor.

- (a) The applicant will be required to enter into a written indemnification agreement prior to approval.
- (b) The applicant will be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (c) If such a request is approved, any employee working outside overtime shall be subject to the following conditions:
  - 1. The officer shall wear the Department uniform/identification.
  - 2. The officer shall be subject to all the rules and regulations of this department.
  - 3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute.
  - 4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
  - 5. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

#### **1040.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE**

Any employee making an arrest or taking other official law enforcement action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to Department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

#### **1040.3.3 SPECIAL RESTRICTIONS**

Except for emergency situations or with prior authorization from the Chief of Police undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity that might reasonably disclose the officer's law enforcement status.

#### **1040.3.4 WORKING EXTRA DUTY WHILE ON-CALL**

An officer scheduled to be On-call cannot work extra duty employment during the On-call status, unless the officer has the ability to leave the extra duty employment and immediately respond to and arrive at the Steamboat Springs Police Services building or the scene within 1 hour.

#### **1040.4 DEPARTMENT RESOURCES**

Employees are prohibited from using any Department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official

# Steamboat Springs Police Services

## Policy Manual

### *Outside Employment*

---

records or databases of this department or other agencies through the use of the employee's position with this department.

The Command Staff may authorize the use of departmental equipment where appropriate (ex: patrol vehicle)

#### **1040.5 OUTSIDE EMPLOYMENT WHILE ON DISABILITY OR ADMINISTRATIVE LEAVE**

Department members engaged in outside employment who are placed on disability or administrative leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether they intend to continue to engage in outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any work-related doctor's orders and make a recommendation to the Chief of Police whether such outside employment should continue or the approved application be suspended or revoked.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify the supervisor of his/her intentions regarding the employment application, a notice of intent to revoke the employee's application will be forwarded to the involved employee and a copy attached to the original employment application. The revocation process outlined in this policy shall be followed.

Criteria for revoking or suspending an approved outside employment application while on disability status or administrative leave includes, but is not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the City's professional medical advisers.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty employee.
- (c) The employee's failure to make timely notice of his/her intentions to his/her supervisor.
- (d) The outside employment is not compatible with the reason the employee is on administrative leave.

# Occupational Disease and Work-Related Injury and Death Reporting

## 1042.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases and work-related injuries and deaths.

### 1042.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 8-40-201):

**Accident** - Any unforeseen event occurring without the will or design of the member whose mere act caused it. An accident or injury includes disability or death resulting from accident or occupational disease.

**Occupational disease** - Any disease resulting directly from employment or work conditions that is a natural incident of the work and a result of the exposure occasioned, and that can be fairly traced to the employment as a proximate cause and not from a hazard to which the member would have been equally exposed outside of his/her employment.

## 1042.2 POLICY

The Steamboat Springs Police Services will address occupational diseases and work-related injuries and deaths appropriately, and will comply with applicable state workers' compensation requirements (CRS § 8-43-101 et seq.).

## 1042.3 RESPONSIBILITIES

### 1042.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours to a supervisor, and shall seek medical care when appropriate.

### 1042.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related Citywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

If an employee is physically or mentally unable to provide notice of an occupational disease or work-related injury, his/her supervisor shall report such disease or injury in writing as soon as practicable (CRS § 8-43-102).

# Steamboat Springs Police Services

## Policy Manual

### *Occupational Disease and Work-Related Injury and Death Reporting*

---

#### 1042.3.3 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander who receives a report of an occupational disease or work-related injury or death should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City's risk management entity and the Administration Division Commander.

#### 1042.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police or the authorized designee shall ensure that a printed card notifying employees of their responsibility to report a workplace injury is displayed at all times in a prominent place in the workplace pursuant to CRS § 8-43-102.

#### 1042.4 OTHER DISEASE OR INJURY

Diseases, injuries or deaths caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Division Commander through the chain of command and a copy sent to the Administration Division Commander.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

#### 1042.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

##### 1042.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police and the City's Risk Management division with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police and the City's Risk Management division. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

## Personal Appearance Standards

### 1044.1 PURPOSE AND SCOPE

To project uniformity and neutrality toward the public and other members of the Department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment. Public confidence is enhanced when members of the department present a neat, clean, and professional appearance. The appearance of the police should reflect the values and expectations of the public they serve. The nature of law enforcement and the need for visibility in the basic police function requires a degree of uniformity. A neat and professional appearance inspires respect and generates cooperation from the public. Uniformity in appearance fosters esprit de corps within the department and establishes a positive image with the public. Additionally, the department has an obligation to provide for the personal safety of its employees.

### 1044.2 GROOMING STANDARDS

1. All employees must present a neat, clean, and well-groomed appearance.
2. Police Officers assigned to special assignments may be authorized to deviate from personal appearance standards based upon the needs of their assignment and at the direction of their supervisor.
3. The Chief of Police will be the final judge of whether an employee's personal appearance is acceptable for duty.

#### 1044.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male certified officers, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

Head hair may be permitted to grow naturally, but will be groomed and neatly trimmed so as not to present a ragged, bushy, unkempt, or eccentric appearance. Hair will not be dyed a color contrary to a "neutral image". The hair shall not extend below the top of the shirt collar. Hair must be clean, neat, and combed. No officer shall wear his/her hair in the style that would create a safety hazard or would be repugnant to the general public. This shall mean no male officer may wear his hair in a "ponytail", "pigtails", a "rat-tail", braids, etc., nor appear with hair long enough to wear in such styles.

For female certified officers, hair must be no longer than the horizontal level of the bottom of the uniform shoulder patch when the employee is standing erect, and Female officers' hair must be neatly groomed. Female uniformed officers' hair that exceeds the shoulder in length must be secured back and away from the face by wearing hair worn up or in a tightly wrapped braid or ponytail. Extreme hair colors or styles are not permitted for any employee.

# Steamboat Springs Police Services

## Policy Manual

### *Personal Appearance Standards*

---

#### 1044.2.2 MUSTACHES

Mustaches are permitted if natural in color and short and neatly trimmed. Mustaches shall not extend below the vermilion border of the upper lip or the corners of the mouth and may not extend to the side more than one-half inch beyond the corners of the mouth. Handlebar mustaches are prohibited.

#### 1044.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat. Sideburns shall extend in a clean-shaven, horizontal line. The flare (terminal portion of the sideburns) shall not exceed the width of the main portion of the sideburns by more than one-fourth of the unflared width. The sideburns shall be trimmed and neat in appearance.

#### 1044.2.4 FACIAL HAIR

Uniformed and non-uniformed sworn personnel may wear full beards and/or goatees; however, they must be trimmed no longer than ½ inch and neat in appearance, as determined by the Chief of Police. Beard growth must be started on the officer's days off.

Non-uniformed sworn personnel will be allowed a little more latitude in mustaches and beards with the approval of the Chief of Police. The Chief of Police reserves the right to order any sworn officer to completely shave or trim his beard, goatee or mustache, if the appearance is unkempt, ragged, sparse, or in the Chief's determination, unprofessional in appearance.

#### 1044.2.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

#### 1044.2.6 BODY ART, JEWELRY AND ACCESSORIES

##### **JEWELRY**

No jewelry or personal ornaments shall be worn by officers on any part of the uniform or equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar and must be covered by a uniform when standing or sitting in a normal posture. Any necklace or item worn around the neck must be easily removed or "break" if pulled on with a slight tug. Durable necklaces or items worn around the neck that do not break easily and could be used to choke or cut off blood circulation are prohibited for any officer on-duty, whether in a uniformed, civilian clothed or undercover assignment.

All facial and tongue jewelry are prohibited except as set forth herein. Uniformed female police officers may wear post earrings of small studs or stones for pierced or non-pierced ears, up to two per ear. Non-uniformed female police officers and civilian female employees may wear up to three earrings per ear as long as they maintain a professional appearance. Male employees are not permitted to wear earrings while on duty or in uniform. All other jewelry shall be in good taste and not jeopardize safety. The Chief of Police will be the final judge of what is not of good

# Steamboat Springs Police Services

## Policy Manual

### *Personal Appearance Standards*

---

taste or jeopardizes safety. The use of gold, platinum, or other unnatural veneers or caps for purposes of ornamentation is prohibited. Teeth, whether natural, capped, or veneer, shall not be ornamented with such things as designs, jewels, initials, or other items. Earrings shall not be worn by investigators or special assignment personnel without permission of the Chief of Police or the authorized designee. Only one ring may be worn on each hand of the employee while on-duty.

One wrist watch may be worn by employees. Wrist watches must also be of good taste, non-offensive and can be of a sport, casual or dress type.

