



Chapel Hill Police
Department
Policy Manual



Chapel Hill Police Department



Disclaimer

These statements of Chapel Hill Police Department Policy are for department use only and do not apply in any civil or criminal proceeding. Violation of these policies may constitute the basis for departmental administrative sanctions, but only violations of the law may constitute the basis for civil or criminal sanctions.



Chapel Hill Police Department



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Policy: Officers are trained and expected to use de-escalation strategies when interacting with subjects on scenes, to reduce conflict, anxiety, and potential for an increase in aggression or violence. If officers must use force, they will act with the foremost regard for the safety of all persons involved. This policy, to include any relevant changes to case or statutory law on use of force, will be reviewed annually by every officer.

I. Definitions

- A. **Less Lethal Force** – A force option which is highly unlikely to cause death or serious injury to a suspect when properly applied by a law enforcement officer; however, death may result depending on its use.
- B. **Deadly Force** - Any use of force likely to cause death or serious physical injury.
- C. **Reasonably Necessary** - Those actions, based upon the known facts or circumstances, which would normally be expected from a reasonable and prudent officer under similar circumstances.
- D. **Serious Physical Injury** - Any injury that could result in disfigurement, disability or death.

II. Use of Force Guidelines

The appropriate level of force depends on the type of force with which the officer is confronted. Our goal is to use only the amount of force objectively reasonable to take a person into custody. The force option model is used as a guide for officers when making use of force decisions. When officers are confronted with a situation where control is required to effect an arrest or protect the public's safety, officers should attempt to achieve control through advice, warnings, and persuasion. When time and circumstances permit, officers shall use de-escalation tactics to reduce the need for force.

We recognize that there are certain circumstances where the risk to the public and the preservation of life is paramount and must be taken into consideration. The use of neck restraints, carotid restraints, and chokeholds restrict the blood flow to the brain and may cause unconsciousness or death. Therefore, they are specifically prohibited.

Consistent with policy 3-1 Rules and Regulations and Policy 4-10 Internal Affairs and Complaints, it shall be the duty of every officer in this agency to attempt to intervene and prevent any other officer from using unjustified or excessive force. Any officer who

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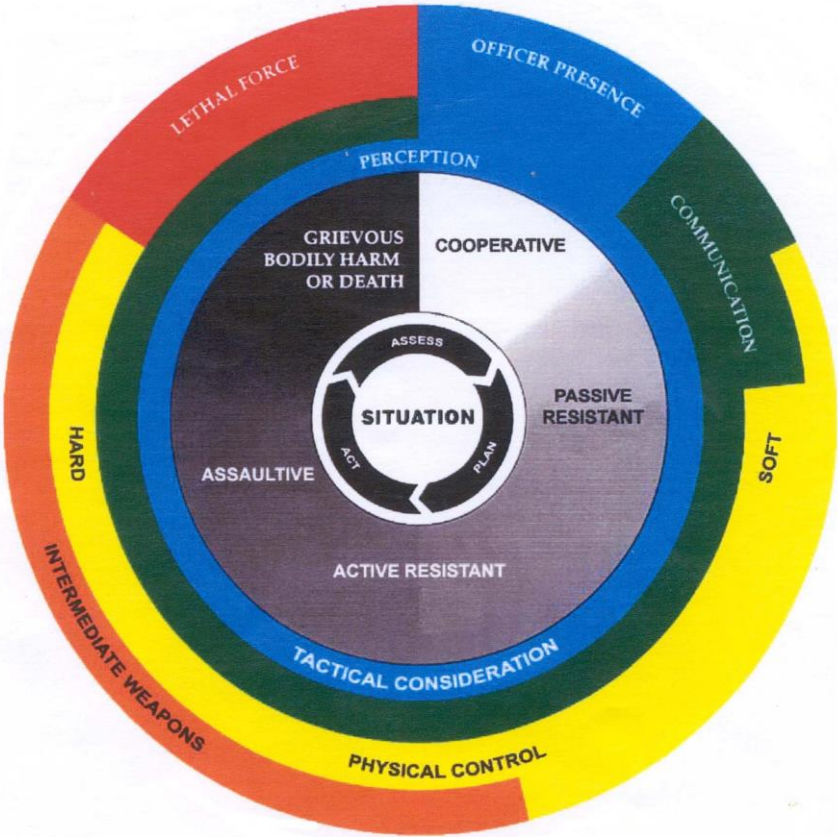
witnesses or otherwise has information related to such use of force shall immediately report this information to their supervisor or the Office of Professional Standards.

If an individual is injured, or complains of injuries, subsequent to a use of force, officers will immediately render aid as soon as it is safe to do so. Rendering aid includes, but is not limited to, calling for EMS, performing CPR or treating injuries with a tourniquet or direct pressure.

Any officer involved in a physical altercation resulting in a use of force should turn responsibility of their arrestee over to an uninvolved officer for transport and processing unless circumstances do not allow for such a transfer.

III. Force Option Model

Visual Representation of the Force Option Model



IV. Justification for Less Lethal Force

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Less Lethal Force may be used when and to the degree that officers reasonably believe it is necessary. Situations where the use of less lethal force is allowed are as follows:

- A. To defend themselves or others from the use or imminent use of physical force;
- B. To effect a lawful arrest or to prevent the escape from custody of a person whom the officer reasonably believes has committed a criminal offense, unless he knows that the arrest is unauthorized; or
- C. To take into custody or prevent the escape from custody a person who is to be committed to a mental health facility.

If possible, a clear verbal warning should be given before using less lethal force.

V. Less Lethal Force Weapons Procedure

Less lethal defensive weapons may be used when, in the officers' opinion, persuasive speech or physical contact controls are insufficient to control or stop an aggressive act of resistance or to defend themselves or others from the imminent use of physical force.

The amount of force used will be in response to the threat level recognized by the officers and as deemed necessary to protect themselves or another from physical harm, to restrain or subdue a resistant subject, or to bring an unlawful situation safely and effectively under control. Defensive weapons will not be used to threaten people or evoke information.

In extreme situations where a subject cannot be brought under control, even after being handcuffed/secured, less lethal weapons may be used to assist in gaining control.

Officers will not carry or utilize a less lethal defensive weapon before successfully completing department approved training on the use of the weapon. All weapons will be used in the manner prescribed during training.

Abuse or misuse of less lethal defensive weapons will result in disciplinary action, up to, and including, termination.

A Use of Force report must be completed each time any less lethal force is used.

Field supervisors will:

1. Monitor the use of less lethal weapons by their officers.

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2. Respond to the scene of a use of a less lethal weapon.
3. Ensure that involved officers complete a Use of Force Report.
4. Thoroughly investigate each incident involving the use of a less lethal weapon.
5. Report all findings on the appropriate forms and in the appropriate electronic databases.

The following less lethal weapons are authorized for use by personnel who have received department-approved training:

A. Pepper Spray

1. If feasible, the officer will give a verbal warning prior to usage.
2. Officer should be within 3-12 feet of the suspect when deploying.
3. Short, one second bursts of spray should be used.
4. Flush the affected areas with cold water after usage.
5. Inquire if suspect wears contacts. If so, have them remove and throw away the contacts.
6. Monitor suspect continuously and notify EMS if needed.
7. Obtain Medical Clearance prior to transporting to Orange County Jail.

B. Baton

1. The baton is an impact weapon used for blocking or striking. They are either collapsible and worn on an officer's duty belt or made of a wooden/synthetic composite material.
 - i. Baton strikes shall only be targeted to large muscle mass of the arms, legs, and buttocks.
 - ii. Care should be given to avoid joints as striking these areas could result in serious injury.
 - iii. Strikes to the head, neck, groin and spine may only be used if deadly force is authorized.

C. Chemical Munitions

1. Crowd Control/Disturbances
 - i. Determine the escape routes for the crowd.
 - ii. Determine wind direction and velocity.
 - a. Crowd should be downwind if possible.
 - b. Escape routes should be downwind
 - c. Make sure hospitals or schools are not in danger of, contamination.
 - d. If inside a structure, be aware that the introduction of the agent may enter Air Conditioning/Heat Exchanges and spread throughout the facility.
 - iii. Deployment

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- a. Incident commander will make the decision to use chemical munitions on the crowd.
 - b. Ensure that all officers in the area to be affected have appropriate protective gear (gas mask).
 - c. Notify all officers that chemical agents will be used.
 - d. All officers within the immediate area will don their protective mask.
 - e. The crowd will be verbally warned that chemical agents will be used if they do not disperse immediately.
 - f. Designated grenadiers will deploy smoke grenades to check wind direction.
 - g. Designated grenadiers will hand deploy chemical munitions grenades.
2. Barricaded Subjects
 - i. Obtain a floor plan, if possible
 - ii. Determine the appropriate chemical agent to be used.
 - iii. Develop a tactical plan to insert the chemical agents.
 - iv. Establish a reasonable time before next action is taken.
 - v. Have the Fire Department standing-by in close proximity.
 - vi. Deployment
 - a. Determine a subject's location in a structure by inserting gas into room or crawl space and listen for movement, coughing or subject
 - b. A more persistent agent may be deployed if the initial agent doesn't have the desired effect.
3. Procedures Post-Deployment
 - i. Photograph all expended munitions in place.
 - ii. Collect all expended munitions.
 - iii. Document the incident including any injuries and property damage.
 - iv. Monitor suspect continuously and notify EMS if needed.

D. Electronic Control Device

1. Deployment
 - i. Officers working uniformed patrol must carry their electronic control device if they are permanently assigned one and are certified to do so.
 - ii. The electronic control device will not be used in close proximity to flammable liquids, gases, or any other highly combustible materials that may be ignited by the weapon.
 - iii. Officers should avoid using an electronic control device on obviously pregnant females, elderly persons, or infirm persons. Officers shall be trained in the increased risks an electronic control device may present to these populations.
 - iv. The electronic control device will be carried in a department-approved holster in a position that would not lead an officer to confuse it with his firearm.

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- v. If feasible, the officer will give a verbal warning prior to usage.
 - vi. If feasible, the officer will announce loudly, "Taser" while deploying the device in order to inform other officers of the use.
 - vii. Aiming points are large muscle groups (legs, back and waist area). The head/face and chest will not be targeted.
 - viii. Shall be deployed on a fleeing suspect only when there has been a misdemeanor crime against a person or any felony.
 - ix. Only one pulse cycle will be applied unless, subsequent to the first cycle, the subject continues to exhibit conditions that could be harmful to the public, police or themselves.
 - x. Only one officer should discharge the device against a subject at a time.
 - xi. Any unintentional discharge of an electronic control device shall be reported to the on-duty supervisor immediately. At the direction of the Chief of Police, his designee will conduct an administrative investigation of the unintentional discharge. The purpose of the investigation is to determine whether:
 - a. Department policy was followed
 - b. Any training needs exist
 - xii. Submit a complete report to the Chief of Police for review and possible action
 - xiii. If determined to be at fault, the officer will attend remedial training determined by a designated instructor.
2. Procedures Post-Deployment
- i. Evaluate the subject for any injuries sustained during the apprehension. Injuries may result from falling from a standing position after being struck by the probes.
 - a. Any visible injuries should be attended by emergency medical personnel.
 - b. Document and photograph any injuries.
 - c. Monitor the subject while in police department custody, even if there are no visible injuries.
 - d. If the subject complains of a non-visible injury or medical problem, he should be seen by Orange County emergency medical services or the UNC Hospitals Emergency Department.
 - ii. Probes that penetrate the skin will be removed by UNC Hospital medical personnel or Orange County EMS personnel only. The wires may be cut or broken near the probes to allow for transportation of the subject.
 - iii. Obtain medical clearance for any subject who has had probes penetrate the skin, before transporting to the Orange County Jail.
 - iv. Collect and submit into evidence all probes and air cartridge packs from the scene. Probes will be treated as bio-hazard "sharps."
 - v. Place the probes point down into the expended cartridge bores and secure with tape.

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- vi. Package the items in an appropriate container and mark with a “bio-hazard” label.
- 3. A Use of Force Report must be completed after any use or deployment of the Electronic Control Device. Include information as to whether the device was used in dart or touch mode, the range at which it was used, and the point of impact on the subject. Deployment should also be indicated on page 2 of the RMS report entry. An officer must complete a Use of Force Report any time he or she points the Electronic Control Device at another person.
 - i. Drawing an Electronic Control Device from the holster and placing it in a “low-ready” position solely for the purpose of officer safety does not require documentation. Any threatened use of the Electronic Control Device must be documented in an incident report and indicated on page 2 of the RMS report entry.
- 4. Training
 - i. Officers assigned to the uniformed division are required to annually certify to carry an electronic controlled device.
 - ii. The annual certification will consist of a written examination as well as a scenario, to include deployment of their electronic controlled device.
 - iii. Officers must pass the written examination with a score of at least 80% and complete the scenario training in accordance with departmental guidelines in order to continue to carry their assigned electronic controlled device.
 - iv. Failure to pass certification will result in immediate loss of officer’s privilege to carry his/her electronic controlled device until remedial training can be completed.
 - v. Remedial training will be given by a certified electronic controlled device instructor within 30 days of failure of the first certification. Officers who fail certification will not be able to carry their electronic controlled device until they successfully complete remedial training and pass certification.
 - vi. Officers who fail to certify or fail to complete remedial training will be subject to disciplinary action at the discretion of the Chief of Police.

E. Specialty Impact Munitions

Specialty impact munitions are designed as less lethal munitions which can be fired, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance, or preventing serious injury without posing a significant potential of death. The effects of less lethal munitions may include pain, temporary incapacitation, or disorientation. Specialty impact munitions include, but are not limited to, 40MM sponge rounds and 12-gauge specialty impact bean-bag rounds.

Justification for the use of specialty impact munitions includes, but is not limited to; controlling a violent subject when an officer reasonably believes that deadly force is not necessary and at least one of the following situations exists:

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- Attempts to subdue the subject by conventional tactics (verbalization, physical force, baton, or chemical spray) have been or are likely to be ineffective; or
- There is a reasonable expectation that it will be unsafe for officers to get in close proximity of the subject; or
- There is a civil disturbance or riot that requires non-deadly force for safe and effective crowd management; or
- Tactical circumstances necessitate their use (i.e. breaking a window or patio door).

1. Deployment

- i. Only officers trained in the use of specialty impact munitions will use them. Officers must be trained, qualified, and tested annually on the deployment and use of specialty impact munitions.
- ii. Shotguns used in the deployment of specialty impact munitions are dedicated to that function and are clearly marked (i.e. all painted orange). A non-dedicated shotgun (a standard shotgun) may be used in an emergency situation (i.e. the dedicated shotgun is malfunctioning) if authorized by a unit supervisor.
- iii. The officer deploying the specialty impact munitions is responsible for ensuring that the munitions are less-than-lethal and used according to this Use of Force policy.
 - a. Specialty impact weapons have the potential to cause serious injury or death. The head, neck, spine, and groin will not be targeted unless deadly force is justified.
 - b. The primary target area is the buttock and thigh.
 - c. The secondary target area is the biceps, forearm, calf, and lower abdominal area.
 - d. If compliance or incapacitation is not achieved, the following areas may be used as target areas of last resort:
 - Chest – center mass
 - Spine
 - Lower back

Officers must be aware that these targets have the greatest potential for serious injury or death.