#### **BODY ART**

For the purposes of this policy and procedure, the term "body art" is defined to include but not be limited to any tattoos, brandings, mutilations, body piercings or alteration to any area of the body that is visible in any authorized uniform or attire, and is a deviation from normal anatomical features and that is not medically required is prohibited. Such body alteration includes, but is not limited to, the following: a. Tongue splitting or piercing b. The complete or transdermal implantation of any material other than hair replacement or breast augmentation c. Abnormal shaping of the ears, eyes, nose or teeth d. Branding or scarification

1. No employee shall have body art on the head, face, neck, or scalp.
2. Visible body art on the arms and legs is required to be covered by clothing unless written approval is obtained from the Chief of Police or his designee. Approval to display visible body art may be granted as long as it does not depict the following:
  - a. Alarming or provocative symbols or words;
  - b. Offensive or potentially offensive body art to include nudity, sexually explicit, or vulgar art, or works;
  - c. Profane language;
  - d. Symbols that incite a negative reaction;
  - e. Offensive acronyms;
  - f. Racial, gender, or ethnic references; or,
  - g. Excessive amounts of body art on the visible portion or the arm or leg to include but not limited to full or half sleeves.
3. Employees wishing to display visible body art shall complete a memorandum to the Chief of Police or his designee requesting authorization. The criteria outlined herein shall be applied when deciding to grant a request.
4. Employees shall complete a memorandum for all existing and any new body art they want to display.
5. No employee shall have a tattoo that demonstrates allegiance or attitudes that may give reason to doubt the employee's ability to deliver a service based on fairness, impartiality, and equality. Examples of prohibited tattoos include, but are not limited to, the following: Tattoos that display

# Steamboat Springs Police Services

Policy Manual

## *Personal Appearance Standards*

---

racist, violent , or patently offensive words or illustrations;or, tattoos that depict symbols used by hate groups or criminal gangs.

6. Employees appearing in court shall wear appropriate clothing that covers all body art.

### **ACCESSORIES**

No other accessories other than those outlined above are authorized for uniformed personnel.

---

## Police Uniform Regulations

### 1046.1 PURPOSE AND SCOPE

The uniform policy of the Steamboat Springs Police Services is established to ensure that uniformed officers, special assignment personnel and non-sworn employees will be readily identifiable to the public through the proper use and wearing of Department uniforms. Employees should also refer to the following associated policies:

- Duty Firearms Policy
- Department-Owned and Personal Property Policy
- Body Armor Policy
- Personal Appearance Standards Policy

The Steamboat Springs Police Department uniform specifications and procedures are maintained and periodically updated by the Chief of Police or the authorized designee and should be consulted regarding authorized equipment and uniform specifications.

The Steamboat Springs Police Department will provide uniforms for all employees who are required to wear a uniform. Replacement of department issued uniform items will only occur when an employee shows a need that a specific uniform item needs to be replaced or purchased to the Patrol Captain or his designated quartermaster. It is the responsibility of individual uniformed employees to maintain serviceable and professional in appearance uniforms and uniform related equipment items. Serviceable uniforms shall mean uniforms and equipment that are functional and professional in appearance; display a proper fit; are free from rips, holes, tears, and stains; and do not show excessive wear or fading.

### 1046.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose, which is to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.
- (b) All peace officers of this department shall possess and maintain at all times a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) Employees shall not loan any portion of the uniform to others.
- (e) Employees shall not permit the uniform to be reproduced or duplicated.

# Steamboat Springs Police Services

## Policy Manual

### *Police Uniform Regulations*

---

- (f) The uniform is to be worn in compliance with the specifications set forth in the Department's uniform specifications and procedures, which are maintained separately from this policy.
- (g) All supervisors will perform periodic inspections of their personnel to ensure conformance to the Steamboat Springs Police Services uniform specifications and procedures.
- (h) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (i) Uniforms are only to be worn while on-duty, while in transit to or from work, for court or at other official Department functions or events.
- (j) If the uniform is worn in transit when driving other than a marked vehicle, an outer garment should be worn over the uniform shirt so as not to bring attention to the employee while off-duty.
- (k) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform that identifies them as a Steamboat Springs Police Officer.

#### 1046.2.1 DEPARTMENT-ISSUED IDENTIFICATION

The Department issues each employee an official Department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department-issued identification card at all times while on-duty or when carrying a concealed weapon.

- (a) Whenever on-duty or acting in an official capacity representing the Department, employees shall display their department-issued identification in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers working specialized assignments may be excused from the requirements regarding the possession and display of identification when directed by their Division Commander.

#### **1046.3 UNIFORM CLASSES**

The various uniform specification classes are those identified in this policy.

##### 1046.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions, such as funerals, graduations, promotions, ceremonies or as directed. The Class A uniform is required for all certified officers. The Class A uniform includes the standard issue uniform (Class B) with the following:

1. Regulation Blauer dark navy pants
2. Regulation Blauer dark navy long-sleeved shirt
3. Black necktie
4. Highly polished black leather shoes or boots

The Class A uniform will be worn for Court, funerals, Police Memorial Day services, Medal of Valor ceremonies, and at such other times as the Chief of Police may direct.

# Steamboat Springs Police Services

## Policy Manual

### *Police Uniform Regulations*

---

#### 1046.3.2 CLASS B UNIFORM

The Class B Uniform will be the Official Uniform of the day, every day of the year, unless it is announced by the Chief of Police or Patrol Captain that another uniform of the Day (Class A or Class C) is to be worn by uniformed personnel; or if an officer needs to wear a Class A uniform as required for Court. All officers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) The Regulation Blauer long-sleeve shirt may be worn with the collar open. No tie is required.
- (b) The Regulation dark navy Blauer Short-sleeve shirt may replace the regulation Blauer long-sleeve shirt during the summer months and warmer spring and fall periods.
- (c) A white, dark navy or black crew neck undershirt must be worn with the Regulation short-sleeve regulation uniform shirt.
- (d) A white, dark navy or black turtle-neck, mockturtle-neck or crew-neck undershirt must be worn with the long sleeve Class B uniform shirt
- (e) All shirt buttons must remain buttoned except for the last button at the neck.
- (f) Black leather boots or shoes in which the lower section can be shined
- (g) Black basket-weave leather gear to include: Matching Duty-belt and all duty-belt pouches and cases. Non-leather firearm and taser holsters are authorized as approved by the Chief of Police
- (h) Department approved dark navy winter or spring jacket
- (i) All hats must be pre-approved by the Chief of Police (Warm and Cold Weather).
- (j) Department approved black cold weather or "frisking" gloves. Department approved gloves will only be worn when necessary
- (k) Silver Name plate centered ¼" above right breast uniform pocket consisting of the Officers First initial of his First Name and complete Last Name
- (l) Department Issued "Years of Service pin" centered ¼" above Officer's name plate
- (m) Department Issued American Flag Pin centered ¼" above years of service pin
- (n) Other Uniform pins (FTO, DRE) may be authorized as approved by the Chief of Police
- (o) The Department will provide all uniformed Patrol Officers with concealable body armor (Vest). It is mandatory that all officers who are working a uniformed patrol assignment wear concealable body armor while on-duty.

# Steamboat Springs Police Services

## Policy Manual

### *Police Uniform Regulations*

---

#### 1046.3.3 CLASS C UNIFORM

The Class C uniform (Special Event Uniform) is established to allow field personnel cooler clothing during the summer months when working prolonged special events or special duty assignments. Officers will not wear a Class C uniform outside of special events or special assignment purposes and the Class C uniform will only be worn when announced as the uniform of the day by the Operations Commander or Chief of Police. The Class C uniform includes:

- a. A Department issued royal blue polo shirt with cloth or screened name on right breast, cloth or screened badge over left breast and screen "POLICE" across the upper back of the polo shirt
- b. Department issued Dark Navy Class C uniform shorts
- c. Black or white ankle socks
- d. Department approved, primarily black, athletic type shoes
- e. Standard black basket-weave duty belt or light-weight mesh type duty belt.
- f. All duty belt components, including holster, magazine pouches, handcuff pouches, OC and Asp pouches...must be of the same material and texture and match the duty belt.
- g. An officer may choose to wear a Standard Class B uniform in lieu of the Class C. Uniform. Under no circumstances will any officer wear a partial Class C uniform nor will an officer wear a Class C uniform in lieu of a Class B uniform.

#### 1046.3.4 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units, such as CERT, bicycle patrol, motor officers and other specialized assignments.

#### **1046.4 INSIGNIA AND PATCHES**

- (a) The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, 3/4 of an inch below the shoulder seam of the shirt, and be bisected by the crease in the sleeve.
- (b) A department issued years of service pin is authorized to be worn on the uniform. The years of service uniform pin shall be worn centered 1/4" above the nameplate, above the right breast uniform pocket. Years of service pins will be awarded to officers at each 5 year anniversary increment (5, 10, 15...)
- (c) A department issued American Flag pin shall be worn centered 1/4" above the years of service pin. For officers who have not been issued a years of service pin (all officers who have less than 5 years of service with the Steamboat Springs Police Department) the flag pin will be worn centered 1/4" above the name plate
- (d) The regulation nameplate, or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first initial of the Officers first name and last name. The nameplate shall be worn and placed 1/4" above the top seam

# Steamboat Springs Police Services

## Policy Manual

### *Police Uniform Regulations*

---

- of the right breast pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (e) When a jacket is worn, the nameplate or an authorized sewn-on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.
  - (f) Currently the only assignment insignias authorized by the Chief of Police are: 1. Silver initial "FTO" pin for qualified Field Training Officers; 2. Silver initials "DRE" for Department Certified Drug Recognition Experts; 3. Silver Winged Motor Officer wheel symbol for Department Certified Motor Officers. If an Officer wants the Chief of Police to consider an additional uniform assignment insignia any officer may submit a written request to the Chief of Police with the exact specific item to be considered.
  - (g) Specialized assignment insignia pins shall be worn centered 1/4" above the American Flag uniform Pin.
  - (h) Sergeant Rank will be displayed in the form of Chevrons displayed on the sleeve of the Class A and Class B uniform shirts and uniform jackets. Sergeant Chevrons shall be sewn in the same manner as department shoulder patches. The top of the sergeant chevron shall be centered centered 1/2" below the bottom of the department shoulder patch.
  - (i) Administration Rank (any rank above Sergeant) will be displayed on the uniform collar of the Class A and Class B uniform as designated and in the manner set forth by the Chief of Police.
  - (j) The department-issued badge, or an authorized sewn-on cloth replica, must be worn and be visible at all times while in uniform. Certified non-uniformed personnel will wear or carry their badge in a manner that the badge is in reasonable proximity to their firearm and able to be displayed whenever appropriate.
  - (k) The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police or the authorized designee may authorize exceptions.

#### 1046.4.1 MOURNING BADGE BAND

Uniformed employees may wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty within the State of Colorado. The following mourning periods will be observed:

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) A peace officer from this state - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of a fallen peace officer.
- (d) National Peace Officers Memorial Day (May 15) - From midnight through the following midnight.

# Steamboat Springs Police Services

## Policy Manual

### *Police Uniform Regulations*

---

(e) As directed by the Chief of Police or the authorized designee.

#### **1046.5 CIVILIAN ATTIRE**

There are assignments within the Department that do not require wearing a uniform because recognition and authority are not essential to their function. There are also assignments in which wearing civilian attire is necessary. While in the work place employees are required to maintain their personal appearance and hygiene, and must dress in a manner that is appropriate for their position, as determined by the Chief of Police. All employees shall wear clothing that fits properly, is clean and free of stains and not damaged or excessively worn.

- (a) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear "Steamboat Professional" or "business Casual" type clothing (polo shirts or button-up shirts, long dress pants or Dockers type slacks).
- (b) All female administrative, investigative and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses or suits that are moderate in style or "Steamboat Professional" or "business casual" type clothing.
- (c) The following items shall not be worn on-duty:
  - 1. T-shirt alone
  - 2. Open-toed sandals or thongs
  - 3. Swimsuit, tube tops or halter tops
  - 4. Spandex type pants or see-through clothing
  - 5. Distasteful printed slogans, buttons or pins
  - 6. Shorts
- 7. Sweatshirts, sweatpants or similar exercise clothing
- 8. Faded blue or denim jeans or jeans displaying wear, holes or tears; regardless if styled with wear, holes, tears or rips
  - (a) Variations from this order are allowed at the discretion of the Chief of Police or the authorized designee when the employee's assignment or current task is not conducive to wearing such clothing.
  - (b) No item of civilian attire may be worn on-duty that would adversely affect the reputation of the Steamboat Springs Police Services or the morale of the employees.
  - (c) Certified employees carrying firearms while wearing civilian attire should wear clothing that effectively conceals the firearm when outside a controlled law enforcement facility or work area.

# Steamboat Springs Police Services

## Policy Manual

### *Police Uniform Regulations*

---

#### **1046.6 POLITICAL ACTIVITIES, ENDORSEMENTS, ADVERTISEMENTS OR OTHER APPEARANCES IN UNIFORM**

Unless specifically authorized by the Chief of Police, Steamboat Springs Police Services employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published or displayed, the image of another employee, or identify him/herself as an employee of the Steamboat Springs Police Services to do any of the following:

- (a) Endorse, support, oppose or contradict any political campaign or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support or oppose, any product, service, company or other commercial entity
- (d) Appear in any commercial, social or nonprofit publication, or any motion picture, film, video, public broadcast, photo, any website or any other visual depiction

#### **1046.7 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT**

- (a) Any of the items listed in the uniform and equipment specifications manual as optional shall be purchased at the expense of the employee.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee (e.g., repairs due to normal wear and tear).
- (c) Replacement of items listed in this order as optional shall be done as follows:
  - 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
  - 2. When the item is no longer functional because of damage in the course of the employee's duties, it may be replaced following the procedures for the replacement of damaged personal property outlined in the Department-Owned and Personal Property Policy.

#### **1046.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES**

Steamboat Springs Police Services employees may not wear any uniform item, accessory or attachment unless specifically authorized in the uniform and equipment specifications manual or by the Chief of Police or the authorized designee.

Steamboat Springs Police Services employees may not use or carry any tool or other piece of equipment unless specifically authorized in the uniform and equipment specifications manual or by the Chief of Police or the authorized designee.

## Department Badges

### 1052.1 PURPOSE AND SCOPE

A Steamboat Springs Police Services badge and uniform patch as well as the likeness of these items and the name of the Steamboat Springs Police Services are property of the Department and their use shall be restricted as set forth in this policy.

### 1052.2 POLICY

The uniform badge shall be issued to Department members as a symbol of authority. The use and display of Department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

#### 1052.2.1 FLAT BADGE

Certified officers, with the written approval of the Chief of Police or the authorized designee, may purchase at their own expense a flat badge that can be carried in a wallet. The use of the flat badge is subject to all the same provisions of Department policy as the uniform badge.

- (a) An officer may sell, exchange or transfer the flat badge he/she purchased to another officer within the Steamboat Springs Police Services with the written approval of the Chief of Police or the authorized designee.
- (b) Should the flat badge become lost, damaged or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Department-Owned and Personal Property Policy.
- (c) An honorably retired officer may keep his/her flat badge upon retirement.
- (d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

#### 1052.2.2 CIVILIAN PERSONNEL

Badges and Department identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Community Service Officer, Animal Control Officer, Records, etc)).

- (a) Non-sworn personnel shall not display any Department badge except as a part of his/her uniform and while on-duty or otherwise acting in an official and authorized capacity.
- (b) Non-sworn personnel shall not display any Department badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a certified officer.

# Steamboat Springs Police Services

## Policy Manual

### *Department Badges*

---

#### 1052.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees may purchase their assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia, as other uses of the badge may be unlawful or in violation of this policy.

#### 1052.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all certified employees and non-sworn uniformed employees for official use only. The Department badge, shoulder patch or the likeness thereof, or the Department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as electronic mail or websites and web pages.

The use of the badge, uniform patch and Department name for all material (e.g., printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police or the authorized designee.

Employees shall not loan the badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

#### 1052.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the Department badge shall not be used without the express authorization of the Chief of Police or the authorized designee and shall be subject to the following:

- (a) The likeness of the Department badge for endorsement of political candidates shall not be used without the express approval of the Chief of Police or the authorized designee.

## Modified-Duty Assignments

### 1054.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for assigning employees to modified duty. Temporary modified-duty assignments may be available to employees who have incurred a duty-related illness or injury and due to restrictions or limitations are unable to perform their regular assigned duties. Non-duty related illnesses or injuries may also be considered for eligibility in accordance with this policy. Eligibility for modified-duty assignment is subject to the approval of the Chief of Police or the authorized designee.

Modified-duty assignments are intended to provide an employee with the ability to continue working within the limits of his/her restrictions and limitations on a temporary basis while providing the Department with a productive employee during the interim.