- iv. The deploying officer will inform officers on the perimeter that specialty impact munitions are being used prior to deployment.
- v. On scene backup officer(s) shall provide lethal cover in the event the suspect fails to respond and attempts to use deadly force.

2. Procedures Post-Deployment

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- i. Anyone struck by specialty impact munitions, who is taken into custody or placed under arrest, will be transported to a medical facility for examination.
- ii. A Use of Force Report for any use or threatened use of specialty impact munitions must be completed.

VI. Justification for Use of Deadly Force

Officers may use deadly force only when it is clear that there is an imminent threat of death or serious injury. Specifically, officers may use deadly force under the following circumstances:

- A. To defend themselves or others from what they reasonably believe to be the use, or imminent use of deadly force.
- B. To effect an arrest or to prevent the escape from custody of a person who they reasonably believe is attempting to escape arrest or custody by means of a deadly weapon; or who by that person's conduct or any other means indicates that the person presents an imminent threat of death or serious physical injury to others unless apprehended without delay.

If possible, a clear verbal warning should be given before using deadly force.

VII. Special Considerations for Firearms

- A. Officers will not discharge firearms when such discharge may pose a significant threat of serious bodily injury to a person other than the one against whom the deadly force is justified.
- B. Moving Vehicle
 1. Shooting at or into a moving vehicle is not authorized unless:
 - i. the vehicle is being operated so as to pose an imminent threat of death or serious injury to the officer or another person who cannot remove himself from that risk, or
 - ii. an occupant of the vehicle poses an immediate threat of death or serious injury by means other than the vehicle (i.e. vehicle occupant(s) discharging firearms towards officers or others).
 2. An officer should never position himself in the path of a vehicle as a tactic to stop the vehicle's movement.
- C. Purposeful discharge of a weapon not for the use of deadly force, e.g. warning shots or to gain attention is prohibited.

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- D. An officer may discharge his weapon in order to kill an injured animal, but only if such action can be accomplished without significant risk of injury or damage to persons or property. This action will be documented in an incident report.

VIII. Notification Required

In any situation in which an officer is required to use force against another person, the officer shall notify a supervisor, after rendering the situation safe and summoning medical assistance for anyone injured. It is expected that supervisors will respond to these scenes. However, if operational needs or circumstances prevent supervisor response to the scene, the supervisor will document the reasons why response was not possible. In these situations, supervisors may delegate response and information gathering to a senior officer however the supervisor retains all responsibilities beyond the immediate response and information gathering.

IX. Supervisor Response and Responsibilities

Upon notification that an officer has used force against another person, a supervisor will:

- A. It shall be the responsibility of the supervisor on duty to make sure any injured suspect receives proper medical treatment in a timely manner.
- B. Ensure the scene has been protected and that any witnesses are identified and interviewed. It is expected that supervisors will deploy available resources in an effort to gather as much information as possible, contemporaneous to the incident, allowing for thorough documentation (as outlined in Section X of this policy).
- C. Notify the chain of command within a reasonable time frame, depending on the seriousness of the injury.
- D. Have photographs of any alleged injuries taken at the scene, if possible. If any injury requires medical treatment, officers should first ensure that the suspect receives appropriate medical care before taking photographs.
- E. Ensure that the officer completes a detailed and thorough statement of events.
- F. In situations where the use of force results in any form of injury or alleged injury, the officer will complete his written statement and submit the statement before the tour of duty ends. If the officer is injured during the incident, it will be the responsibility of the officer's immediate supervisor to complete all required paperwork to include interviewing the officers for a statement of events.

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- G. Submit the completed investigation through their chain of command.
- H. For situations involving an officer involved shooting or an in custody death, supervisors should follow the protocol outlined in Policy 4-8, Management of Officer Involved Shooting.

X. Documenting Use of Force

- A. In any situation in which an officer is required to use force against another person, the officer shall notify a supervisor. If the circumstances make such action impractical, the supervisor must be contacted as soon as possible following the incident.
- B. Any officer involved in a use of force incident will document the incident thoroughly in an incident report. The primary officer will enter all required information into the “Blue Team” use of force reporting software. Off-duty officers involved in use of force situations are subject to the same reporting procedures as on-duty officers. Off-duty officers will notify an on-duty supervisor.
- C. The following timelines apply to use of force reporting:
 - 1. An Incident/Investigation Report and any related Arrest Reports must be completed before the end of the tour of duty.
 - 2. With the exception of officer involved shootings and/or in custody deaths, a thoroughly written Use of Force report, or other appropriate supplement form, must be turned into the supervisor within 24 hours after the incident.
 - 3. When an arresting officer strikes or injures a person, the officer will write a complete, detailed Incident Report as soon as possible and forward it to his or her immediate supervisor. The statement must be completed no later than the end of the tour of duty during which the force was used.
- D. Any Officer who points a firearm at another person under any circumstances will notify their supervisor of the incident and complete a detailed police report/statement to document the event.
 - 1. Drawing a firearm from the holster and placing the firearm in a “low-ready” position solely for the purpose of officer safety does not require documentation.
- E. It is the responsibility of the immediate supervisor to make a thorough investigation of the incident, including, but not limited to, whether there was

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- compliance with this policy, and document his or her findings related to the investigation in the "Blue Team" use of force reporting system. The immediate supervisor will forward the investigative file through the chain of command as required.
- F. When an arrestee in custody is accidentally injured or claims to have been injured, or claims to be sick, the officer must seek medical attention for the arrestee and immediately notify his/her supervisor.
- G. Photographs will be taken of all subjects and officers involved. As many photographs as necessary will be taken to accurately depict the extent of injuries or disarray of the persons involved to include close-ups and full body photographs. If any injury requires medical treatment, officers should first ensure that the suspect receives appropriate medical care before taking photographs.
- H. A statement from arrestees and/or citizens will be included in the file. If the subject refused to give a statement, it will be documented in the file. The investigative file must be forwarded through the chain of command to the appropriate Assistant Chief, the Office of Professional Standards, the Police Legal Advisor, and the Chief of Police.
- I. The following are examples of situations where completion of an Internal Investigation File is required:
1. When an officer discharges a firearm for other than training, recreational purposes or for putting down an injured animal.
 2. When the officer takes an action that results in, **or is alleged** to have resulted in, injury or death of another person.
 3. Whenever an officer applies force through the use of lethal or a less than lethal weapon;
 4. If an officer applies weaponless physical force at a level that requires medical attention, even if treatment is refused, or there is only a claim of injury.
- J. An internal investigation is **not** required if the following situations occur:
1. A suspect sustains an injury that is **not** the result of a use of force or alleged use of force.
 2. A suspect injures himself while fleeing from the officer **prior** to being taken into custody.
 3. A suspect in custody sustains a minor injury **not** due to or caused by the officer's actions or intentionally inflicts injury to himself.

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4. A suspect complains of wrist and/or ankle injury as a result of being restrained.

However, when one or more of the above situations does occur, a summary file will be entered in Blue Team, including the required following documentation:

- Completed Incident Report and all supplements
- A Supervisor will respond and take photographs
- A Supervisor will attempt to obtain a statement from the suspect
- A CAD report
- Medical forms, if available
- A Supervisor's written investigative report

All documentation will be forwarded through the Chain of Command to the Office of Professional Standards. The Office of Professional Standards will keep the documentation on file for statistical purposes and to address any questions that may arise from the incident at a later time.

XI. Departmental Response to Use of Force

A. Administrative Leave/Duty

An employee whose actions or use of force results in a serious injury or death will, at the direction of the Chief of Police, be placed on administrative leave/duty with pay pending an administrative review of the incident.

The employee will remain on administrative leave/duty until such time that they have been cleared of any department-initiated proceedings and the contracted psychologist determines that the employee is able to return to regular duty.

The results of the psychological assessment will be reported to the Chief of Police or the Office of Professional Standards.

B. Counseling

Any employee involved in a Deadly Force incident will undergo counseling as specified by the Chief of Police.

C. Investigations

In all deadly force cases, the department will conduct an administrative investigation of the incident and request that the State Bureau of Investigation

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also conduct an investigation. For deadly force cases that occur within the department's jurisdiction, the department will also conduct a corresponding criminal investigation.

In incidents where non-deadly force is used, the department may conduct either an administrative and/or criminal investigation as deemed appropriate.

All reported use of force complaints will be reviewed by the officer's chain of command to determine if departmental policies were followed. The Office of Professional Standards may recommend policy changes to the Chief of Police based upon their findings.

The Office of Professional Standards will report any training issues to the Training Unit lieutenant when a training issue has been identified as a result of an internal investigation. Training issues that need to be addressed immediately will be covered as roll call training topics.



Chapel Hill Police Department



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Policy 1-2 Firearms has been replaced by revisions in [Policy 1-1 Use of Force](#) and the addition of Policy 3-8 Weapons.



Chapel Hill Police Department



Subject: Police Vehicle Operations	Number: 1-3
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Policy: An officer's primary obligation is to protect the public. In the course of performing their duties, officers may find it necessary to employ statutory exemptions regarding speed and/or exercise of right-of-way to an extent justified by the circumstances. Any actions that are taken consistent with this policy must be made with due regard for the safety of the violator (if present), the officers and the general public. Sufficient precautions must also be made to allow uninvolved motorists to stop safely and to remain uninvolved in the incident.

I. North Carolina Statutory Restrictions

North Carolina General Statutes exempt police officers from speed and right-of-way limitations when police vehicles are "operated with due regard for safety...**This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.**"

II. Definitions

A. **Exempt Operation:** The operation of a police vehicle in excess of speed limitations or not in accordance with normal right-of-way rules or other rules of the road, but with due regard for safety and in accordance with this policy.

B. **Level 1 Exempt Operation:** One of the following:

1. Responding to an incident or location that requires immediate police attention to protect persons or render emergency aid.
2. Overtaking a vehicle in an attempt to catch up to a vehicle.

C. **Level 2 Exempt Operation:** Operations implemented when circumstances require drastic action. These operations are commonly known as pursuits. Level 2 Exempt Operations are justified by one of the following situations:

1. The subject has committed a felony involving violence against a person and that subject is unlikely to be apprehended at a later time.
2. The subject poses an immediate threat of death or serious injury to officers or the public if not apprehended immediately. Such situations may include an impaired driver where the driver has exhibited no intent of stopping and whose continued operation of the vehicle poses an imminent threat of death or serious injury.

III. Vehicle Operation

- A. An officer may operate in an exempt status only if:
 - 1. he reasonably believes that one of the situations described in II.B or II.C above exists; and
 - 2. the officer is reasonably certain that such operation will not place others at undue risk; and
 - 3. continued exempt operation will not increase the level of risk.

- B. An exempt operation requires a continual decision-making process, considering traffic conditions, weather, road conditions, etc. throughout the event.

- C. Certain restrictions on speed and rights-of-way exemptions are applicable even during exempt operations.
 - 1. Both Level 1 and Level 2 Exempt Operations
 - i. When an officer exceeds the speed limit by more than 15 MPH (by 10 MPH or less where neighborhood or terrain indicate), the officer will ensure that the police vehicle's emergency lights AND siren are continuously operating.
 - ii. When an officer assumes the right-of-way, no matter what speed, where another vehicle or a pedestrian ordinarily would assume the right-of-way, the officer shall ensure that the police vehicle's emergency lights AND siren are continuously operating.
 - iii. No police vehicle will be continuously operated in a LEVEL 2 EXEMPT STATUS unless the supervisor explicitly authorizes an officer(s) to do so.
 - 2. Level 1 Operations
 - i. Overtaking a vehicle is consideration a Level 1 Exempt Operation until such point the violator fails to stop, in which the weight of a Level 2 Operation then exists.
 - ii. When approaching an intersection where traffic signs or signals control the flow of traffic, the officer will obey the signal until traffic has yielded.
 - 3. Level 2 Operations
 - i. The officer's supervisor and Orange Communications Center must be notified immediately upon the initiation of a pursuit and should be continuously updated during the operation as safe vehicle operations dictate. The officer must provide:
 - a. Reason for the Level 2 Exempt Operation
 - b. Location and direction of travel
 - c. Traffic and road conditions

- d. Speed
 - e. Description of suspect vehicle including license number if possible
 - f. Identity of occupant(s) if known
 - ii. A Level 2 Exempt Operation carries with it responsibility equal to the use of deadly force. Officers and supervisors must be aware that this type of vehicle operation places officers and the public at a higher level of risk for injury or death than normal emergency vehicle operations.
 - iii. When approaching an intersection where traffic signs or signals control the flow of traffic, the officer will obey the signal until traffic has yielded.
- D. If a pursuit enters into another jurisdiction, the Chapel Hill supervisor will inform the other jurisdiction of the situation. This may be done through Orange County Communications.
- E. An officer will not engage in a pursuit while transporting a prisoner or any other non-sworn personnel.
- F. At no time will more than (3) Chapel Hill Police Vehicles be actively involved in a pursuit unless authorized by a supervisor.
- G. The primary pursuit police vehicle will advise the secondary police vehicle to conduct radio traffic once a secondary police vehicle engages in the pursuit.
- H. A decision to terminate an exempt operation may be the most reasonable course of action based on the fleeing driver's behavior and/or the danger posed to the public by continued pursuit. No officer or supervisor will be disciplined for a decision to withdraw from or to terminate an exempt operation.**
- 1. Termination of a Pursuit
 - i. Once a decision is made to terminate a pursuit the pursuing officer or supervisor shall notify Orange County Communications that the pursuit has been terminated and must do one of the following:
 - a. Pull to the side of the road and stop.
 - b. Turn in a direction other than the direction of the fleeing vehicle.
 - ii. Continuing to drive in the direction of the fleeing vehicle after deactivating emergency equipment might be perceived as a continuation of the pursuit and result in a continuation of the fleeing driver's dangerous behavior.

IV. Forcible Stopping of Suspect/Violator Vehicle

- A. Forcible stopping may occur by one of three methods:

1. Tire Deflation Devices:

- i. Tire deflation devices may be used to stop a vehicle in the following circumstances:
 - a. The vehicle contains a subject who has committed a felony involving violence against a person and that subject is unlikely to be apprehended at a later time, or
 - b. The vehicle contains a subject who poses an immediate threat of death or serious physical injury to officers or the public if not apprehended immediately, or
 - c. The vehicle is being operated in such a manner as to pose an immediate threat to officers or the public, or
 - d. The vehicle is being pursued by another agency into the Town of Chapel Hill.
- ii. Considerations for use of tire deflation devices:
 - a. Volume of motor vehicle traffic
 - b. Pedestrian traffic
 - c. Road conditions
 - d. Potential risk to the public, officers, suspect, other occupants of the suspect vehicle
- iii. Site Selection:
 - a. Locate where deploying officer has good sight distance as the vehicle approaches.
 - b. Officer must be on the side of the roadway, out of traffic.
 - c. Do not place tire deflation device on bridges or in curves in the road.
 - d. Locate natural cover, such as shrubbery or walls, for the deploying officers.
- iv. Procedures
 - a. Only officers trained on the deployment of tire deflation devices will use them.
 - b. Tire deflation devices will not be used on motorcycles.
 - c. Tire deflation devices will be deployed where the risk to others is minimal.
 - d. The deploying officer will:

- 1) Whenever possible, obtain supervisory approval before the deployment of the device.
- 2) Notify Orange Central Communications and all officers of the location of the tire deflation devices. If the suspect vehicle is being pursued by officers from another jurisdiction, ensure that those officers are notified of the location.
- 3) Notify officers of the successful or unsuccessful use of the device.
- 4) Collect the device and any detached spikes immediately after use.
- 5) Submit an Incident Report.
- 6) Submit damaged tire deflation device for replacement.

v. Pursuing officers will:

- a. Follow the Vehicle Operations Policy prior to and after use of the tire deflating device.
- b. Maintain distance from the suspect vehicle in order to avoid the tire deflating device.
- c. Decrease speed in order to avoid a collision with the suspect vehicle due to deceleration from tire deflation.

2. Mobile Roadblock:

The Mobile Roadblock is a maneuver intended to bring a suspect vehicle to a controlled stop using police vehicles as blocking vehicles.

- i. No officer may participate in said maneuver unless participating officer(s) have successfully completed training on this maneuver and have been approved by Chapel Hill Police Department Driving Instructors and the Training Division.
- ii. The pursuing officer may determine that a mobile roadblock is appropriate. If deemed an appropriate action, the pursuing officer may request permission from the monitoring supervisor to conduct a mobile roadblock.
- iii. With supervisor approval, the lead pursuing officer will coordinate via police radio the configuration to conduct the maneuver, in accordance with parameters taught and practiced during training.
- iv. Any utilization of the mobile roadblock outside training and operational guidelines will be considered as a use of deadly force. Justification to initiate such action outside guidelines must be compelling.

- v. If officers have knowledge that the violator is armed, no passing maneuvers shall be attempted.

3. Precision Immobilization Technique (PIT):

The Precision Immobilization Technique employs the use of a police patrol vehicle in a controlled push of a violator vehicle to bring the violator vehicle to a safe stop.

The Precision Immobilization Technique is considered a non-deadly use of force when performed correctly. Any utilization of the Precision Immobilization Technique outside training and operational guidelines will be considered as a use of deadly force. Justification to initiate such action outside guidelines must be compelling.

It will be the responsibility of the officer(s) involved in any emergency operation or pursuit to exercise due regard for the safety of others. Deadly force actions involving a motor vehicle require the same elements for justification as deadly force actions involving a firearm or other weapon.

- i. Officers participating in the PIT maneuver must successfully complete training and be approved by Chapel Hill Police Department Driving Instructors and the Training Division.
- ii. When the Precision Immobilization Technique has been deemed appropriate, the pursuing officer will request permission from the monitoring supervisor to initiate such action. The terminology for such a request will be in the following general language, "Permission requested to PIT the violator vehicle", allowing for the supervisor to clearly understand the pursuing officer's intentions and respond accordingly.
- iii. The decision to use the maneuver may be made by a supervisor, with the pursuing officer having the discretion to NOT execute the maneuver if circumstances are not appropriate for such action.
- iv. In exigent circumstances, an officer may have to take immediate life-saving action, and the time needed to request approval prior to initiating the Precision Immobilization Technique may not exist. Justification to initiate without prior approval must be compelling.
- v. The PIT will not be attempted unless the pursuing officer reasonably believes that there are no unsecured passengers in the violator vehicle.
- vi. Initiating the PIT on a violator vehicle in excess of 45 MPH is considered use of deadly force.

- vii. Officers shall not attempt to PIT commercial vehicles, 2 or 3 wheel motorcycles, ATV'S, or convertibles.
- viii. In some circumstances, the prior use of Tire Deflation Devices may aid in the slowing of a violator vehicle for application of the maneuver.
- ix. Prior to performing the PIT on a violator vehicle where Tire Deflation Devices have been applied, the officer must have first hand knowledge of the affected tire(s). If one or more tires have been deflated on the same side, the pursuing officer must apply the action to the side that has the deflated tires. Only under exigent circumstances may force be applied on the opposite side from a deflated tire and such application should be considered as a deadly force situation.

V. Supervisor Role

- A. **While every officer is responsible for their actions while operating a police vehicle, the on-duty supervisor has the ultimate responsibility for the continuation or discontinuation of any exempt vehicle operation.** The supervisor will monitor the operation from onset to conclusion.
- B. When an exempt operation begins, the on-duty supervisor will acknowledge the event on the police radio and will remain in contact with the participating officer(s) as appropriate.
- C. The on-duty supervisor will be responsible for deploying resources, which include but are not limited to tire deflation devices and additional officers.

VI. Reporting

- A. All officers who engage in a Level 2 Operation or have information related to such an operation must document the incident in writing on the appropriate form.
- B. Officers will complete a Blue Team report and forward it to their immediate supervisor.
- C. If an officer uses any type of force to end or attempt to end the pursuit, a separate Blue Team entry for the use of force report is required.

VII. Supervisor Review

- A. After the supervisor receives the Blue Team entry for the pursuit, they will forward it to OPS.

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- B. OPS will create a file and send it back to the supervisor to evaluate any relevant statements, radio traffic, reports, and videos to ensure compliance with policies we have in place and to look for opportunities to learn and improve our efforts.
- C. Once the supervisor concludes their review, they will forward their comments, concerns, and recommendations through their chain of command.



Chapel Hill Police Department



Subject: Hostage, Barricaded, and Spontaneous Siege Situations		Number: 1-4
Issued: 1-1-2004	Revised: 1-1-2008	Pages: 1 of 4

Policy: It is the policy of the Chapel Hill Police Department to de-escalate and end a hostage or barricaded subject situation in the safest way possible, using the least aggressive actions that are tactically feasible and safe.

I. Definitions:

- A. **Hostage Situation:** An incident in which an individual or group holds other person(s) against their will in an attempt to have substantive demands met.
- B. **Barricaded Subject:** A person who takes refuge in a fortified or concealed location to avoid apprehension or law enforcement intervention, and is a threat to himself or others. NOTE: A barricaded subject is not an Active Shooter, however, if the barricaded subject becomes an active shooter, appropriate actions will be taken.
- C. **Spontaneous Siege:** An incident in which an individual or group holds other person(s) against their will. A spontaneous siege is characterized by a lack of preplanning and no substantive demands.
- D. **Negotiator:** An individual trained to persuade and/or to defuse hostage takers or other individuals resisting arrest, custody, or submission to police control. The ultimate goal of the negotiation is preservation of life and well-being.
- E. **Active Shooter:** An individual who participates in a random or systematic shooting spree demonstrating their intent to continuously harm others.

II. Initial Response

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]


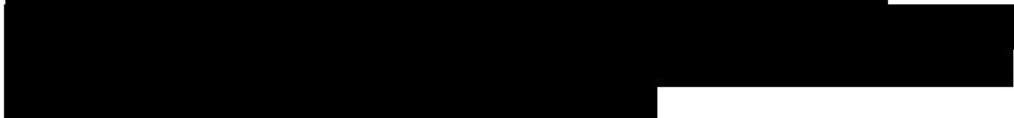

Subject: : Hostage, Barricaded, and Spontaneous Siege Situations	Number: 1-4
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E. The initial supervisor on scene will:

1. Assume command
2. Establish a secure and safe perimeter
3. Notify:
 - i. Chief of Police
 - ii. Division Commanders
 - iii. On-call Crisis Counselor
 - iv. Police Attorney
4. Assess the situation and develop a plan based on observable conditions.
5. Ensure that the Special Emergency Response Team and Negotiation Team have been activated and are responding.

F. Incident Commander (Chief or Designee)

1. Establish a command post in a safe location near the scene.
2. Appoint a person to receive and record critical information.
3. Notify Town Manager.
4. Establish a safe area for the staging of additional personnel and equipment.
5. Establish a safe area for the news media to receive public information.
6. 
7. 
8. Ensure that adequate personnel are available to control the movement of pedestrian and vehicular traffic.
9. 
10. If the situation continues, or is anticipated to continue, for longer than eight hours, determine the need for and request mutual aid assistance.

Subject: : Hostage, Barricaded, and Spontaneous Siege Situations		Number: 1-4
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11. [REDACTED]
12. Identify the person responsible for the facility and its occupants for coordination of the operation.

III. Negotiations

A. Negotiations are done by specially trained negotiators.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

D. Termination of Negotiations

If it appears that negotiations are not contributing to resolution of the situation, other actions may be taken.

IV. Follow-up

A. Debriefing

Prior to demobilizing, a brief verbal synopsis of the incident will be provided to all personnel involved in order to provide the basic facts surrounding the situation and resolution.

Subject: : Hostage, Barricaded, and Spontaneous Siege Situations		Number: 1-4
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B. Critique

Command Staff will critique the incident response within five working days after the incident. Key personnel may be included in this critique at the direction of the Incident Commander and the Chief of Police.



Chapel Hill Police Department



HOSTAGE, BARRICADED, SPONTANEOUS SIEGE CHECKLIST Policy 1-4, Hostage, Barricaded, and Spontaneous Siege Situations

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Chapel Hill Police Department



Subject: Immediate Action-Rapid Deployment to Intentional Deadly Behavior

Number: 1-5

Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to immediately engage and contain subject(s), who by means of a dangerous weapon(s) are actively involved in the taking or attempted taking of human life.

I. Definitions:

- A. **Immediate Action-Rapid Deployment:** The swift and immediate deployment of law enforcement resources.
- B. **Contact Team:** Team of officers who immediately engage and contain subject(s) displaying intentional deadly behavior. Contact teams may also refer to teams of officers who are given any security related task during the management of the incident.
- C. **Rescue Task Force:** Mixed discipline team of police, fire, and EMS units who move into the area to triage, treat, and coordinate the evacuation of injured persons to an Ambulance Exchange Point.
- D. **Ambulance Exchange Point:** An area secured by law enforcement that ambulances can load patients in order to transport to the hospital.
- E. **Evacuation/Reunification Team:** Team of officers who enter the area, locate and remove innocent parties to a staging area for debriefing, interviewing, and reunification.

II. Initiating Immediate Action-Rapid Deployment

Immediate Action-Rapid Deployment will be initiated based on the following criteria:

- A. The event is on-going and the suspect(s) is actively engaged in causing death or great bodily injury. This may be the result of, but not limited to:
 - 1. An "active shooter"
 - 2. An attack with edged weapons
 - 3. Placing and/or detonating explosive devices, **and**
- B. The incident location is believed to contain multiple victims or potential victims

III. Duties and Responsibilities

A. Initial Responding Officer

The initial responder is most likely to be a patrol officer. The actions of the initial responder are critical and the actions below must be followed.

1. Conduct initial assessment of the situation.
2. Relay information to incoming responders

[REDACTED]

4. Relay information to command when possible.

B. First Arriving Supervisor

1. Establish Incident Command
2. Begin collecting and disseminating pertinent information
3. As additional officers arrive, assign and direct deployment
4. Establish a perimeter.

C. Command Officer

The first arriving staff officer (lieutenant or above) will assume command of the incident and initiate the following actions as appropriate:

[REDACTED]

Subject: Immediate Action-Rapid Deployment to Intentional Deadly Behavior	Number: 1-5
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D. Other Considerations

Due to the nature of “active shooter” or “active assailant” events, Incident Commanders should recognize that the overarching goal of all public safety is the preservation of life. While decisions made on the ground must reflect State law as well as established case law, some decisions may run counter to the principles established in other sections of CHPD Policies, i.e. CHPD Policy 2-11, Bomb Threat-Suspicious Devices. These decisions should be carefully considered, and possible negative outcomes must be weighed against the preservation of life.



Chapel Hill Police Department



Subject: Fair and Impartial Policing		Number: 1-6
Issued: 7-1-2015	Revised:	Pages: 1 of 2

Policy: It is the policy of the Chapel Hill Police Department to provide services and enforce laws in a fair and impartial manner. Officers of the Chapel Hill Police Department are committed to protecting each individual's constitutional rights and no stereotype or bias as defined in this policy shall be the motivation for the decision to initiate or execute any police activity, as such behavior is ineffective and the perception of same is damaging to our credibility and our community.

I. Definition

Bias-Based Policing – Policing which includes any practices that incorporate prejudicial judgments and/or actions (intentional or unintentional) based on race, gender, actual (or perceived) gender identity, ethnicity, religion (religious creed), age, citizenship, sexual orientation, medical condition or disability, political persuasion, or any stereotype.

II. GUIDELINES

- A. Recognizing that Chapel Hill police officers perform their duties in a professional, ethical and impartial manner, this department has an obligation and is committed to identifying and eliminating any instance of bias-based policing.
- B. The Chapel Hill Police Department does not endorse, train, teach, support or condone any type of bias, stereotyping, or racial/cultural/ethnic or gender profiling by its officers.
- C. Officers may not engage in bias-based policing when establishing either reasonable suspicion or probable cause or otherwise in the performance of their duties.
- D. Officers may use race, ethnicity or other descriptive characteristics to determine whether a person matches a specific description of a particular suspect only when combined with other appropriate spatial and temporal factors.
- E. Officers will report all violations of this policy by co-workers to their supervisor immediately. If the supervisor has committed the violation, then officers shall report the violation to the next level in the chain of command.

Subject: Fair and Impartial Policing		Number: 1-6
Issued: 7-1-2015	Revised:	Pages: 2 of 2

- F. Supervisors shall review traffic stop reports on a quarterly basis and report any irregularities or patterns that may need additional attention.

III. VEHICLE STOP FORMS

North Carolina General Statute G.S. 143B-903 requires police agencies to keep statistics on traffic stops. Officers must complete an SBI-122 form (traffic stop report) after conducting each traffic stop. Failure to do so may subject the officer to disciplinary action.

IV. CONSENT TO SEARCH

The Chapel Hill Police Department requires written documentation on any consent search that is conducted. SOP 400.16 outlines the steps officers will take to conduct and document consent searches.

V. TRAINING

The Chapel Hill Police Department will provide Fair and Impartial Training to recruits and periodic updates to the training for veteran employees.

VI. DEMOGRAPHIC TRACKING REPORT

The Assistant Chief of Support Services or a designee will submit quarterly demographic tracking reports to the Chief of Police, OPS, and Legal for review. Any irregularities or patterns of bias-based policing will be included in the report at the time of submission and will be subject to further investigation.



Chapel Hill Police Department



Subject: Bloodborne Pathogens Exposure Reduction and Infection Control Procedures

Number: 2-1

Issued: 2-1-2002

Revised: 1-1-2006, 4-23-2013

Pages: 1 of 11

Policy: It is the responsibility of employees to follow the guidelines of the Town of Chapel Hill Bloodborne Pathogens Policy and departmental procedures for infection control, in order to protect employees from exposure to disease-causing microorganisms; to protect the public from exposure in incidents where blood or other potentially infectious materials are present; and to be in compliance with OSHA, 29 CFR 1910.1030, the "Bloodborne Pathogens" Standard.