The Department will engage in a good faith interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability.

### 1054.2 DEFINITIONS

Definitions related to this policy include:

**Modified duty** - A temporary limited-term assignment not requiring performance of the full range of duties associated with the regular job classification. Modified-duty also may be termed as light-duty assignments.

### 1054.3 LIMITATIONS

Modified-duty assignments are a management prerogative and not an employee right. Modified-duty assignments shall be subject to continuous reassessment dependent upon Department need and the employee's ability to perform in a modified-duty capacity.

An injured employee may be assigned to a modified-duty position outside of his/her normal assignment or duties if it becomes available. If the injury or illness is not duty related, the employee shall be given the option to either accept the position or continue to draw on applicable sick leave or other leave accounts as applicable.

- (a) If an employee cannot adequately perform in a modified-duty assignment, such assignment may be modified or terminated.
- (b) The lack of Department need or a change in priorities may result in the employee's removal from or modification of a modified-duty assignment.
- (c) The Department may place conditions as deemed appropriate upon any modified-duty assignment.

# Steamboat Springs Police Services

## Policy Manual

### *Modified-Duty Assignments*

---

#### **1054.4 PROCEDURE**

Employees may request assignment to modified-duty by providing a signed statement from their health care provider describing their restrictions, limitations and expected duration to their Division Commander or the authorized designee. The statement must also indicate if the employee requires any workplace accommodations, mobility aids or medical devices.

The Chief of Police will determine what modified-duty assignments may be available based on the needs of the Department, the limitations of the employee and the suitability of the employee to work a particular assignment.

##### **1054.4.1 MODIFIED-DUTY SCHEDULES**

The schedules of employees assigned to modified-duty may be adjusted to suit medical appointments or Department needs at the discretion of the Division Commander.

The employee and his/her supervisors should be informed in writing of the schedule, assignment, limitations and restrictions as determined by the employee's health care provider.

##### **1054.4.2 ACCOUNTABILITY**

The employee's supervisor shall coordinate efforts to ensure proper time accountability and shall complete and process a change of shift/assignment form.

- (a) Employees on modified-duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time taken. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee's Paid Time Off (PTO) or sick leave if available.
- (b) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify their supervisor of any change in restrictions or limitations as determined by their health care provider. An employee assigned to a modified-duty assignment shall provide a duty status report to his/her supervisor no less than once every 30 days while the employee is on modified duty.
- (c) Supervisors shall keep the Chief of Police apprised of the employee's status and ability to perform the modified-duty assignment. Modified-duty assignments that extend beyond 60 days will require a written status report and a request for an extension to the Chief of Police, with an update of the employee's current status and anticipated date of return to regular duty. Extensions require approval of the Chief of Police or the authorized designee.
- (d) When it is determined that an employee on modified duty will return to regular duty, the supervisor shall notify the Chief of Police and complete and process a change of shift/assignment form. All training and certification necessary for return to duty shall be reviewed and updated as necessary.

# Steamboat Springs Police Services

## Policy Manual

### *Modified-Duty Assignments*

---

#### 1054.4.3 MEDICAL EXAMINATIONS

The Department reserves the right to require, prior to returning to full-duty status, a fitness-for-duty examination of any employee assigned to a modified-duty assignment or of any employee having been on such assignment. Such examinations shall be at the expense of the Department.

Prior to returning to full-duty status, employees shall be required to provide a statement signed by their health care provider indicating that they are medically cleared to perform the basic and essential job functions of their assignment without restriction or limitation.

#### **1054.5 PREGNANCY**

It is the policy of the Department to reassign employees who are pregnant upon request by the employee or when deemed necessary by the Department to temporary assignments that will not routinely expose the employee to potentially hazardous environments or activities.

##### 1054.5.1 EMPLOYEE NOTIFICATION

An employee who learns of her pregnancy should notify her immediate supervisor as soon as practicable. The employee must inform the Department of her intent regarding reassignment, job accommodations and anticipated leave for the pregnancy or prenatal care. The employee shall also submit a statement from her health care provider of any job restrictions or limitations she may have.

##### 1054.5.2 SUPERVISOR'S RESPONSIBILITY

Upon receiving the medical verification of the pregnancy and a request for job accommodation, reassignment or leave, the supervisor shall notify the Chief of Police, who will consider assigning the employee to an available temporary modified-duty assignment if it is deemed appropriate by the Department and medically necessary by the employee's health care provider.

If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted consistent with the City's Personnel and Administrative Regulations Manual (PARM) regarding family and medical care leave.

#### **1054.6 PROBATIONARY EMPLOYEES**

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to the employee's assignment to modified duty.

#### **1054.7 MAINTENANCE OF CERTIFICATION AND TRAINING**

Employees assigned to modified-duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided the certification, training or qualifications are not in conflict with any limitations or restrictions. Employees who are assigned to modified-duty shall inform their supervisor of any inability to maintain any certification, training or qualifications.

## Performance Evaluations

### 1056.1 PURPOSE AND SCOPE

Performance History Audits are collections of data designed to assist supervisors in evaluating the performance of their employees. Performance History Audits can help identify commendable performance as well as early recognition of training needs and other potential issues. While it is understood that the statistical compilation of data may be helpful to supervisors, it cannot account for and must be carefully balanced with the many variables in law enforcement, such as:

- An officer's ability to detect crime
- An officer's work ethic
- An officer's work assignment and shift
- An officer's physical abilities, stature, etc.
- Randomness of events

### 1056.2 RESPONSIBILITIES

Steamboat Springs Police Department supervisors are responsible for the day to day supervision and mentoring of their employees. This may include the process of collecting data to assist in evaluating employee performance.

### 1056.3 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Performance History research will include the following components:

- Performance indicators
- Data analysis
- Employee review
- Follow-up monitoring

### 1056.4 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police or the authorized designee of Steamboat Springs Police Services has determined may be relevant data for the generation and analysis of Performance History Audits. Performance indicators may include, but are not limited to:

- (a) The frequency and findings of use-of-force incidents.
- (b) Frequency of involvement and conduct during vehicle pursuits.
- (c) Frequency and findings of citizen complaints.
- (d) Number of commendations, compliments and awards (citizen and Department).

# Steamboat Springs Police Services

## Policy Manual

### *Performance Evaluations*

---

- (e) Claims and civil suits related to the employee's actions or alleged actions.
- (f) Internal Affairs investigations.
- (g) Frequency and reasons for case rejections by a prosecutor.
- (h) Intentional or unintentional firearm discharges (regardless of injury).
- (i) Vehicle collisions.
- (j) Missed court appearances.
- (k) Documented counseling memos.

#### **1056.5 CONFIDENTIALITY OF DATA**

Information, data and copies of material compiled to develop Performance Evaluations shall be considered part of the employee's personnel file and will not be subject to discovery or release except as provided by law. Access to the data in the system will be governed under the same process as access to an officer's personnel file as outlined in the Personnel Files Policy.

# Employee Speech, Expression and Social Networking

## 1058.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

### 1058.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to film, video, print media or public speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

## 1058.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Steamboat Springs Police Services will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over employee speech and expression.

## 1058.3 SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Steamboat Springs Police Services employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, an employee's family or associates.

# Steamboat Springs Police Services

## Policy Manual

### *Employee Speech, Expression and Social Networking*

---

Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

#### **1058.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Steamboat Springs Police Services or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the Steamboat Springs Police Services and tends to compromise or damage the mission, function, reputation or professionalism of the Steamboat Springs Police Services or its employees. Examples include statements that indicate disregard for the law or the state or U.S. Constitution; expression that demonstrates support for criminal activity; participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Steamboat Springs Police Services.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial gain, or data classified as confidential by state or federal law, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Steamboat Springs

# Steamboat Springs Police Services

## Policy Manual

### *Employee Speech, Expression and Social Networking*

---

Police Services on any personal or social networking or other website or web page without the express authorization of the Chief of Police.

- (h) Accessing websites for unauthorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
1. When brief personal communications may be warranted by the circumstances (e.g., informing family of extended hours).
  2. During authorized breaks; such usage should be limited as much as practicable to areas out of the sight and sound of the public and shall not be disruptive to the work environment.

In addition, an employee is required to take reasonable and prompt action to remove any content that is in violation of this policy, whether posted by the employee and/or others, from any web page or website maintained by the employee (e.g., social or personal website).