I. Definitions: See the general Town of Chapel Hill Bloodborne Pathogens policy. Additional definitions applicable to the Police Department are:

A. Portal of Entry: The pathway by which disease organisms get into the body or bloodstream. Portals of entry include a needle stick through the skin; breaks in the skin (such as scrapes, abrasions, rash, cuts, lesions, blisters, chapped skin); respiratory tract; mucous membranes of eyes, nose and mouth; the digestive tract; and the reproductive/urinary tract.

B. Standard Precautions: Precautions which are used in all situations where blood or OPIMs are present, regardless of the perceived potential of the presence of pathogens. Standard precautions include what were previously referred to as universal precautions, along with those precautions known as body substance isolation. These include the following:

1. Avoid (to the extent possible) any contact with blood or OPIMs.
2. Wear disposable gloves when touching individuals, and change gloves before coming into contact with a different individual. Cover any cuts, scrapes, or sores prior to putting on gloves. Remove gloves without coming into contact with soiled area of the gloves.
3. Use other personal protective equipment (PPE) as appropriate.
4. Wash hands or use sanitizer as soon as possible.
5. Dispose of all contaminated PPE carefully and properly.
6. Clean and disinfect all clothing and equipment which may have become contaminated.

C. Transmission Based Precautions: Additional precautions which are used to interrupt the transmission of pathogens from persons with known or suspected pathogens that can be transmitted by air, droplets or contact.

D. Other Potentially Infectious Materials (OPIMs):

1. The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid,

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peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;

2. Any unfixed tissue or organ (other than intact skin) from a human (living or dead);
3. HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

- E. **Cross Contamination:** Allowing blood or OPIMs of one emergency victim to be passed to another emergency victim by the responder who is assisting both victims. Cross contamination should be avoided by washing hands when possible and changing gloves between victims.
- F. **Productive Cough:** Coughing that produces phlegm, sputum, or blood. It can be symptomatic of tuberculosis.
- G. **Regulated Medical Waste:** Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.
- H. **Spill Clean-up Kit/Mess Kit:** Pre-assembled containers filled with basic personal, protective equipment and decontamination supplies usually adequate for small situations.
- I. **Blind Search:** A situation in which a law enforcement officer must look for evidence or other articles in a location that cannot be seen but where a sharp object could be lodged and could puncture a searching hand. Examples include the area of a car seat between the seat and the seat back or the pockets of a suspect.
- J. **Exposure:** Exposure is when blood or OPIMs makes direct contact with an abrasion, cut or mucous membrane (eye, nose, mouth, inside of ear) of another person. It is not an exposure when blood or OPIMs makes contact with unbroken skin or personal protective equipment without a transfer to tissue or mucous membrane.

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II. Personal Protective Equipment

A. Officers in the field will keep readily accessible, either in their assigned vehicles or on their person in a department-issued waist pack, the following personal protective equipment:

1. Gloves (light weight and heavy weight if available)
2. Two (2) half masks which cover nose and mouth
3. Decontamination supplies:
4. Biohazard-labeled or red bags
5. Towels
6. Antiseptic hand towelette
7. Scoop or forceps for handling sharps
8. Miniature mirror for blind searches
9. Face shield to cover eyes and face
10. Absorbent powder
11. Bleach or tuberculocidal disinfectant
12. CPR shield
13. Puncture-resistant sharps container with "biohazard" labels
14. Disposable Shoe Covers
15. Disposable Biohazard Suits (includes body garment, shoe covers, gloves, and face shield)

B. Officers on foot or bicycle are to keep, at a minimum, multiple pairs of gloves and antiseptic towelettes for hand protection and cleaning.

C. Supplies for re-stocking waist packs and vehicles are kept at Base III. The

The Quartermaster will ensure that the Base III cabinet for infection control supplies is stocked at all times. Base III operators will issue supplies to department employees only (or officers from other agencies who have an immediate need for PPE while in the building) for work-related exposure control only.

D. Gloves

1. Disposable gloves will be carried on the duty belt at all times, with extra supplies available in the vehicle.
2. Disposable gloves will be used for all situations where blood or OPIMs is known to be present or could be anticipated to become present. Use of gloves is required for handling persons, objects, evidence, clothing, equipment, or ANYTHING with blood or OPIMs present or likely to become present. Gloves will be donned prior to arrival on a scene where presence of infectious material can be reasonably anticipated.

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3. Heavy-duty gloves should be used for more unpredictable and/or potentially violent incidents where blood is or could become present. Lighter weight gloves may be used for less intense, predictable situations (after-incident decontamination procedures, for example).
 4. Gloves will not be decontaminated, re-used, or openly disposed of in regular garbage. Gloves are to be used only once and then disposed of in a biohazard- labeled or red bag. The red bag may then be disposed of in regular trash (but not in the employee lounge or other areas where food is kept or consumed).
 5. Gloves will be changed between incidents or different parts of the same incident so as to avoid cross-contamination. Employees will avoid contaminating an area or person by using gloves already contaminated with someone else's blood or OPIMs.
 6. If employees have cuts, scrapes, or other areas of non-intact skin on their hands, these areas will be bandaged before reporting to duty. These employees will wear two layers of gloves on the wounded hand (double-glove).
 7. Remove gloves by pinching the palm side of one glove near the wrist. Remove that glove so it turns inside out as it is being removed. Hold that glove in the hand which is still gloved. Slide two ungloved fingers inside the remaining glove near the wrist. Pull that glove off, turning it inside out as you go. When done properly, both gloves will be inside out and one glove will be inside the other. Always hold hands away from the face so as not to splatter contaminated fluid into or onto the facial area.
 8. Immediately after removing gloves, wash hands vigorously with soap and water for 15-30 seconds. If a sink is not immediately available, vigorously clean hands with an antiseptic hand towelette or hand washing foam. Thoroughly wash hands at a sink as soon as possible.
- E. Face shields will be worn when collecting evidence or in a controlled scene where blood or OPIMs could splatter or flake into or around the eyes, nose, or mouth.
- F. Tools or devices other than the hands will be used for blind searches (see Section III.E).

III. Work Methods/Procedures

- A. There will be situations in which Police Department employees will be forced to exercise professional judgment in handling exposure control. In these situations, employees are to exercise the most conservative actions tactically feasible and safe. If in doubt, employees will err on the side of caution. If unsure as to whether an exposure happened or could happen, employees will treat the situation as if it did happen.

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- B. Use the concepts of standard precautions when dealing with ANY situation where blood or OPIMs, someone with a productive cough, or objects contaminated with any of these are involved. Never try to guess who might be infectious. Treat ALL blood or OPIMs as if it were infectious, and use personal protective equipment and work methods that prevent contact of blood or OPIMs with the employee's mucous membranes or non- intact skin.
- C. Eating, drinking, smoking, applying cosmetics or lip balm, handling contact lenses, and any other personal procedure where contact with mucous membrane could occur is prohibited in areas where exposure to potentially infectious material could be anticipated. Such situations include crime scenes where blood is present, evidence collection, an encounter with an arrestee or suspect, booking a suspect, performing a breathalyzer test, and in an area where someone is productively coughing.
- D. Before each tour of duty, employees will check themselves for cuts, scrapes or other areas where skin is injured or otherwise not intact, and cover these areas with bandages.

E. Blind Search Procedures

Officers shall not use their hands (with or without gloves) to conduct searches in areas that are not fully visible. Some other object or tool will be used to conduct blind searches. For example:

1. For searches under seats in a car, use a mirror and retrieval device.
2. For searches between the seat and back of a car seat, use a stick, tool, or other retrieval device.
3. For searches of a suspect's pockets first ask the suspect if he/she has anything sharp in his/her pockets and then initially do an external pat down before searching inside pockets.

F. Handling Sharps

All sharp objects are to be handled with tools or some devices, never hands. Never re-cap sharps (including needles and taser probes) using both hands. All sharp objects (collected either for disposal or evidence) will be placed in puncture resistant containers and labeled "biohazard."

G. Collecting Evidence

1. When collecting dried blood or body fluid, use some method other than scraping (if at all possible) because scraping could "flake" into eyes or

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other mucous membranes. If scraping dried fluid is the only alternative, use a full face shield, cover all clothing, and keep other people away from the area to avoid "flaking" dried fluid into or onto anyone.

2. On scenes with large amounts of blood or OPIMs, wet or dry) wear disposable shoe covers and disposable uniform covers (such as a full-body gown or jump suit).
3. Any non-sharp evidence contaminated with blood or OPIMs will be air-dried, double bagged in paper bags, and clearly marked "biohazard". The area around where the items are drying will be marked "biohazard" and the area is to be secured so as not to expose others unknowingly to the items.

H. Tuberculosis Exposure Reduction

If a suspect, arrestee, or anyone else with whom the employee has contact has a productive cough or reports having tuberculosis, cover the person's nose and mouth with a surgical-type mask. Employees will cover their own noses and mouths with masks as well. Where possible, remain in well-ventilated areas. If in a vehicle, open all the windows.

I. Contaminated Crime Scenes

The first officer responding to a situation involving a contaminated crime scene, while wearing all necessary protective clothing, is to assess the degree of contamination. If multiple surfaces over a large portion of the scene are contaminated with blood or OPIMs, the responding officer will immediately notify the on duty supervisor who will then restrict access to the scene to necessary personnel only who have donned additional protective gear. The supervisor will also be responsible for providing clear notification to affected officers of both potential contamination and the need for decontamination.

J. Transport and Custody

1. When a person being transported is bleeding, obtain assistance from EMS (followed by the emergency room if necessary). Be sure that significant or profuse bleeding has stopped before transporting the person in a police vehicle.
2. When a person being transported is wearing clothing contaminated with blood, inform those who receive the suspect, both while in route and at the time of transfer, of the person's contaminated clothing.
3. When a person being transported is wearing clothing with some blood on it (enough to pose risk for contaminating the car seat), officers will cover the seat with a disposable sheet or cover (such as a plastic garbage bag), if feasible.

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4. When a person being transported has a cough that is deep, productive, or otherwise suspicious of tuberculosis, cover his/her mouth and nose with a surgical-type mask. The officer will also cover his/her own mouth and nose with a surgical-type mask, and open all vehicle windows for maximum airflow.
5. Individuals with blood or body fluid on their clothing or body will be transported in a vehicle separate from other persons, or in a manner that prevents cross-contamination.

IV. Decontamination

A. Police Facilities or Public Areas

Surfaces that are contaminated with blood or OPIMs, or any unidentifiable substance that could be infectious, and that are to be used by the employee or public (car seat, road, sidewalk, table or desk top in the police department) will be decontaminated. The lead officer on the call is responsible for decontamination or for calling for backup assistance to ensure that it gets done immediately. Any contaminated area, surface, or object will not be left unattended if the public or other employees could be exposed to it.

1. If small amounts of blood or OPIMs are on a surface, the attending officer will decontaminate the surface.
 - i. Put on disposable gloves.
 - ii. Use a "bloodborne pathogens mess kit." Apply the powder-like absorbent on the infectious fluid and then scoop it into a red or biohazard-labeled bag. Do NOT use your hands, even with gloves on, to pick up contaminated material. Use a scoop, two pieces of cardboard, or some other tool or object to remove the contaminated material from the surface into the disposal container. Then, either dispose of or decontaminate the object used for picking up the material.
 - iii. "Pre-clean" the area by using soap and water or simply wiping up all debris.
 - iv. Saturate the contaminated surface with a mixture of household bleach and water (1 part bleach to 10 parts water). Allow the bleach solution to stay on the surface for at least two minutes. (If in the field and operating from a patrol vehicle, use the tuberculocidal disinfectant contained in the "mess/clean-up kit.")
 - v. Wipe up the surface with a clean disposable towel.
 - vi. Place all contaminated clean-up supplies in a red or biohazard-labeled bag.
 - vii. Remove gloves using the "peel-away" method (as described in Section II.C.7) and place in the red bag.

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viii. Tie up the bag so that the contaminated material will not fall out and dispose in a dumpster. Do NOT dispose the filled biohazard bag in an area where food is prepared or consumed, or in a location easily accessed by the public. An outdoor dumpster is preferable.

2. If large amounts of blood or body fluid are present in a police department facility, the attending officer is to contact the on-duty supervisor for approval to contact the department's janitorial service, alert them of the biohazard, and request an emergency attendant to respond. The contaminated area will be secured or otherwise closed so that the public and other employees are not exposed to the contaminated area. The attending officer will meet the janitorial attendant at the scene to verbally and physically indicate all contaminated surfaces and areas.
3. For large areas of contamination on public property (such as on a street or sidewalk), secure the area and call the Fire Department to decontaminate.
4. If contamination results in regulated medical waste, such waste shall be placed in a red biohazard bag and placed in the biohazard box in the booking room for proper disposal.

B. Private Property

The Police Department is **not** responsible for decontaminating surfaces contaminated with blood or other infectious material (such as a crime scene) on private property. Employees **must** endeavor to warn property owners of exposure hazards and advise them to seek professional advice on decontamination procedures for biohazards. Warning notice that a biohazard exists shall be posted at or near the contaminated area. A list of qualified companies to decontaminate crime scenes that are contaminated with biohazards will be maintained by the Crisis Unit.

C. Department Vehicles

1. Vehicles are not to be used until they are properly decontaminated.
2. Officers may use the procedures described in Section IV.D to decontaminate non-porous surfaces contaminated with only a small amount of blood. Examples of when self-decontamination would be appropriate include a small amount of blood on the door handle, vinyl seat or steering wheel.
3. Officers will not decontaminate vehicles contaminated with significant amounts of blood or OPIMs. Such vehicles are to be removed from service and immediately taken to the car wash that cleans department vehicles. Employees will sign the receipt and return it to the Administrative Assistant. Employees will verbally inform and physically

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show the car wash operators the biohazard-contaminated area(s) of the vehicle. Officers are to inspect the vehicle before signing the bill and before leaving the car wash.

4. When a car is contaminated at night or when the contracted car wash is closed, immediately remove the vehicle from service by tagging the vehicle "out of service --- biohazard." The next day the on-duty supervisor will ensure decontamination of the vehicle.

D. Decontamination Supplies

1. Supplies for decontamination (bleach, "mess kits", gloves, biohazard bags, biohazard-labeled sharps containers, surgical-type masks antiseptic hand towelettes or hand washing foam) will be stored in the booking room. A first aid kit is stored at Base III. The Quartermaster is authorized to distribute supplies to officers for work-related exposure control. Officers from other agencies who are in the police department and have an immediate need for supplies may obtain them from a supervisor. Officers are responsible for keeping their waist pack adequately supplied at all times.
2. The Quartermaster will oversee inventory control in the booking room and Base III first aid kit.
3. The Evidence and Identification Specialist will ensure an adequate supply for the laboratory.

V. Exposure Procedures, Reporting and Follow-Up

A. Determine if an exposure occurred.

1. A bloodborne pathogen exposure can occur if blood or other potentially infectious material of one person comes in direct contact with the non-intact skin or mucous membranes of the employee. This includes puncture wounds by needles or other sharp objects contaminated or possibly contaminated with body fluid, biting by another person, or spitting by another person into the employee's facial area.
2. An airborne pathogen exposure can happen if someone with a productive cough or someone known or suspected to have tuberculosis or other airborne disease breathes directly on or in the face of, or coughs a lot in a confined area with an employee.

B. If an exposure occurs (or if you think there is a good possibility that an exposure has occurred):

1. Immediately report the exposure to the supervisor.
2. The exposed employee(s) takes care of immediate first aid and personal decontamination procedures (Section V.C)

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3. The supervisor completes a form-19 /Workers Compensation Injury Report Form
4. The supervisor completes a Medical Authorization and Attending Physician's Report.
5. Immediately following the incident, exposed employees will go to the Town's physician during business hours. If outside business hours, employees will go to the emergency room and then to the Town's physician on the next business day. Employees will take their Medical Authorization and Attending Physician's Report form to the doctor, and provide a detailed explanation of how an exposure could have taken place.

C. Employees Exposed to Infectious Material:

1. Any skin surface that comes in contact with blood or OPIMs of another person will immediately be thoroughly washed with soap and water for 15-30 seconds.
2. Eyes into which blood or OPIMs is splattered will be thoroughly flushed with water for at least 60 seconds.
3. For nasal passages which are exposed, blow the nose and flush with water repeatedly.
4. If contaminated material is exposed to the mouth, rinse and spit repeatedly.

D. Contaminated Uniform or Clothing

1. Remove contaminated clothing as soon as possible after the contamination occurs. The longer infectious material is in contact with your body, the greater the chances of exposure and transmission. DO NOT pull shirts over the face to remove. A contaminated shirt that is not a button-up type must be cut off so that the contaminated portion does not touch the face during removal.
2. Place ruined clothing in a "biohazard" or red bag. Tie up the bag, and dispose of it.
3. For clothing that can be used again after disinfecting, DO NOT take contaminated uniforms home or place them in laundry where other people's laundry is done. Place contaminated re-usable uniforms in a biohazard-labeled red bag, attach an Incident/Investigation Report form to it, and place it in the office, or hang on the door, of the Quartermaster. . The Quartermaster will ensure that it is professionally cleaned, and that the laundering service is notified of the biohazard. If an employee is uncertain as to whether the garment(s) should be disposed of or salvaged and cleaned, confer with the Quartermaster.
4. After removing contaminated clothing, immediately thoroughly wash the skin area with soap and water for 15-30 seconds.

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- E. The exposed employee, along with the supervisor, will evaluate the incident using the Town's Accident Investigation procedures to determine the work methods, equipment, or other different steps for preventing exposures in similar situations in the future.
- F. If a victim, witness, employee, or other person is exposed to the blood, or OPIMs of an arrestee, that person may request the magistrate to order the arrestee to be held for up to 24 hours, and for the magistrate to contact the County Health Director to determine whether the arrestee will be tested (NCGS 15A-534.3).
- G. If an employee is exposed to the blood or OPIMs of someone other than an arrestee, and he believes there is a risk that a bloodborne disease may have been transmitted, the employee's supervisor will contact the County Health Director. If an employee is exposed to the blood or OPIMs of a person who is transported to the Emergency Room, the employee's supervisor should request that Chapel Hill Family Medicine immediately contact the Emergency Room attending physician of the exposure source to arrange for appropriate testing.

VI. Hepatitis-B Immunization Program

All Police Department employees whose job duties could place them at risk for exposure to bloodborne or airborne disease may receive, voluntarily and at no cost to the employee, a Hepatitis-B vaccine series, followed by an immunity test which verifies the vaccine effectiveness. Booster shots are available to employees for whom the initial series does not produce immunity. Employees may decline the vaccine series, and later reverse their decisions and receive the vaccine series. Requests for vaccination are to be submitted to the employee's supervisor



Chapel Hill Police Department



Subject: Tire Deflation Devices		Number: 2-2
Issued: 9-19-2003	Revised: 10-25-2009	Pages: 1 of 1

Policy 2-2 Tire Deflation Devices has been merged with [Policy 1-3 Police Vehicle Operations](#).



Chapel Hill Police Department



Subject: Domestic Violence Response		Number: 2-3
Issued: 6-1-2004	Revised: 1-1-2006 (2) 6-6-2013	Pages: 1 of 6

Policy: It is the policy of the Chapel Hill Police Department that domestic violence is a crime which requires direct police intervention and a coordinated community response. Victims of domestic violence will be treated with respect and dignity. All efforts to comply with reasonable requests and to provide available assistance will be afforded by law enforcement personnel in accordance to North Carolina statutes.

I. Arrival at the Scene

- A. When available, a Domestic Violence Response Team officer will act as a field consultant by providing assistance to the responding officers concerning victim options, evidentiary considerations, resources, and documentation.
- B. A minimum of two officers will respond.
- C. Responding officers will:
 1. request entry into the premises
 2. ask to see the person identified as the victim of the call
 3. not reveal the complainant's name, if the complainant is not the victim
- D. If entry is refused, officers will be persistent about seeing and speaking **alone** with the victim. If access to the victim is refused, the officers will request that Orange Central Communications or the Base III operator attempt to make contact with the reporting person to determine if the reporting person is the victim. If access is still refused, the shift supervisor must be briefed on the situation and a decision rendered as to whether officers should leave, remain and observe, or force entry. Issues to be considered are:
 1. If there is any evidence to indicate that a crime has been committed, the officers will not leave the scene without speaking with the victim. Every effort will be made to assure that face-to-face contact with the victim is achieved. Evidence includes the condition of the scene, emotional state of the person speaking with the officer, and all statements made, including those of children present in the residence during the incident.
 2. If the officer has reason to believe that serious bodily injury has occurred or may occur if the officers leave, the officers will not leave the scene until safety considerations are addressed.

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3. If forced entry (pursuant to NCGS 15A-285) is necessary and appropriate in order to save a life or prevent bodily injury, and time allows, officers will contact a supervisor before forced entry is pursued.
4. If the officers leave, they will drive by later to observe if any further disturbance has occurred.
5. If the officers remain to observe, they will move to public property and observe the premises from that location.

II. Preliminary Investigation

- A. Interview all parties separately and out of hearing distance from one another.
- B. Locate and assess the condition of any children at the scene. Children should be interviewed separate from their parents and in an age appropriate manner. Crisis Counselors/CIT Officers can assist.
- C. If there is a language barrier and the children present are bilingual, the child should only be utilized to assess immediate officer safety concerns, e.g., weapons in the home. Otherwise, other resources for language interpretation needs will be secured.
- D. Determine the perpetrator's and victim's activities prior to your arrival. If it appears that both parties have been injured, determine which party acted as the predominant aggressor by assessing the crime scene and statements as to which party's behavior showed excessive force and unreasonableness regarding possible options to remove oneself or avoid injury.
- E. Obtain the following information:
 1. Outstanding warrants, court orders or release conditions from Base III and Orange Central Communications
 2. Valid 50-B Protective Orders through NCIC
 3. Trespass restrictions through Base III
- F. The existence of the elements of a crime and/or the needs of the victim are the factors that determine the proper method of handling the incident. The following factors **are not** to be considered in determining whether charges are appropriate:
 1. The relationship or marital status of the perpetrator and the victim;

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2. Whether or not the perpetrator lives on the premise with the victim, **except** when pertaining to the element to support the crime of Domestic Criminal Trespass;
 3. The potential financial consequence of the arrest;
 4. The complainant's history of prior domestic violence incidents;
 5. Verbal assurances that the violence will stop;
 6. The victim's emotional state;
 7. The use of alcohol or drugs by the perpetrator or the victim;
 8. Lack of visible injuries;
 9. Speculation that the victim may not follow through the criminal justice process; or
 10. Whether the arrest is likely to lead to a conviction.
- G. If weapons are accessible at the scene, the officer may seize them for safekeeping.
- H. The on-call crisis counselor or an on-duty CIT Officer shall be contacted if the responding officers and supervisor determine that services are needed immediately. A consultation with the on-call crisis counselor is mandatory when high lethality and/or extreme complicating factors (minor children, major injuries, lack of resources) exist.

III. Evidence

- A. Document the condition of the scene.
- B. Photograph the crime scene, if applicable.
- C. Ensure that the victim's and/or perpetrator's injuries are photographed.
- D. Collect and/or photograph any other evidence, such as torn and bloody clothing, or damaged property.
- E. Note any utterances/admissions by participants made during and immediately after the conflict.
- F. Weapons
 1. Weapons surrendered for safe keeping may be released to the owner once the risk no longer exists.
 2. No weapons confiscated as evidence of a crime of domestic violence will be returned unless ordered by a court of competent jurisdiction following notice and opportunity to be heard by the District Attorney, or otherwise ordered upon final disposition of charges.

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3. If the perpetrator has a prior conviction for a domestic assault and is in possession of a firearm, it is a violation of Federal Statute 18 USC Section 922 (g). That information will be documented and forwarded to the Bureau of Alcohol, Tobacco and Firearms.

IV. Arrest

- A. If there is probable cause to believe that a crime has occurred and is supported by a complaint from the victim or witnesses, crime scene evidence, and/or injuries, make an arrest and transport the perpetrator to the police station. If an arrest is not made, document the reason for not arresting on the Domestic Violence Supplement Form.
- B. If circumstances do not exist for the officers to make an arrest, but the victim wishes to obtain a warrant, the officers will assist the victim in doing so by explaining how a warrant is secured. If necessary or prudent to do so, the officers may provide the victim transportation to the magistrate's office.
- C. Warrantless Arrest
 1. After each party has been interviewed separately, officers will review the evidence to determine if probable cause exists for a warrantless arrest. See Attachment One – Warrantless Arrest
 2. If the perpetrator is not on the scene for a warrantless arrest, officers should immediately seek and arrest the perpetrator. **If the perpetrator is not arrested within one hour of the officer's initial response, the officer should seek an arrest warrant.**
- D. Magistrate or Judge

Officers will inform the magistrate or judge of:

1. The seriousness of the crime
2. Information concerning the perpetrator's history of violence, threats, existence of court orders, release conditions, or civil orders
3. Whether the charges include assault on or communicating a threat to a spouse, former spouse, or a person with whom the perpetrator lives or has lived as if married, domestic criminal trespass, or violation of a 50B order. If so, only a judge may determine the conditions of bond or release conditions during the first 48 hours following the arrest. If a judge has not set release conditions during the first 48 hours, a magistrate will then set the release conditions.

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- E. Every reasonable effort will be made to inform the victim if the perpetrator has been released and any conditions of release, but no promise to provide such information will be made. **Officers will not assure a victim that the perpetrator will be in jail for forty-eight hours.** Instead, provide the victim with the SAVAN (Statewide Automated Victim Assistance & Notification) number and information.
- F. Officers will not advise victims of domestic violence that they can “drop charges.” The decision to prosecute is made by the investigating officers and the District Attorney. The victim and the perpetrator will be advised by the investigating officers that once a warrant for a domestic violence incident is secured, neither party has control over the decision to prosecute.

V. Enforcement Of Protective Orders

- A. A protective order (often referred to as a “50B”) may be obtained by a victim of domestic violence through the District Court. See Attachment Two – Protective Orders.
- B. Officers will enforce protective orders issued anywhere in North Carolina, or by the courts of another state or Indian tribe, whether or not registered with the North Carolina courts.
- C. Reconciliation between the two parties does not invalidate a 50B protective order. Arrest for the above violations remains mandatory. The parties can have the order rescinded through the Clerk of Courts office.

VI. Completing Incident Report

- A. A Domestic Violence Supplement Form must be completed for cases of domestic disputes only when there are extenuating circumstances that need to be noted, e.g., minor children present, communication of threats, stalking behaviors, etc.
- B. A Victim of Crime Act Checklist must be completed and attached to the Incident Report for all Class A through E felonies, domestic assaults or violations, domestic criminal trespass, and stalking victims.

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VII. Follow-Up Investigation

The Investigations Division will review all cases of domestic violence and conduct a follow-up investigation as needed. The original responding officer, a Domestic Violence Response Team officer, and/or a Crisis Counselor will assist if requested.

VIII. Police Crisis Unit

The Police Crisis Unit provides crisis counseling, follow-up and case management services to primary and secondary victims of domestic disputes and violence. Initial follow-up will be provided either by telephone call and/or face-to-face contact or letter, in which services are offered to the victims.

- A. Crisis Counselors will provide direct services or referral to victims and minor children involved in a domestic disturbance or violence situation. The services will include, but are not limited to:
 - 1. Lethality assessments and safety planning recommendations for all involved
 - 2. Information regarding criminal proceedings, civil orders/restraints
 - 3. Advocacy and support for court proceedings and with other agency/business relationships affected by the violence
 - 4. Counseling and other follow-up services in developing long-term strategies to prevent future incidents of domestic violence against the primary and secondary victims.
 - 5. Recording name, address, and phone number of friends or relatives who will know the whereabouts of the victim in 6-12 months from the time of the investigation
 - 6. Referral to the Department of Social Services if a minor child has been assaulted, witnessed a domestic violence situation, or intervened as a result of a domestic violence situation.

- B. The Crisis Unit will provide information to domestic violence perpetrators concerning abuser treatment programs or other counseling services.



Chapel Hill Police Department



Attachment One

Policy 2-3 Domestic Violence Response

Domestic Violence Warrantless Arrest

In response to acts of domestic violence, officers shall make a warrantless arrest when there is probable cause to believe that any of the following exist:

1. A criminal offense has been committed in the officer's presence.
2. One of the following has taken place, even if outside the officer's presence:
 - a. A felony crime; or
 - b. A misdemeanor crime, and either
 - 1) the perpetrator is not likely to be apprehended at a later time; or
 - 2) if the perpetrator is not immediately apprehended, he/she may cause injury to self or others, or cause property damage.
3. When the offense was committed by a person with whom the alleged victim has a personal relationship and the offense was one of the following:
 - a. Simple Assault or Affray
 - b. Assault with a Deadly Weapon
 - c. Assault Inflicting Serious Injury
 - d. Assault on a Female
 - e. Assault by Pointing a Gun

Note: "Personal relationship" includes

- Current or former spouses
- Persons of the opposite sex who live together or have lived together
- Related as parents and children, grandparents and grandchildren, or "in loco parentis"
- Have a child in common
- Are current or former household members
- Are persons of the opposite sex who have been romantically involved over time

4. Domestic Criminal Trespass has been committed.
5. The perpetrator has violated any condition of a valid 50B Protective Order (GS 15-401(b)).

Considerations in Warrantless Arrest:

1. In some cases the perpetrator will have violated a criminal statute, (e.g., Assault on a Female or Domestic Criminal Trespass) while a Domestic Violence Protective Order is in effect. An additional charge for the 50B violation may also be pursued.

2. Officers who encounter claims of assault committed by more than one party shall attempt to identify actions used as self-defense, and those actions used by the predominant aggressor.

In making a determination of who is the primary aggressor, officers will consider:

- a. History of the domestic abuse between the parties
- b. Severity and extent of injuries inflicted on each of the parties
- c. Corroborating witnesses to the incident
- d. Appearance of injuries consistent with statements describing self-defense behaviors
- e. Existence of a protective order
- f. Credibility factors – warrants against one of the parties, probation for domestic violence incidents
- g. Behavior or verbal communication that attempts to force the other person into compliance or a reaction that may lead to an assault.