#### 1058.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Steamboat Springs Police Services or identify themselves in any way that could be reasonably perceived as representing the Steamboat Springs Police Services in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support, or oppose any product, service, company or other commercial entity
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group) is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Steamboat Springs Police Services.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

# Steamboat Springs Police Services

## Policy Manual

### *Employee Speech, Expression and Social Networking*

---

#### **1058.5 PRIVACY EXPECTATION**

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

#### **1058.6 CONSIDERATIONS**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

#### **1058.7 TRAINING**

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

---

## Emergency Notification and Detective On-call

### 1059.1 PURPOSE AND SCOPE

To assign responsibilities for notifying Police Administration and On-call personnel of emergencies and serious incidents.

#### 1059.1.1 POLICY

It is essential that Police Department Administration (Chief of Police and Division Commanders) be informed immediately of emergencies, critical incidents, and other matters which may significantly affect their operational areas or which may require they take action. The procedures in this policy are designed to ensure that appropriate notifications are made whenever they are needed.

#### 1059.1.2 SERGEANT OR SENIOR OFFICER RESPONSIBILITIES

The Sergeant or Senior Officer is the Officer in Charge (O.I.C.) when Administration is not on duty. The O.I.C. will notify administration of any serious situations including use of deadly force incidents resulting in serious bodily injuries or death; on-duty or off duty deaths of officers; serious injuries to officers which require hospitalization; any incidents where an officer seriously injures or kills someone; any situation which is politically sensitive or involves the risk of a major civil liability to the department.

The O.I.C. on scene shall determine if the event meets the criteria for notification and response of the On-call detective. The O.I.C. will contact the dispatch center, who will then initiate the call-out. When the On-call detective receives notification from the O.I.C. or the Dispatch Center, the On-call detective should contact the supervisor in charge of the Detective Bureau to advise them of the Call-out.

#### 1059.1.3 CALL OUT GUIDELINES

**Deadly Force incidents resulting in serious injury or death caused by an offender, citizen or law enforcement officer:**

Chief of Police.

Operations Commander

Administration Commander

Critical Incident Team if a law enforcement officer is involved.

**Barricaded gunman, hostage situation or any event that requires a tactical response:**

Chief of Police

Operations Commander

Administration Commander

Combined Emergency Response Team

**Major fires, aircraft accidents or other disasters which require a police response:**

# Steamboat Springs Police Services

## Policy Manual

### *Emergency Notification and Detective On-call*

---

Chief of Police

Operations Commander

Administration Commander

**Communication and/or major computer equipment failure:**

Chief of Police

Operations Commander

**Incidents involving political sensitive or major liability risk:**

Chief of Police

**Incidents likely to generate special media attention ("newsworthy" events)**

Chief of Police

**Major civil disturbances/unlawful demonstrations:**

Chief of Police

Operations Commander

**Homicides or suspected homicides, suicides, kidnapping, or foul play:**

Chief of Police

Administration Commander

**Major employee walk-outs or work stoppages:**

Chief of Police

Operations Commander

Administration Commander

**Department member is charged with a crime:**

Chief of Police

Administration Commander

#### 1059.1.4 NOTIFICATION FOR ON-CALL DETECTIVE

There will be an On-call detective scheduled 7 days a week on a rotating basis. The number of On-call rotations is dependent on the number of detectives available for On-call status. The On-call detective will be called out to assist with the following investigations:

Homicides, suicides, accidental and unattended deaths.

Vehicular homicides.

First and Second degree assaults

# Steamboat Springs Police Services

## Policy Manual

### *Emergency Notification and Detective On-call*

---

First and Second degree sexual assaults.

Sexual assaults on a child or by a person in a position of trust

Aggravated robberies

Burglaries involving the theft of money, goods or merchandise with a value in excess of \$10,000.00.

Burglaries where the traceable evidence cannot be preserved until a detective can arrive for their regular shift.

Arson.

Fatal accidents.

Sudden death under suspicious circumstances.

Serious injury to a police officer.

Serious injury of a suspect arrested by the police.

#### 1059.1.5 LIMITATIONS WHILE ON-CALL

Any officer assigned to paid On-call status, must be readily available to respond to the Steamboat Springs Police Station in 1 hour or less. The On-call officer shall not consume any substances, including alcohol, that may impair their ability to drive or act in the capacity of a police officer.

#### **1059.2 ACET DETECTIVE CALL-OUT**

The ACET Detective will be called on any narcotics arrests where the following is recovered: any quantity of any schedule I, II, or III Controlled substance, marijuana that is packaged to indicate sales or in a situation in which the suspect wants to provide information, become an informant, etc. The on-call ACET Detective will then make the determination if they will respond or not. If an ACET Detective is unavailable or unreachable. Contact the on-call S.S.P.D. Detective.

## Anti-Retaliation

### 1060.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

### 1060.2 POLICY

The Steamboat Springs Police Services has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

### 1060.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

## *Anti-Retaliation*

---

### **1060.4 COMPLAINTS OF RETALIATION**

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Director of Human Services.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

### **1060.5 SUPERVISOR RESPONSIBILITIES**

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

# Steamboat Springs Police Services

## Policy Manual

### *Anti-Retaliation*

---

#### **1060.6 COMMAND STAFF RESPONSIBILITIES**

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

#### **1060.7 RECORDS RETENTION AND RELEASE**

The Records Supervisor shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

#### **1060.8 TRAINING**

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

## Illness and Injury Prevention

### 1061.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Steamboat Springs Police Services.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

### 1061.2 POLICY

The Steamboat Springs Police Services is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an Illness and Injury Prevention program and will provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

### 1061.3 ILLNESS AND INJURY PREVENTION PLAN

The Administration Division Commander is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
  1. Meet regularly.
  2. Prepare a written record of safety and health committee meetings.
  3. Review the results of periodic scheduled inspections.
  4. Review investigations of accidents and exposures.
  5. Make suggestions to command staff for the prevention of future incidents.
  6. Review investigations of alleged hazardous conditions.
  7. Submit recommendations to assist in the evaluation of member safety suggestions.

### 1061.4 ADMINISTRATION DIVISION COMMANDER RESPONSIBILITIES

The responsibilities of the Administration Division Commander include, but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.

# Steamboat Springs Police Services

## Policy Manual

### *Illness and Injury Prevention*

---

- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
  - 1. New member orientation that includes a discussion of safety and health policies and procedures.
  - 2. Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes, but is not limited to:
  - 1. Informing members of the illness and injury prevention guidelines.
  - 2. Recognizing members who perform safe work practices.
  - 3. Ensuring that the member evaluation process includes member safety performance.
- (e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Developing a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training and training providers.

#### **1061.5 SUPERVISOR RESPONSIBILITIES**

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Administration Division Commander.
- (e) Notifying the Administration Division Commander when:
  - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
  - 2. New, previously unidentified hazards are recognized.
  - 3. Occupational illnesses and injuries occur.
  - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.

## *Illness and Injury Prevention*

---

5. Workplace conditions warrant an inspection.

### **1061.6 HAZARDS**

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Administration Division Commander via the chain of command.

The Administration Division Commander will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

### **1061.7 INSPECTIONS**

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Administration Division Commander shall ensure that the appropriate documentation is completed for each inspection.

#### **1061.7.1 EQUIPMENT**

Members are charged with daily vehicle inspections of their assigned vehicles and of their personal protective equipment (PPE) prior to working in the field. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

### **1061.8 INVESTIGATIONS**

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

# Steamboat Springs Police Services

## Policy Manual

### *Illness and Injury Prevention*

---

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury and Death Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

#### **1061.9 TRAINING**

The Administration Division Commander should work with the Training Coordinator to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

##### **1061.9.1 TRAINING TOPICS**

The Training Coordinator shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves, footwear and PPE.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.

# Steamboat Springs Police Services

## Policy Manual

### *Illness and Injury Prevention*

---

- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed.
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Safety Data Sheets (SDS) hazards and mitigation.
- (l) Back exercises/stretchers and proper lifting techniques.
- (m) Avoidance of slips and falls.
- (n) Good housekeeping and fire prevention.
- (o) Other job-specific safety concerns.