If the perpetrator is not on the scene for a warrantless arrest, officers should immediately seek and arrest the perpetrator. If the perpetrator is not arrested within one hour of the officer's initial response, the officer will seek an arrest warrant.



Chapel Hill Police Department



Attachment Two

Policy 2-3 Domestic Violence Response

Domestic Violence Protective Orders

A protective order (often referred to as a “50B”) may be obtained by a victim of domestic violence through the District Court.

Application for a protective order is done through the Clerk of Courts Office.

Officers will enforce protective orders issued anywhere in North Carolina.

Out of State or Indian Tribe Protective Orders

1. Protective orders issued by the courts of another state or Indian tribe, whether or not registered with the North Carolina courts, must be enforced the same as North Carolina protective orders.
2. To determine the validity of the out-of-state or Indian tribe order, the officer may rely on a copy of the order, the protected person’s statement that the order exists, and any other available information.
3. If an officer arrests a person for violation of an out-of-state order and the person contests the validity of the order, the person must be “promptly” provided with a copy of any NCIC registry information pertaining to the out-of-state order.

Officers are required to arrest for violation of any of the following provisions of a 50B protective order:

1. Perpetrator has been excluded from the victim’s home;
2. Perpetrator has been directed to refrain from threatening, abusing, following the victim;
3. Perpetrator has been directed to refrain from harassing the victim including by telephone, visiting the home or workplace, or by other means; or
4. Perpetrator has been directed to refrain from otherwise interfering with the other party.

Reconciliation between the two parties does not invalidate a 50B protective order. Arrest for the above violations remains mandatory. Advise the parties that the order can be rescinded through the Clerk of Courts office.



Chapel Hill Police Department



DOMESTIC VIOLENCE RESPONSE CHECKLIST

ARRIVAL AT THE SCENE

- ___ Determine the location and condition of the victim
- ___ Determine if suspect is on the scene
- ___ Determine if any weapon is involved
- ___ Separate victim, suspect, and any witnesses
- ___ Request EMS if injuries require medical attention

PRELIMINARY INVESTIGATION

- ___ Interview victim away from suspect
- ___ Locate and assess condition of any children
- ___ Interview suspect and witnesses
- ___ Check with neighbors for potential witnesses
- ___ Document victim's statements, condition and demeanor
- ___ Document suspect's statements, condition and demeanor
- ___ Document evidence of injury and condition of crime scene
- ___ Distinguish predominant aggressor from victim, especially if both are injured
- ___ Inquire as to the existence of a protective order or trespass restrictions

IF PROBABLE CAUSE EXISTS and ARREST OCCURS

- ___ Record spontaneous utterances of suspect/victim/children
- ___ Record statements by suspect
- ___ Request a written statement from the victim
- ___ Photograph:
 - ___ Victim and injuries
 - ___ Suspect and injuries
 - ___ Children and injuries
 - ___ Weapons used
 - ___ Crime scene
- ___ Seize relevant evidence:
 - ___ Weapons
 - ___ Torn/bloody clothing
 - ___ Damaged property
 - ___ Letters or answering machine tapes
 - ___ Copy of the DVPO from victim or Base III/Crisis Unit
- ___ Pursue all relevant charges involved in this response
- ___ DV report, DV supplement and victim checklist completed.

IF SUSPECT IS NOT ON-SCENE

- ___ Officer assists victim in obtaining a warrant, **OR**
- ___ Officer obtains warrant, **OR**
- ___ DV report completed reflecting recommendations and options given to victim

DVPO VIOLATION

_____ Verify DVPO status through victim; Base III; Crisis Unit; or DCI/NCIC.

FOR EX PARTE ORDERS:

- _____ Check notice of hearing date to determine if order remains in effect.
- _____ If expired, inform victim that the order is invalid, and that renewal of the order is needed.
- _____ If defendant denies service/knowledge of the order, check with OCSD if defendant has been served.

IF NOT SERVED:

- _____ Notify Orange County Sheriff's Department as to the whereabouts of the defendant.
- _____ Inform defendant verbally and assist with service.
- _____ Document actions taken.

WARRANTLESS ARREST MANDATORY FOR VIOLATIONS OF TRESPASSING; ASSAULT; HARASSMENT; and INTERFERING

- _____ Ex Parte order confirmed.
- _____ DVPO verified.
- _____ Copy of the order made and transported to the Magistrate's Office.

IF NO PROBABLE CAUSE EXISTS

- _____ DV report, DV supplement and victim checklist completed.
- _____ Documentation provided:
 - _____ Victim/suspect names, addresses and contact numbers provided;
 - _____ Names and ages of children present during the assault;
 - _____ Complaint of injuries;
 - _____ History of domestic violence;
 - _____ Victim assistance information provided:
 - _____ Informed of rights to seek a warrant and/or obtain a protective order.
 - _____ If requested, transported to magistrate's office; crisis unit; medical facility or other safe place.
 - _____ Informed or contact coordinated with the Crisis Unit, #968-2806.



Chapel Hill Police Department



Subject: Sexual Assault Response – Adult Victim	Number: 2-4
Issued: 6-1-2004	Revised: 1-1-2006 (2) 10-24-08 (3) 6-6-2013
Pages: 1 of 4	

Policy: It is the policy of the Chapel Hill Police Department that all victims of sexual assault be treated with sensitivity and dignity.

I. Definitions

- A. **Sexual Assault** is any forced or coerced sexual activity against the will of an adult. Adult is any person at least eighteen years of age or who has been declared an emancipated adult.
- B. **Sexual Assault Response Team (SART) Officer** is an officer selected and trained by the department to respond to sexual assault victims.

II. Duties and Responsibilities

- A. Telecommunicator (Orange Central Communications and Base III)

In responding to a report of a sexual assault the Base 3 operator will take the following actions:

1. Do not tell the caller to call 911, but handle the call himself
2. Obtain the name and location of the victim, nature of any injuries, and the time and location of the incident. Obtain suspect information, escape route, mode of travel, and if armed.
3. Inform the on-duty supervisor by telephone. When using the police radio, do not use the term rape or sexual assault; instead use the code 10-82. Relay all suspect information.
4. Stay on the phone with the victim or caller until the officer arrives at the scene. Attempt to comfort and calm the victim. Relay additional information from the victim to the responding officer.

- B. On-duty Supervisor

Supervisory procedures are consistent with response procedures to any violent crime. The following measures are also taken:

1. Assign a SART officer(s) to respond to the call regardless of the SART officer's assigned patrol area.
2. Assure that contact is made by the SART officer with an investigator and a crisis counselor/on-duty CIT Officer.
3. Review the SART officer's Incident/Investigation Report to ensure that the victim's name, address, and other identifying information are not available to the public. (Refer to Information Release Policy 3-6)

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C. Sexual Assault Response Team Officer

The SART officer will provide services in accordance with SART training and Chapel Hill Police Department practices and policies.

D. Investigator

Investigative procedures are consistent with response procedures to any violent crime. The following measures are also taken:

1. Conduct the investigation in accordance with the wishes of the victim.
2. If needed, utilize the assistance of a SART officer for follow-up information and/or evidence gathering.

E. Crisis Counselor/On-Duty CIT Officer

Crisis response procedures are consistent with response procedures to any violent crime. The following measures are also taken:

1. Advocate for the victim during the medical investigation to ensure that a thorough but minimally intrusive examination is accomplished.
2. If the victim desires, contact a companion from the Orange County Rape Crisis Center. If the victim does not want a companion to be present, give information on how to contact the Rape Crisis Center, as well as other available resources (SAVAN and Victim Compensation programs).

II. Evidence Collection

A. Victim

1. Evidence collection is done at a medical facility by medical personnel.
2. If due to an allegation or belief that a drug was utilized in the sexual assault, a urine sample is collected by medical personnel. The sample is refrigerated and submitted in the same manner as evidence kits.
3. Photographs may be taken, with the victim's consent, either by an investigator or the SART officer at the direction of the investigator. Photographs are evidence and not attached to the Incident/Investigation Report.

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B. Suspect

1. Evidence collection is to be done as recommended by the State Bureau of Investigations Evidence Collection Procedures. Hair, saliva, and blood samples are collected by medical personnel at UNC Hospitals or the Orange County Health Department. A suspect evidence kit (stored in the evidence lab) must be taken to the medical facility by an officer.
2. If the suspect does not give written consent, a non-testimonial identification order or a search warrant must be served on the suspect to obtain blood or evidence samples.

C. Chain of Custody

1. Evidence obtained at a medical facility, out of the presence of a Chapel Hill officer, will be retained by the medical facility security personnel until retrieved by a Chapel Hill officer.
2. Upon receipt of the kit, the receiving officer must sign off on accompanying documents to ensure chain of custody.
3. Each kit is promptly submitted into evidence and the proper paperwork completed to ensure the proper chain of custody.

III. Arrest Procedure

Arrest procedures are consistent with all other misdemeanor and felony arrest, with the following considerations:

- A. When the victim's physical safety is in jeopardy and the relationship to the offender is brief or nonexistent, the charging officer will use the victim's first initial and last name and the Police Department's address as the victim's home address on the warrant.
- B. If the Police Department's address is used as the victim's address, the investigating officer is responsible for serving subpoenas on the victim. If the investigating officer is not available, the supervisor will assume responsibility for the service.
- C. The Crisis Counselor will be responsible for notifying the victim when an arrest is made, if the suspect is in jail, any release conditions if not in jail, and the SAVAN telephone number.
- D. If an arrest is made for another law enforcement agency, the arresting officer will notify that agency.

Subject: Sexual Assault Response – Adult Victim		Number: 2-4
Issued: 6-1-2004	Revised: 1-1-2006 (2) 10-24-08 (3) 6-6-2013	Pages: 4 of 4

IV. Blind Reports

- A. A Blind Report is a report of a sexual assault, attempted or completed, in which the victim chooses not to pursue a formal investigation at the time of this report, but wishes to inform law enforcement of the assault and relevant information. Blind report information may come from the victim or a service provider (i.e. Rape Crisis Companion, medical personnel) acting on behalf of the victim.
- B. An Incident/Investigation Report, containing minimal information is prepared. The report is brief and only used for statistical purposes
- C. A Blind Report form is completed, using the same OCA number assigned to the Incident Report. A detailed narrative of the sexual assault is included in the report, providing as much detail as given by the victim/caller. The Blind Report form is not released to the public.
- D. The Incident/Investigation Report is submitted to the Records Division. The Blind Report form is submitted to the Domestic Violence/Sexual Assault Coordinator of the Crisis Unit and the supervisor of the Investigative Division.
- E. Blind Reports are logged and maintained in separate files kept by the Crisis Unit and Investigations.

V. Unwanted Sexual Contacts and Crimes of a Sexual Nature

- A. The following incidents will be referred to the Crisis Unit and the Incident/Investigation report forwarded to Investigations:
 - 1. Unwanted sexual contact, including touching or grabbing of the breasts and/or buttocks
 - 2. Crimes of a sexual nature, including peeping, exposure, and obscene phone calls
 - 3. The discovery of an intruder in the residence
 - 4. Stalking behaviors and electronic communications that include sexually explicit intent, regardless of the victim-perpetrator relationship
- B. The Crisis Unit will provide services for the primary and secondary victims of these crimes.



Chapel Hill Police Department



SEXUAL ASSAULT RESPONSE CHECKLIST Policy 2-4 Sexual Assault Response – Adult Victim

RESPONDING OFFICER

- _____ Assess condition of the victim and request EMS, if needed.
- _____ Conduct brief interview to gain assault and assailant information.
- _____ Dispatch suspect description, and direction and mode of travel.
- _____ Secure crime scene.
- _____ Brief supervisor and consult with investigator and crisis counselor.

SEXUAL ASSAULT RESPONSE TEAM OFFICER

- _____ Respond to the scene as quickly as possible without lights and siren, unless absolutely necessary.
- _____ Obtain only the following information from the victim:
 1. A brief narrative of the assault, explaining that a complete statement will be taken later
 2. Additional assailant description for dispatch to other officers (if the assailant has just left the crime scene)
- _____ If victim is unsure or unprepared to file formal police report, offer Blind Report option.
- _____ Brief the supervisor on the initial facts obtained from the victim.
- _____ Consult with the investigator and a crisis counselor to determine if an immediate response by these units is necessary.
- _____ Secure the crime scene and assist in evidence collection.
- _____ Inform victim of next steps in securing medical exam and evidence collection.
- _____ Inform the victim that, if desired, a support person (friend, relative, Rape Crisis Companion, etc.) may accompany the victim to the various agencies, e.g., hospital and police department.
- _____ Give the victim the following information:
 1. The need for medical attention for the victim’s health and protection, and for the gathering of evidence from the victim’s person
 2. There is no cost for immediate medical services
 3. The victim should take a change of clothes to the medical facility because the clothing worn at the time of the assault will be kept as evidence
 4. The victim should not shower, urinate, or drink anything before going for medical attention
 5. The crime scene should not be cleaned until evidence is collected
 6. The victim’s name, address, or any other identifying information will not be released to the public. The victim’s age, race, sex, general location of the assault, and some details about the assault may be released.

- _____ Transport or arrange transportation of the victim to and from UNC Hospitals Emergency Department or Student Health Services. Full-time UNC students should be taken to Student Health Services. Arrange for the Orange Communications dispatcher or Base 3 operator to call the medical facility to alert them of the victim's arrival.
- _____ Stay with the victim to serve as a liaison to the investigator and the counselor.
- _____ Write an Incident/Investigation Report restricting the victim's name, address, and other identifying information and citing the location of the crime in general terms.
- _____ Give the victim a Victim Resource Card and the OCA number of the report.

INVESTIGATOR

- _____ Upon arrival, assume responsibility for the investigation.
- _____ Gather information from the SART officer, the patrol supervisor, and the crisis counselor. Coordinate with all responding units to assure that all investigative concerns are addressed.
- _____ Ensure that all information and evidence is obtained from the SART officer before he is released from the case.
- _____ Consult with the crisis counselor regarding needs of the victim and other people associated with the victim.
- _____ Conduct an investigation in accordance with the wishes of the victim. The investigation should include:
 1. An in-depth, video-taped interview of the victim, if feasible
 2. Documentation of non-penetration acts (licking; biting; sucks; kisses; lubrication applied; masturbation)
 3. Interviews of witnesses
 4. Obtaining written statements from witnesses and the victim
 5. Photos and/or diagrams of the crime scene, victim injuries, etc.
 6. Documentation of suspect statement/excited utterances, injuries, condition, and demeanor
 7. Coordination of the gathering and storage of evidence from the victim, suspect, and crime scene
 8. Informing the victim about the steps in the investigation, arrest, and/or judicial proceedings.
 9. Assuring that the victim has received information on available victim assistance resources.
- _____ If needed, utilize the assistance of a SART officer for follow-up and/or evidence gathering.
- _____ If the investigation does not result in an arrest, the investigator will notify the victim, either by phone or in person.

CRISIS COUNSELOR/ON-DUTY CIT OFFICER

- _____ Upon arrival, meet with the on-scene police personnel and gather information about the incident, the victim, and significant others.
- _____ Provide crisis counseling and case management services to the victim and significant others. The crisis counselor will be attentive to the needs of the victim by assisting in the coordination of services, e.g., treatment, investigative, and other resource options.
- _____ Advocate for the victim during the medical investigation to ensure that a thorough but minimally intrusive examination is accomplished
- _____ If the victim desires, contact a companion from the Orange County Rape Crisis Center. If the victim does not want a companion to be present, give information on how to contact the Rape Crisis Center, as well as other available resources (SAVAN and Victim Compensation programs).
- _____ If the victim is a UNC student, and she gives consent, the Dean of Student Affairs will be contacted. This notification should be accomplished as soon as possible.
- _____ Provide support to the victim during the investigative interviews and other contacts with the Chapel Hill Police Department.
- _____ Serve as a liaison between the victim, law enforcement, the District Attorney, the Rape Crisis Center, and other resources.
- _____ Provide follow-up and case management services to the victim and maintain contact throughout the investigation and prosecution.



Chapel Hill Police Department



SEXUAL ASSAULT ARREST PROCEDURES CHECKLIST

Policy 2-4 Sexual Assault Response - Adult Victim

IF PROBABLE CAUSE EXISTS FOR FELONY OFFENSES

- _____ Interview suspect if known, or arrested at scene
- _____ Photograph suspect injuries
- _____ Request a written statement from the suspect
- _____ If feasible, pursue all relevant charges involved in this response
- _____ If arrest was conducted, notify victim of the arrest and bond/release conditions
- _____ SA report and Victim Checklist completed
- _____ Prepare Felony Prosecution Report.

ARREST/WARRANT CONSIDERATIONS:

- _____ If the victim's safety remains at risk, the charging officer will use the victim's first initial and last name and the Police Department's address as the victim's home address.
- _____ If the arrest is made for another law enforcement agency, the arresting officer will notify that agency.
- _____ Provide The SAVAN contact number and Victim's Resource Card to the victim.

IF PROBABLE CAUSE EXISTS FOR MISDEMEANOR OFFENSES

- _____ Inform victim of victim assistance services through Orange County Rape Crisis Center, UNC, or Crisis Unit
- _____ Review safety risks at the time of this report. Offer Crisis Unit for creating a safety plan with the victim.
- _____ Inform victim of the right to seek a warrant for misdemeanor offenses and provide assistance as needed.
- _____ If requested, transport the victim to the magistrate's office; Crisis Unit; medical facility or other safe place.
- _____ Complete a Sexual Assault report and Victim Checklist.
- _____ When the suspect is arrested, notify the victim of the arrest and bond/release conditions.
- _____ Provide the victim the SAVAN contact number and a Victim's Resource Card.



Chapel Hill Police Department



Subject: Police Headquarters Security and Employee Safety		Number: 2-5
Issued: 6-1-2004	Revised: 1-1-2006, 2-24-2006, 10-24-2008, 05-05-2011	Pages: 1 of 8

Policy: It is the policy of the Chapel Hill Police Department to ensure the safety of employees and citizens in the Headquarters Facility and to establish procedures to follow in the event of an emergency situation.

I. Security of the Police Headquarters Facility

A. Controlled Access

1. The only public entrance to the building will be through the entrance into the main lobby. All other outside entrances to the building will be secure at all times. It will be the responsibility of every employee to ensure that these entrances remain locked.
2. All visitors to our building will check in at Base 3. A visitor is defined as anyone who is not a current CHPD employee.
3. Base 3 staff will summon the appropriate Police Department employee to the lobby and that employee will sign the visitor in and issue him/her the appropriate visitor pass. [REDACTED]
[REDACTED] Visitors will be escorted back to Base 3 by the same Police Department employee at the conclusion of their visit where they will be signed out and return their visitor pass before leaving the building.
4. Visitors will only be in secured areas if accompanied by an employee. [REDACTED]
5. The classroom and the Administration conference room may be used by the public after normal business hours. Visitors will be issued building passes upon arrival and must display them or otherwise have them on their person at all times. It will be the responsibility of the coordinating employee to ensure that no unauthorized person enters secure areas. Visitors to the building who are here for a class or group meeting will be staged in the lobby area and the coordinating employee will take them to their destination as a group.

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❖ Exception to Public Use:

If an employee association desires to meet with non-employee persons (association representatives, instructors, outside speakers, etc.) in the meeting, then the meeting must be scheduled in designated public meeting spaces of the Town (Town Hall, Library, Community Center, Hargraves Center and Aquatics Center) and comply with all applicable procedures and requirements for that space as well as with Town Administrative Policy and Procedure 5.6c (General Meeting Room Policy).

B. Employee Safety

1. Employees are responsible for maximizing their safety in their work areas.
2. Front-line employees will:
 - a. have a clear view of their customer service area at all times.
 - b. arrange office furniture and partitions so that employees are surrounded by "natural" barriers (desks, countertops, partitions) to separate them from customers and visitors.
3. [REDACTED]
4. Employees should know potential escape routes from the building.
5. [REDACTED]
6. Work Alone Procedures
 - a. To the extent possible, at least two employees will be in the building at all times.
 - b. In the event that only one employee is in the building:
 - 1) The employee will have access to other employees by phone or police radio.
 - 2) The employee who is working alone will notify the on-duty patrol supervisor that he is alone and his location in the building. The on-duty patrol supervisor will inform the other personnel of the situation.
 - 3) The building will be locked.

C. Booking Room

1. Officers will notify Base III when they enter and leave the booking room with a prisoner. The Base III operator will monitor the booking room via the video monitors in Base III.

[REDACTED]

II. Emergencies in the Police Headquarters Building

■ [REDACTED]

[REDACTED]

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B. Evacuation of the Building

1. In a [REDACTED] situation an announcement will be made by intercom designating a safe area to gather. All employees will retreat immediately and in an orderly manner to that location. Employees will ensure that others in the building are evacuated and escorted to the designated location.
2. In a [REDACTED] situation, employees may be required to evacuate the building. If so, they will retreat immediately and in an orderly manner to either the Pendergraph Garden or Bolinwood Drive near Martin Luther King Jr. Blvd. Employees will ensure that others in the building are evacuated and escorted to the designated location.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

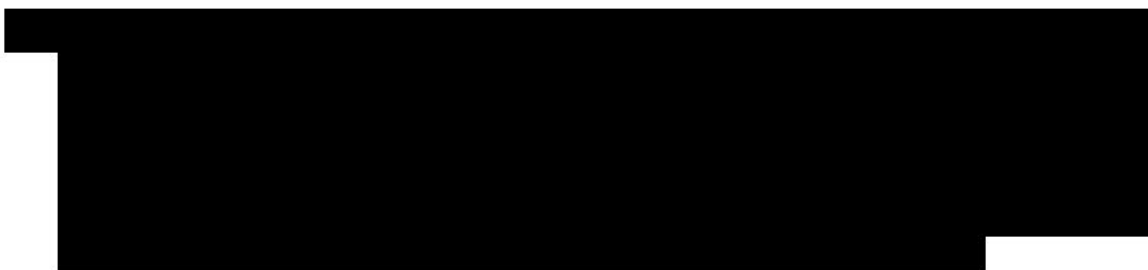
III. Lockdown

When an imminent threat exists to the safety of any department employee, the Chief of Police may order that the headquarters building be locked down.

- A. All entrances will be locked. It will be the responsibility of all employees to ensure that doors remain secure at all times. An officer may be posted at the public entrance to the lobby to screen anyone attempting to enter the building.
- B. Signs designating lockdown will be prominently posted on the inside of all exterior doors and in all common areas of the building.

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- C. All visitors permitted into the building must sign in and out at Base III. Visitors will be provided a visitor pass which must be displayed while in the building. Any work crews scheduled to be in the building will be either rescheduled or directed to ensure the security of the entrances at all times.



- E. Officers will regularly patrol the front and rear parking lots.
- F. No employee will leave the building without being in the company of another employee or other person, or notifying the Base III operator.
- G. Employees will stay away from windows and minimize time spent in public areas of the building.



IV. Fire and Fire Alarms/Drills

A. Fire Emergency

Anyone discovering fire or smoke in police department facilities will:

1. If possible, close the doors to the room where the fire or smoke is located.
2. Use the intercom to announce possible fire conditions. Pull the nearest fire alarm.
3. Instruct Base III to call 911.
4. If the fire is small and not life threatening, and if the employee is trained and chooses to do so, he may attempt to suppress or control the fire with portable fire extinguishers until the Fire Department arrives, but only after steps 1, 2, and 3 above have been done.
5. If the fire can not be contained, evacuate the building to a safe area (Section II-B). Evacuation procedures for each floor are located in prominent areas of the building.
6. An employee will be designated to meet the Fire Department to inform the firefighters about the fire's location, if anyone is trapped or hurt, and any information concerning the fire incident.

B. Fire Alarm Drills

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The Police Department will have periodic, unannounced fire drills. These drills will include all employees and visitors within the building.

1. The signal that a fire drill is occurring is a sign placed in the building by the Fire Department. The Administrative Services Supervisor will activate the fire alarm and then call 911 informing them that this is a drill.
2. Upon hearing the fire alarm, all personnel will evacuate the building, using the nearest fire exit (taking visitors with them) to the designated evacuation sites (Section II-B).
3. After the fire drill, the Administrative Services Supervisor will inform all employees that they can enter the building.

C. Fire Prevention

1. Do not let rubbish accumulate.
2. Do not block exits, stairs, or halls with equipment or debris.
3. Know exit locations and escape routes.
4. Report fire hazards.
5. Learn the location of fire extinguishers and know how to use them. Fire Department personnel will provide training.
6. Do not overload electrical sockets.

V. Weather-Related Emergencies

The most typical types of weather-related emergencies that affect Chapel Hill are hurricanes and snow/ice storms, and infrequently, tornados. The following are general guidelines in the event of such emergencies:

- A. Stay away from windows and exterior doors.
- B. Listen for weather reports and emergency information.
- C. Stay indoors.
- D. Use stairs instead of the elevator.
- E. If winds are strong, go to a closet or bathroom in the center of the building.

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VI. Hazardous Conditions

Any employee who discovers a hazardous condition (electrical, chemical spill, toxic material, blood borne pathogens, etc.) will, in accordance with the Bloodborne Pathogens Exposure Reduction Infection Control Procedures Policy 2-1:

- A. Use universal precautions.
- B. Use personal protective equipment.
- C. Contain the risk.
- D. Secure and decontaminate areas.
- E. Notify other employees.
- F. Call 911 if risk cannot be contained with personal safety equipment.
- G. Report incident to the immediate supervisor and the Administrative Services Supervisor.

VII. Workplace Violence

- A. Workplace violence is any threat, act of harassment, or abusive behavior which puts a reasonable person in fear of harm to himself or to another, even without fear of immediate bodily harm.
- B. Reporting
 - 1. Employees will immediately report any incident of workplace violence to their supervisors. If the immediate supervisor is involved in the violence the employee will report it to the next higher level supervisor.
 - 2. Employees should report concerns about unusual or threatening behavior, even if such behavior is not perceived as a direct threat or an immediately dangerous situation. Reportable situations include those of co-workers, citizens, and family members.

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3. The Town of Chapel Hill does not tolerate retaliation against employees who make good faith reports of workplace violence or potential violence, even where the concerns prove to be unfounded.
- C. The Chief of Police will notify the Town Human Resources Director of all incidents of workplace violence.
 - D. An employee who obtains a protection or restraining order that lists a police department facility as a designated meeting location or protected area must immediately provide a copy of the order to his supervisor, who will immediately notify the Chief of Police.



Chapel Hill Police Department



POLICE HEADQUARTERS SECURITY CHECKLIST Policy 2-5 Police Headquarters Security and Employee Safety

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Chapel Hill Police Department



Subject: Trespassing in Public Housing	Number: 2-6
Issued: 10-22-2004	Pages: 1 of 2

Policy: It is the policy of the Chapel Hill Police Department to assist public housing residents in creating a safe environment in which to live.

I. Authority to Act

The Police Department is authorized to act as agents of the Town for the purpose of addressing non-residents in Town of Chapel Hill public housing communities.

II. Procedures

A. Requesting a Non-Resident to Leave

An officer shall request a non-resident to leave a public housing community if any of the following exists:

1. The person does not live in the community and no resident accepts responsibility for the person as a guest.
2. The person commits a criminal act and/or participates in disruptive behavior, including, but not limited to being intoxicated and disruptive, having a weapon, possessing illegal drugs, fighting, or making excessive and unnecessary noise.
3. The person is not employed by the Town of Chapel Hill to do work at the public housing site.

B. Issuing a Trespass Notice

1. An officer shall inform a person that he is not permitted on public housing property, and may be arrested for trespassing if any of the following situations exist:

- a. The non-resident does not comply with requests to leave the community as provided in Section II-A.
- b. The non-resident returns after being instructed to leave the community.
- c. The non-resident has committed a criminal offense on public housing property.
- d. The non-resident has a documented history of disruptive behavior within any public housing community under control of the Chapel Hill Department of Housing.
- e. The non-resident was previously a resident of public housing whose residency was terminated, and Housing Department personnel have requested the person not return to public housing property.

- f. The non-resident has a documented history of violence or drug related activity.
2. When issuing the notice, the officer shall inform the person of the following:
 - a. That the officer has the authority to issue the notice.
 - b. The reason for the trespass notice.
 - c. That he is banned from all public housing communities under the control of the Chapel Hill Department of Housing.
 - d. That he is not to return to any public housing property for an indefinite period of time, and if he does not comply with the request to leave, or if he returns at a later time he is subject to arrest.
 - e. That a police report will document the incident and will be logged in the Department's Trespass Log.

C. Documentation

1. The officer shall document the trespass notice by completing an Incident/Investigation Report which includes the reason for the trespass notice.
2. The officer will forward the information concerning the trespass notice to the platoon's Base III operator as soon as practicable.
3. Base III shall maintain a log of trespass notices, including those issued in public housing neighborhoods.

D. Arrest

1. If a person has returned to a public housing community after having been told to leave, the officer will check with the Base III operator to confirm that a trespass notice had been issued.
2. The officer may arrest the non-resident who has received a trespass notice.
3. The officer will include in the narrative of the Arrest Report the OCA number and date of the trespass notice on which the arrest is based.

III. Requests from the Housing Department

- A. The Department of Housing may request a non-resident be trespassed from public housing property by submitting a letter to the Chief of Police stating the reason for the trespass notice.
- B. A copy of the letter will be attached to the Incident/Investigation Report documenting the trespass notice.
- C. The information will be maintained in the trespass log maintained by Base III.