#### **1061.10 RECORDS**

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

# Steamboat Springs PD Policy Manual

## Policy Manual

## INDEX

### A

ABBREVIATIONS . . . . .	14
ACCOUNTABILITY TO SUPERVISOR . . . . .	20
ADDRESS CHANGE . . . . .	162
ADMINISTRATIVE HEARINGS . . . . .	435
ADMINISTRATIVE INVESTIGATIONS	
Criminal parallel. . . . .	579
OIS. . . . .	71
Vehicle damage. . . . .	488
ADMINISTRATIVE LEAVE	
OIS. . . . .	68
ADULT ABUSE . . . . .	124
Investigations. . . . .	440
AIRCRAFT	
Flying while armed. . . . .	82
Pursuits. . . . .	90
AIRCRAFT CRASHES . . . . .	339
ALCOHOL	
Vehicle use. . . . .	486
ALCOHOL . . . . .	564
ALCOHOL USE . . . . .	564
AMMUNITION . . . . .	78
ANIMAL CONTROL PROCEDURES . . . . .	525
ANIMALS	
Dangerous. . . . .	81
Euthanize. . . . .	81
Injured. . . . .	81
Service. . . . .	229
ANTI-REPRODUCTIVE RIGHTS . . . . .	215
ANTI-RETALIATION . . . . .	637
APPOINTMENTS	
ADA coordinator. . . . .	223
Custodian of records. . . . .	513
Exposure control officer. . . . .	568
Operations director . . . . .	463, 467
Petty cash fund manager. . . . .	493
ARREST	
TRANSPORT, SEARCHES. . . . .	540
ARRESTS	
Disabled persons. . . . .	231
First amendment assemblies. . . . .	396
Immigrants. . . . .	333
Seat belts. . . . .	583
Sick or injured person. . . . .	401
ASSET FORFEITURE . . . . .	446
ATTENDANCE . . . . .	162
AUDIO/VIDEO RECORDING	
Body-worn cameras. . . . .	361
Custodial interrogation. . . . .	438

OIS. . . . .	73
AUDITS	
Case dispositions. . . . .	445
Informant files. . . . .	450
Informant funds. . . . .	454
Personnel complaints. . . . .	575
Petty cash. . . . .	493
AUTHORITY . . . . .	9
Ethics. . . . .	172
AUTOMATED EXTERNAL DEFIBRILLATORS (AED) . . . . .	403
AUXILIARY RESTRAINTS . . . . .	51
AVL . . . . .	485
<b>B</b>	
BACKGROUNDS . . . . .	560
BADGE	
Mourning Badge. . . . .	620
BADGES, PATCHES AND IDENTIFICATION	
Administrative leave. . . . .	579
Conduct. . . . .	173
BARRICADED SUSPECTS . . . . .	302
BATON . . . . .	54
BETTING . . . . .	164
BIOLOGICAL SAMPLES	
Hazards. . . . .	643
Missing persons. . . . .	144
Sexual assault. . . . .	444
BIOLOGICAL SAMPLES . . . . .	235
BLOOD TESTS . . . . .	431
BODY ARMOR	
Suspects. . . . .	76
BODY ARMOR . . . . .	585
BODY CAVITY SEARCH . . . . .	540
BODY-WORN CAMERAS . . . . .	361
BOMBS	
Chaplains. . . . .	243
BOOKING SEARCH . . . . .	540
BRIBE . . . . .	164
BRIEFING	
Operations. . . . .	470
BUCCAL SWABS . . . . .	236
<b>C</b>	
CANINES	
Pursuits. . . . .	374
Vehicle pursuits. . . . .	90
CASH	
Audit. . . . .	454
Informants. . . . .	453
CHANGE OF ADDRESS . . . . .	162
CHANGE OF ASSIGNMENT . . . . .	593
CHAPLAINS . . . . .	240

# Steamboat Springs Police Services

## Policy Manual

CHILD			
Sexual assault. . . . .	442	Sexual assault victims. . . . .	443
CHILD ABUSE		CONSULAR OFFICERS . . . . .	318
Definitions. . . . .	134	CONTACTS AND TEMPORARY DETENTIONS	
CHILDREN		Warrant service. . . . .	465
Firearms. . . . .	80	CONTROL DEVICES	
Language assistance. . . . .	229	Decontamination. . . . .	569
Missing persons. . . . .	143	First amendment assemblies. . . . .	395
Pursuits. . . . .	94	CONTROL DEVICES . . . . .	53
Safety. . . . .	548	CORRESPONDENCE . . . . .	27
Transportation. . . . .	584	COURT ORDERS	
CITATION/SUMMONS AND RELEASE . . . . .	315	Adult abuse. . . . .	124
CIVIL		Child custody. . . . .	146
Immigration hold. . . . .	333	Civil disputes. . . . .	398
Liability response. . . . .	72	Juvenile informants. . . . .	453
Subpoenas. . . . .	195	Source testing. . . . .	571
Warrant. . . . .	332	Subpoenas. . . . .	194
CIVIL DISPUTES . . . . .	398	CRIME SCENE AND DISASTER INTEGRITY	
COMMAND PROTOCOL . . . . .	20	. . . . .	285
COMMAND STAFF		CRIMINAL ACTIVITY REPORTING . . . . .	186
Conducted energy device. . . . .	64	CRIMINAL STREET GANGS . . . . .	352
Discriminatory harassment. . . . .	130	CRISIS INTERVENTION INCIDENTS . . . . .	387
Occupational disease and work-related		CRISIS RESPONSE UNIT	
injury. . . . .	611	Operations . . . . .	287, 471
Petty cash audit. . . . .	493	CUSTODIAL INTERROGATIONS	
COMMUNICABLE DISEASES		Communications for persons with	
Custody. . . . .	546	disabilities. . . . .	230
First responders. . . . .	400	CUSTODIAN OF RECORDS . . . . .	513
Illness and injury prevention. . . . .	640	CUSTODY SEARCHES . . . . .	540
COMMUNICATIONS CENTER		CUSTOMS AND BORDER PROTECTION (CBP)	
Foot pursuits. . . . .	377	. . . . .	332
Vehicle pursuits. . . . .	91		
COMMUNICATIONS FOR PERSONS WITH		<b>D</b>	
DISABILITIES . . . . .	222	DAMAGE BY PERSONNEL . . . . .	188
COMPUTERS		DEADLY FORCE . . . . .	41
Digital evidence. . . . .	440	DEATH	
CONDUCT		Chaplains. . . . .	242
Discriminatory harassment. . . . .	129	Custody – adults. . . . .	549
OIS. . . . .	67	Native American Graves (NAGPRA). . . . .	260
Personnel complaints. . . . .	574	DEATH INVESTIGATION . . . . .	209
Standards of conduct. . . . .	175	DEATH NOTIFICATION . . . . .	210
CONFIDENTIAL DATA . . . . .	167	DEBRIEFING	
CONFIDENTIALITY		OIS. . . . .	73
Adult abuse reports. . . . .	127	Operations planning and deconfliction. . . . .	471
Communicable disease information. . . . .	571	DECONFLICTION . . . . .	469
Conduct. . . . .	173	DEFECTIVE VEHICLES . . . . .	482
Custodial telephone calls. . . . .	548	DEFINITIONS . . . . .	14
Custodian of records. . . . .	513	DEPARTMENT/OFFICE PROPERTY . . . . .	474
Discriminatory harassment. . . . .	130	Loss Or Damage. . . . .	475
Informants. . . . .	452	DEPARTMENTAL DIRECTIVES . . . . .	22
Personnel complaints. . . . .	576	DEPENDENT ADULTS . . . . .	124
Radio broadcasts. . . . .	359	Safety. . . . .	548

# Steamboat Springs Police Services

## Policy Manual

DEPLOYMENT . . . . .	328	EXPOSURE . . . . .	301
DIPLOMATIC AGENTS . . . . .	318	EXPOSURE CONTROL	
DISABLED		Officer. . . . .	568
Communicating with the. . . . .	222	Reviews. . . . .	640
DISCIPLINE . . . . .	172	EXPUNGEMENT . . . . .	516
Personnel complaints. . . . .	580		
DISCLAIMER OF POLICIES . . . . .	13		
DISCRIMINATION		<b>F</b>	
Americans with Disabilities (ADA). . . . .	223	FAILURE TO TAKE ACTION . . . . .	164
Conduct. . . . .	173	FALSIFICATION OF RECORDS . . . . .	164
Defined. . . . .	129	FIELD CITATIONS . . . . .	316
Personnel complaints. . . . .	576	FIELD DETAINEES . . . . .	346
DISCRIMINATORY HARASSMENT . . . . .	129	FIELD IDENTIFICATION . . . . .	456
DISCRIMINATORY HARASSMENT		FIELD INTERVIEW . . . . .	346
Complaints. . . . .	132	FIELD PHOTOGRAPHS . . . . .	346
Definitions. . . . .	129	FIELD SOBRIETY TESTS . . . . .	430
DISOBEDIENCE . . . . .	164	FIELD TRAINING OFFICER . . . . .	342
DISPARAGING REMARKS . . . . .	164	FIGHTING . . . . .	163
DISPUTED CLAIMS . . . . .	503	FIREARM DISCHARGE POLICY . . . . .	46
DISTRIBUTION . . . . .	15	FIREARM SERIAL NUMBERS . . . . .	510
DOMESTIC VIOLENCE . . . . .	102	FIREARMS . . . . .	75
DRIVING		Conduct. . . . .	176
MDT/MDC. . . . .	358	Pursuits. . . . .	94
Pursuit tactics. . . . .	89	Vehicle maintenance. . . . .	487
Safety. . . . .	176	Vehicle use. . . . .	487
DRUG USE . . . . .	564	FIRST AMENDMENT ASSEMBLIES . . . . .	392
DUI ENFORCEMENT . . . . .	430	FITNESS FOR DUTY	
		OIS. . . . .	68
<b>E</b>		FITNESS FOR DUTY . . . . .	596
ELECTRICAL LINES . . . . .	335	FLYING WHILE ARMED . . . . .	82
ELECTRONIC CIGARETTES . . . . .	573	FORCE	
ELECTRONIC MAIL . . . . .	25	Use of Force. . . . .	39
Personnel complaints. . . . .	574	FOREIGN DIPLOMATIC AND CONSULAR	
EMDT . . . . .	59	REPRESENTIVES . . . . .	318
EMERGENCY MANAGEMENT PLAN		FOREIGN NATIONALS	
MANUALS . . . . .	23	Arrest or Detention. . . . .	318
EMERGENCY UTILITY . . . . .	335	In-Custody Arrests. . . . .	320
EMPLOYEE ASSISTANCE . . . . .	564	Traffic Collisions. . . . .	322
EMPLOYEE COMMENDATIONS . . . . .	594	Vehicle Registration. . . . .	319
EMPLOYEE CONVICTIONS . . . . .	562	FORMS	
ENFORCEMENT . . . . .	412	Missing person investigation checklist. . . . .	144
ETHICS . . . . .	172	Missing person medical release. . . . .	144
EVIDENCE		Missing person school notification. . . . .	144
Bombs. . . . .	306	Missing persons. . . . .	144
Digital. . . . .	440		
Personnel complaints . . . . .	575, 578	<b>G</b>	
Seizing recordings. . . . .	383	GAMBLING . . . . .	164
EXAMINATIONS		GANGS	
Mental, Physical. . . . .	597	Employee affiliation. . . . .	173
EXCESSIVE FORCE . . . . .	164	GANGS . . . . .	352
EXPLOSIONS . . . . .	305		

# Steamboat Springs Police Services

## Policy Manual

GRATUITY . . . . .	164	JAIL RELEASE . . . . .	316
<b>H</b>		JURISDICTION	
HANDCUFF POLICY . . . . .	199	OIS. . . . .	66
Juveniles . . . . .	201, 201	JURISDICTION	
HANDCUFFING . . . . .	50	Pursuits. . . . .	92
HANDCUFFING AND RESTRAINTS		JUVENILES	
Custody. . . . .	549	Suicide Prevention. . . . .	118
Persons with disabilities. . . . .	226	<b>K</b>	
HATE CRIMES . . . . .	158	KINETIC PROJECTILES . . . . .	56
HAZARDOUS MATERIAL . . . . .	300	<b>L</b>	
HAZARDOUS MATERIAL (HAZMAT)		LEG IRONS . . . . .	51
RESPONSE		LEG RESTRAINTS . . . . .	51
Precautions. . . . .	569	LIGHT DUTY ASSIGNMENTS . . . . .	625
HAZARDS . . . . .	642	LIMITED ENGLISH PROFICIENCY	
HELICOPTER ASSISTANCE . . . . .	345	Immigration violations. . . . .	332
HIGH-VISIBILITY VESTS . . . . .	414	LIMITED ENGLISH PROFICIENCY . . . . .	216
HONORARY CONSULS . . . . .	318	LIVE LINEUP . . . . .	456
HORSEPLAY . . . . .	163	<b>M</b>	
HOSTAGES . . . . .	302	MDT . . . . .	357
NEGOTIATIONS. . . . .	302	MDT/MDC	
<b>I</b>		Use. . . . .	485
IDENTITY THEFT . . . . .	211	Vehicles. . . . .	485
ILLNESS AND INJURY PREVENTION . . . . .	640	MEAL PERIODS AND BREAKS . . . . .	599
IMMIGRATION AND CUSTOMS		MEDIA	
ENFORCEMENT (ICE) . . . . .	332	First amendment assemblies. . . . .	396
IMMIGRATION VIOLATIONS . . . . .	331	OIS. . . . .	74
IMMUNIZATIONS . . . . .	570	Operations plans. . . . .	471
IMPAIRED DRIVING . . . . .	430	Warrant service. . . . .	466
INFAMOUS		MEDIA REQUEST . . . . .	190
disgraceful. . . . .	164	MEDICAL	
INFORMANTS . . . . .	450	Adult involuntary detention. . . . .	128
INFORMATION TECHNOLOGY USE . . . . .	177	Examinations – Adult abuse. . . . .	124
INSPECTIONS		Illness and injury prevention. . . . .	640
Exposure control. . . . .	568	Release restrictions. . . . .	514
Firearms. . . . .	75	Releases. . . . .	402
Illness and injury prevention . . . . .	640, 642	Treatment for communicable disease	
Personal protective equipment. . . . .	642	exposure. . . . .	570
Police vehicles. . . . .	485	Treatment for occupational disease and work-	
Rangemaster. . . . .	82	related injury. . . . .	610
Vehicles. . . . .	642	MENTAL ILLNESS	
INSUBORDINATION . . . . .	164	Civil Commitments. . . . .	310
INTOXICANTS . . . . .	164	Restraints. . . . .	311
INVESTIGATION AND PROSECUTION . . . . .	438	MINIMUM STAFFING . . . . .	29
<b>J</b>		MISAPPROPRIATION OF PROPERTY . . . . .	164

# Steamboat Springs Police Services

## Policy Manual

MISSING PERSONS . . . . .	143	ORGANIZATIONAL STRUCTURE . . . . .	19
MOBILE AUDIO VIDEO		OUTSIDE AGENCY ASSISTANCE . . . . .	197
Video Media Storage. . . . .	408	OUTSIDE EMPLOYMENT . . . . .	605
MOBILE AUDIO/VIDEO (MAV)		Obtaining Approval. . . . .	605
OIS. . . . .	73	Prohibited Outside Employment. . . . .	607
MOBILE DIGITAL TERMINAL USE . . . . .	357	Security Employment. . . . .	607
MOBILE VIDEO RECORDER . . . . .	404	OVERTIME	
Required Activation. . . . .	405	Court. . . . .	196
Review. . . . .	407	OVERTIME PAYMENT . . . . .	603
MODIFIED-DUTY ASSIGNMENTS . . . . .	625		
MUTUAL AID		<b>P</b>	
First amendment assemblies. . . . .	395	PARKING . . . . .	486
Warrant service. . . . .	465	PAT-DOWN SEARCH . . . . .	346
		PATROL FUNCTION . . . . .	277
<b>N</b>		PEPPER PROJECTILES . . . . .	54
NATIVE AMERICAN GRAVES (NAGPRA)	260	PEPPER SPRAY . . . . .	54
NEWS MEDIA RELATIONS . . . . .	190	PERSONAL APPEARANCE . . . . .	612
NONSWORN		PERSONAL PROPERTY . . . . .	474
Crisis intervention incidents. . . . .	390	Loss or damage. . . . .	475
Investigation and prosecution. . . . .	439	PERSONNEL COMPLAINTS	
NOTIFICATIONS		Disabled persons. . . . .	231
Adult abuse. . . . .	125	PERSONNEL FILE	
Custody suicide attempt, death or serious		Defined. . . . .	587
injury. . . . .	549	PERSONNEL FILES . . . . .	587
Exposure control. . . . .	568	Purging Of Files. . . . .	591
Impaired driving. . . . .	432	Requests For Disclosure. . . . .	590
Missing persons. . . . .	149	PERSONNEL ORDERS . . . . .	27
Sexual assault. . . . .	442	PETTY OFFENSE TICKETS . . . . .	113
NOTIFICATIONS . . . . .	68	PHOTOGRAPHIC LINEUP . . . . .	456
NUMERICAL FILING . . . . .	508	PHOTOGRAPHS	
		First amendment assemblies. . . . .	393
<b>O</b>		PHYSICAL CONDITION . . . . .	167
OC SPRAY . . . . .	54	POLICY MANUAL . . . . .	13
OCCUPATIONAL DISEASES AND WORK-		PREGNANCY	
RELATED INJURY AND DEATH REPORTING		Custody . . . . .	546, 549
. . . . .	610	PREGNANCY . . . . .	627
OFFICER SAFETY		PRESS INFORMATION OFFICER . . . . .	341
Crime scene and disaster integrity . . . . .	285, 285	PRIVACY EXPECTATIONS	
Firearm Confiscation. . . . .	67	Administrative searches. . . . .	579
Foot pursuits. . . . .	374	Audio/video recordings. . . . .	361
Immigration violations. . . . .	332	MDT/MDC. . . . .	358
Informants. . . . .	452	Technology use. . . . .	177
Occupational hazards. . . . .	642	Vehicles. . . . .	485
Seat belts. . . . .	583	PRIVATE PERSONS ARRESTS . . . . .	213
Vehicle pursuits. . . . .	85	PROBATIONARY EMPLOYEES	
Warrant service. . . . .	463	Personnel complaints. . . . .	582
OFFICER-INVOLVED SHOOTING (OIS) . . . . .	66	PROPERTY FORFEITURE	
OPERATIONS PLANNING AND		Procedure. . . . .	446
DECONFLICTION . . . . .	467	PROPERTY PROCEDURES . . . . .	496
		Controlled Substances. . . . .	497
		Disputed Claims. . . . .	503

# Steamboat Springs Police Services

## Policy Manual

Packaging Of Property. . . . .	498	REPORTING CONVICTIONS . . . . .	562
Property Booking. . . . .	497	Family Violence . . . . .	562, 562
Property Handling. . . . .	496	REPORTING LAW ENFORCEMENT ACTIVITY	
Property Release. . . . .	501	. . . . .	330
PROTECTED INFORMATION		RESPONSE TO CALLS . . . . .	97
Unauthorized release. . . . .	173	RESTRAINTS . . . . .	49
PROTECTED INFORMATION		RESTRICTED INFORMATION . . . . .	192
Criminal offender information. . . . .	517	RETALIATION . . . . .	129
PROTECTIVE CUSTODY		RETALIATION PROHIBITED . . . . .	637
Dependent adults. . . . .	124	REVIEWS	
PUBLIC RECORD REQUESTS . . . . .	514	Crisis intervention incidents. . . . .	390
PUBLIC RECORDING OF LAW ENFORCEMENT		Exposure control plan. . . . .	568
ACTIVITY . . . . .	382	Exposures. . . . .	640
PURSUITS		Illness and injury prevention. . . . .	640
Foot. . . . .	374	Post pursuit . . . . .	91, 90
Vehicle. . . . .	85	Pursuit policy. . . . .	96
<b>R</b>		Vehicle pursuits - annual. . . . .	95
RACIAL PROFILING . . . . .	281	RIDE-ALONG	
RANGEMASTER		Eligibility. . . . .	297
Firearms. . . . .	75	ROLL CALL TRAINING . . . . .	283
Inspections . . . . .	77, 75	<b>S</b>	
RAPE KITS . . . . .	444	SAFETY	
RAPID DEPLOYMENT TEAM . . . . .	328	Conduct. . . . .	176
REASONABLE SUSPICION . . . . .	346	Firearms. . . . .	79
RECORDS BUREAU		Inspections (occupational). . . . .	642
Administrative hearings. . . . .	435	Occupational. . . . .	640
Impaired driving. . . . .	435	Shotguns. . . . .	76
Missing persons. . . . .	148	SAFETY EQUIPMENT	
Suspicious activity reports. . . . .	386	Seat belts. . . . .	583
RECORDS MAINTENANCE AND RELEASE	512	SART . . . . .	442
RECORDS RELEASE		SEALED RECORDS . . . . .	516
Adult abuse. . . . .	127	SEARCH AND SEIZURE . . . . .	108
Eyewitness identification policy. . . . .	459	SEARCH WARRANT	
Sexual assault. . . . .	445	Seized recording devices or media. . . . .	384
Subpoenas and discovery requests. . . . .	516	SEARCH WARRANTS . . . . .	463
RECORDS RETENTION		SEARCHES	
Email. . . . .	26	Administrative. . . . .	579
Illness and injury prevention. . . . .	644	Crime scene. . . . .	285
Operations plans. . . . .	470	Police vehicle inspections. . . . .	485
RECRUITMENT AND SELECTION . . . . .	552	SEARCHES	
REFLECTORIZED VESTS . . . . .	414	Custody. . . . .	540
REGISTERED OFFENDER INFORMATION	203	Frisks. . . . .	540
RELEASE OF RECORDS AND INFORMATION		Pat-Down. . . . .	540
Processing Requests. . . . .	512	Strip. . . . .	540
RELIGION		SEARCHING	
NAGPRA. . . . .	260	Dead Bodies. . . . .	209
REPORT CORRECTIONS . . . . .	188	SEAT BELTS . . . . .	583
REPORT PREPARATION . . . . .	186	SECURITY EMPLOYMENT . . . . .	607
REPORTING		SEIZED CURRENCY . . . . .	447
Use of force. . . . .	42	SEXUAL ASSAULT INVESTIGATIONS . . . . .	442

# Steamboat Springs Police Services

## Policy Manual

SEXUAL HARASSMENT . . . . .	130	Protected information. . . . .	519
SICK LEAVE . . . . .	567	SWAT. . . . .	287
SMOKING AND TOBACCO USE . . . . .	573	TRAINING PLAN . . . . .	33
SOCIAL MEDIA . . . . .	264	TRANSPORT BELTS . . . . .	51
Backgrounds. . . . .	560		
SPIT HOOD . . . . .	50	<b>U</b>	
SPIT MASK . . . . .	50	U VISA AND T VISA . . . . .	334
STAFF . . . . .	13	UNAUTHORIZED USE . . . . .	164
STANDARDS OF CONDUCT . . . . .	161	UNIFORM REGULATIONS . . . . .	616
STRIP SEARCH . . . . .	540	UNIFORMS	
SUBPOENAS . . . . .	194	Courtroom attire. . . . .	195
Records release and discovery requests. . . . .	516	UNIFORMS AND CIVILIAN ATTIRE	
SUBPOENAS AND COURT APPEARANCES	194	Vehicle use. . . . .	488
SUCCESSION OF COMMAND . . . . .	20	UNITY OF COMMAND . . . . .	20
SUPERVISION DEPLOYMENTS . . . . .	29	UNLAWFUL ASSEMBLY . . . . .	395
SUPERVISION STAFFING LEVELS . . . . .	28	UNTRUTHFUL . . . . .	164
SUSPICIOUS ACTIVITY REPORTING . . . . .	385	USE OF FORCE	
		First amendment assemblies. . . . .	395
<b>T</b>		USE OF SOCIAL MEDIA . . . . .	264
TEAR GAS . . . . .	54	UTILITY SERVICE . . . . .	335
TECHNOLOGY USE . . . . .	177		
TEMPORARY CUSTODY		<b>V</b>	
Adults. . . . .	546	VEHICLE MAINTENANCE . . . . .	482
TERMINATE A PURSUIT . . . . .	87	VEHICLE USE . . . . .	484
THEFT . . . . .	164	VEHICLES	
TIME CARD . . . . .	602	Pursuits. . . . .	85
TIME CARDS . . . . .	602	VICTIM ASSISTANCE . . . . .	273
TRAFFIC CITATIONS . . . . .	413	VIDEO RECORDINGS	
TRAFFIC FUNCTION . . . . .	412	First amendment assemblies. . . . .	393
TRAFFIC OFFICER/DEPUTY . . . . .	412		
TRAFFIC SIGNAL . . . . .	335	<b>W</b>	
TRAINING		WARNING SHOTS . . . . .	48
Adult abuse. . . . .	127	WARNINGS	
AED. . . . .	403	Shots. . . . .	82
Communicable disease. . . . .	571	WARRANT SERVICE . . . . .	463
Crisis intervention incidents. . . . .	391	WASHING OF VEHICLES . . . . .	482
Custody. . . . .	550	WATCH COMMANDERS . . . . .	356
Discriminatory harassment. . . . .	133	WATER LINES . . . . .	335
Firearms. . . . .	80		
First amendment assemblies. . . . .	397		
Hazardous materials. . . . .	643		
Immigration. . . . .	334		
Occupational safety. . . . .	643		
Operations planning and deconfliction. . . . .	472		
Persons with disabilities . . . . .	232, 232		
Pursuits. . . . .	96		
Sexual assault. . . . .	445		
Social Media. . . . .	266		
Warrant service. . . . .	466		
TRAINING			
Anti-Retaliation. . . . .	639		