Chapel Hill Police Department



Public Housing Sites

Policy 2-6 Trespassing in Public Housing

Airport Gardens	815-867 Martin Luther King J. Blvd, odd numbers only
Caldwell and Church	118, 120, 122, 124, 126, 128 Caldwell Street 704, 706, 708 Church Street
Eastwood	Billie Holiday Court, Louis Armstrong Court
Legion Road	1718, 1720, 1722 Legion Road 2, 4, 5, 7, 8, 9 Adelaide Walters Street Jackie Robinson Street
Lindsay Street	307, 309, 311 Lindsay Street
North Columbia	500, 502, 504, 506 North Columbia Street
Pritchard Park	720, 722, 724, 726, 732, 734, 736, 738, 740, 742, 744, 746, 748 Pritchard Avenue Extension
Rainbow Heights	Bright Sun Place
South Estes	300 block of South Estes Drive
South Roberson	124, 126, 127, 129, 131, 133, 135, 137, 139, 141, 143, 145, 147, 149, 151 South Roberson Street
Sykes and Gomains	402, 500, 502 Sykes Street 600, 601, 601, 602, 604, 701, 703 Gomains Avenue 506 – 512 Craig Street 619 Bynum St 501 Edwards St
Trinity Court	751 Pritchard Avenue Extension



Chapel Hill Police Department



Subject: Teen Party Response	Number: 2-7
Issued: 4-8-2005	Pages: 1 of 2

Policy: It is the policy of the Chapel Hill Police Department that officers responding to calls involving gatherings where underage drinking of alcohol is occurring will respond in a manner that protects the physical safety of participants, provides for the involvement of parents or guardians, and ensures the enforcement of relevant laws.

I. Responding to the Scene

- A. Supervisors should ensure that the number of officers responding to the scene is sufficient to manage the number of participants reported at the event.
- B. Officers arriving at the scene should attempt to prevent anyone who is impaired or who is otherwise reasonably suspected of being in violation of criminal and/or motor vehicle laws from driving away from the scene. Of particular importance are those drivers who have consumed alcohol and who appear to be underage.
- C. Officers should attempt to identify and detain anyone observed violating a law, with particular attention given to those persons who appear to be underage and who are in possession of alcohol. Caution should be exercised in detaining persons in the area of the event who do not appear to have been active participants in the violation of law.
- D. If possible, telephone contact with parents of those under the age of eighteen should be made by the on-scene officers while the teenagers are still at the scene of the event. If immediate notification is not possible, the parental contact information should be forwarded in the police report to the Crisis Unit for notification at a later time.
- E. No person under the age of eighteen who has consumed alcohol should be allowed to leave the event (or remain at the event) unless accompanied by a responsible adult (over twenty-one years of age). Officers should attempt to ensure that the adult accepting responsibility for the teenager is authorized to do so by the teenager's parent or guardian. If a responsible, sober adult cannot be located to assume responsibility for a teenager under the age of eighteen who has consumed alcohol, the teenager should be transported to the Police Department until an adult can be contacted.

Subject: Teen Party Response	Number: 2-7
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- F. Officers are encouraged to cite participants observed in violation of alcohol statutes and other criminal laws. Citations or arrests will be the only acceptable course of action for adults whom officers have probable cause to believe have hosted the event, provided alcohol to underage persons, or who otherwise facilitated other alcohol-related criminal activities.
- G. The police report filed by the officer will include all pertinent information regarding participants, hosts, adults present, parents contacted, conditions observed at the event, etc.

II. Follow-up

- A. On the first business day following an event, a Crisis Counselor will contact any parent or guardian who was not located at the time of the police response.
- B. The department's Alcohol Law Enforcement Liaison will investigate any case involving parties at which large numbers of underage alcohol violations occurred if sufficient evidence exists to support potential criminal charges against event hosts and/or providers of alcohol.



Chapel Hill Police Department



Subject: Missing Person and Runaway Juvenile Response	Number: 2-8
Issued: 1-1-2006	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to respond to a report of a missing person, endangered person, or runaway juvenile without delay and to make all reasonable efforts to locate the person.

I. Definitions

- A. **Missing Adult** is a person at least eighteen (18) years of age whose whereabouts are unknown and whose absence is suspicious.
- B. **Missing Juvenile** is a person under the age of eighteen (18).
- C. **Runaway** is a juvenile who is away from home without his parent or guardian's permission.
- D. **Endangered** is a situation where a person is at risk for exploitation, injury or death.
- E. **Undisciplined Juvenile**, per NCGS 7B-1501(27), is a child between six (6) and seventeen (17) years of age, who is one of the following:
 - 1. unlawfully absent from school if between six (6) and fifteen (15) years of age; or
 - 2. regularly disobedient to and beyond the disciplinary control of his parent, guardian, or custodian; or
 - 3. regularly found in places where it is unlawful for a juvenile to be; or
 - 4. has run away from home for twenty-four hours or more.
- G. **Temporary Custody** is the taking of physical custody of a juvenile and providing personal care and supervision until a court order for non-secure custody can be obtained. A juvenile may be taken into temporary custody, without a court order, by a law enforcement officer if:
 - 1. there are reasonable grounds to believe that the juvenile is abused, neglected or dependent, and would be at risk if it were first necessary to obtain a court order; or
 - 2. there are reasonable grounds to believe that the juvenile is an undisciplined juvenile; or
 - 3. grounds would exist for the arrest of an adult in identical circumstances.

II. Procedures for Missing Juveniles

A. All reports of missing juveniles will receive immediate action, regardless of the person's age. **There is not a twenty-four hour waiting period to take a report or to take action.**

B. If a Missing Juvenile is Endangered

1. Determine if the situation is appropriate to active Amber Alert. Does the missing child meets the following criteria?
 - a. 17 years old or younger, and
 - b. believed to be abducted or endangered, and
 - c. not taken by a parent (unless the child is in danger), and
 - d. not believed to be a runaway or voluntarily missing.
2. If the above criteria are met, the officer will:
 - a. immediately activate the Amber Alert Process, using the Amber Alert Checklist as a guide (attached).
 - b. send information about the missing child to local radio and television stations
 - c. initiate a criminal investigation

C. Procedures after Locating a Runaway

A runaway may be taken into temporary custody by an officer or court counselor.

1. Before taking a runaway juvenile into temporary custody, the officer will contact the child's primary caregiver.
2. If the caregiver can not be located, and the juvenile is also endangered, the Department of Social Services in the juvenile's county of residence will be notified.
3. If the juvenile is not endangered and the parents can not be notified, contact the Crisis Unit.

D. Follow-up

1. Supervisors will ensure that officers make reasonable efforts to locate a missing or runaway juvenile. This may include but is not limited to working with on-call investigators, other jurisdictions, social service agencies, friends or acquaintances.
2. If the missing or runaway juvenile is not located by the end of shift an officers shift, the on-coming supervisor will be briefed and assign one of their officers to follow-up.
3. The relieving officers will notify the original complainant of the change in point of contact and continue efforts to locate the child. This process will

continue with every shift change until an investigator is officially assigned to the case.

4. Once a case is assigned to an investigator, he/she will take responsibility for coordinating efforts to locate the missing or runaway juvenile.

III. Procedures for Missing Adults

A. All reports of missing persons will receive immediate action. **There is not a twenty-four hour waiting period to take a report or to take action.**

B. If the missing person is 1) endangered or 2) the disappearance appears suspicious or criminal, the following actions will be taken by the patrol supervisor:

1. Immediately enter the missing adult into NCIC
2. Initiate an investigation
3. Notify the Crisis Unit
4. Request Canine and SERT services if needed

C. If the missing person is not believed to be in danger, he may be entered into NCIC twenty-four hours after he is reported missing.

D. Domestic and Stalking Situations

1. If a person reports a missing adult, keep in mind that the missing person may have voluntarily left a violent relationship or stalking situation. In such cases, caution must be used to not reveal the whereabouts of the "missing" person to the reporting person.
2. If the "missing" person is located, officers should inform that person that the reporting person is attempting to locate him.
3. If the "missing" person informs the officer that he is fearful of being located by the reporting person, the Crisis Unit should be notified immediately to assess the situation and explore safety planning.

IV. Special Considerations

The Crisis Unit should be contacted in order to assess and develop a plan whenever special considerations exist. These situations include, but are not limited to missing persons or runaways who are:

1. Mental ill
2. Elderly
3. Developmentally disabled
4. Suicidal



Chapel Hill Police Department



AMBER ALERT CHECKLIST

Policy 2-8 Missing Person and Runaway Juvenile Response

ACTIVATION CRITERIA

The missing person is **all** of the following:

- 17 years of age or younger, and
- believed to be abducted or in danger of injury or death; and
- not taken by a parent (unless the child is in danger); and
- not believed to be a runaway or voluntarily missing.

ACTIVATION PROCESS

- Enter into NCIC
- Enter into DCI
- Call the National Center Missing and Exploited Children
1-800-THE-LOST; 1-800-843-5678
- Call the North Carolina Center for Missing and Exploited Children
1-800-522-5437
- Fax the completed Amber Alert Form and photos to the North Carolina Center for
Missing Persons 919-715-1682

CONTACT AN INVESTIGATOR

- On-duty supervisor contacts the on-call investigator

SEND INFORMATION TO LOCAL TV AND RADIO STATIONS

	Phone	Fax	Email
WCHL Radio	929-9245 or 967-8363	968-3748	news@wchl1360.com
WPTF Radio	876-0674	876-5291	wptf@curtismedia.com
WUNC Radio	966-5454	966-5955	news@wunc.org
La Ley Radio (Spanish)	790-9392		jhernandez@curtismedia.com
Que Pasa Radio (Spanish)			fvangelder@quepasanc.com marialex35@hotmail.com
WRAL 5/FOX 50 TV	821-8600	821-8541	assignmentdesk@wral.com
WTVD 11 TV	687-2219	687-4373	wtdassignmentdesk@abc.com
WLFL 22 TV	790-9535	878-3877	ml-wfl-assignments@sbqnet.com
WNCN 17 TV	835-6399	836-1687	wncndesk@nbc.com
NEWS 14 TV	882-4040	882-4045	news@news14.com



Chapel Hill Police Department



Subject: Eyewitness Identification

Number: 2-9

Issued: 1-1-2006 Revised: (2)06-14-10, (3)12-8-2015

Pages: 1 of 5

Policy: It is the policy of the Chapel Hill Police Department to use eyewitness identifications in a manner that is legal and in accordance with recommended practices.

I. Definitions:

- A. **Show Up:** A procedure in which an eyewitness is presented with a single live suspect for the purpose of determining whether the eyewitness is able to identify the perpetrator of a crime.
- B. **Photo Line-up:** A procedure in which a series of images/photographs of people shown to an eye witness for the purpose of determining if the witness can either identify or eliminate a suspect as the perpetrator of a crime.
- C. **Filler:** A photograph or image of a person who is not a suspect in the case and is included in a photo line-up.
- D. **Independent Administrator:** A lineup administrator who is not participating in the investigation of the criminal offense and is unaware of which person in the lineup is the suspect.

II. Show-up

- A. A show-up may only be conducted when a suspect matching the description of the perpetrator is located in close proximity in time and place to the crime, or there is reasonable belief that the perpetrator has changed his or her appearance in close time to the crime, and only if there are circumstances that require the immediate display of a suspect to an eyewitness.
- B. Procedures
 1. The person detained shall reasonably match the description of the suspect given by the witness and shall have been located in close proximity to the crime shortly after it was reported.
 2. If there are multiple eyewitnesses to the crime, each should view the suspect individually to ensure independent suspect identifications.
 3. The accompanying officer shall not say or do anything to influence the witness in any way as to the guilt or innocence of the suspect.

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4. The suspect's detention shall last no longer than is reasonably necessary to conduct the show-up(s) unless a positive identification is made.
5. Investigators shall photograph a suspect at the time and place of the show-up to preserve a record of the appearance of the suspect at the time of the show-up procedure.

III. Photo Line-up

A. The photo line-up may be used when:

1. There is an eyewitness to a crime or incident, and
2. a suspect has been developed, and
3. a suitable photograph or digital image exists of the suspect that can be shown to the witness under controlled circumstances for identification purposes.

B. Creating the Line-Up

1. Photographs or digital images used in a line-up shall be of the subject's face and will generally be selected from the department's records database or Polaroid arrest photos maintained in the Investigations Division. Other sources for photos such as RMS P2P and DOC acceptable. Officers should avoid using photos from DMV unless both the suspect's photo and the appropriate the fillers can be obtained from the DMV database.
2. Line-ups shall consist of a minimum of 6 photos: one of the suspect and at least five fillers in addition to the suspect. To the extent possible, the photo of the suspect shall resemble his appearance at the time of the offense. The backgrounds of all photos used shall be similar.
3. If there are multiple suspects in a case, a different line-up shall be created, using a different set of fillers for each suspect.
4. Fillers should generally resemble the eyewitness description of the suspect, while ensuring that the suspect does not unduly stand out from the fillers. Filler subjects shall be of the same gender, race, and appear to be the same approximate age as the suspect. They shall possess similar outstanding characteristics such as eyeglasses, facial hair, hairstyle, hair color, etc.
5. If an eyewitness has previously viewed a photo line-up in connection with the identification of another person suspected of involvement in the offense, the fillers in the subsequent line-up shall be different from the fillers used in the previous line-ups.

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6. If there are multiple eyewitnesses, the suspect shall be placed in a different position in each line-up.

C. Displaying the Line-up

1. All photo lineups will be conducted in accordance with NCGS 15A-284.52.
2. A photo lineup will be conducted by an independent administrator or by an alternative method approved by the North Carolina Criminal Justice Education and Training Standards Commission.
3. Nothing will be said to the eyewitness regarding the suspect's position in the photo line-up or regarding anything that may influence the eyewitness's identification.
4. In cases where there are multiple eyewitnesses, the lineup administrator will separate all eyewitnesses to discourage them from conferring with one another before or during the procedure.
5. There will not be anyone present during the lineup who knows the suspect's identity, except the eyewitness and counsel as required by law.
6. Prior to a lineup, the eyewitness will be instructed that:
 - a. The perpetrator may or may not be in the lineup.
 - b. The lineup administrator does not know the suspect's identity.
 - c. The eyewitness should not feel compelled to make identification.
 - d. It is as important to exclude innocent persons as it is to identify the perpetrator
 - e. The investigation will continue whether or not an identification is made. (See Attachment)
7. The eyewitness will acknowledge the receipt of instructions in writing. If the eyewitness refuses to sign the acknowledgement, the administrator will note the refusal on the acknowledgement and then sign the acknowledgement.
8. If there are multiple eyewitnesses, each eyewitness will be given instructions separately.
9. The photos/images will be shown to the witness sequentially and in a predetermined order. No more than one photo at a time should be seen by the witness. If the witness wishes to see the line-up a second time, the photos will be presented in the same order as in the first presentation and the line-up will be shown in its entirety.
10. There will be no identifying information on the photograph/image, including, but not limited to, writings or information concerning any previous arrest, indictment, or conviction of the suspect. Any

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numbering used to denote the order of the line-up will be on the back of the photo/image and not visible to the witness.

11. Administrators are prohibited from providing feedback to the witness during the identification process.
12. If the eyewitness identifies a photo as the perpetrator, no information will be provided concerning the suspect before the lineup administrator obtains the eyewitness's confidence statement about the selection.

D. Documentation

The person conducting the line-up will document the following:

- a. All identification and non-identification results obtained during the procedure, signed by the eyewitness, including the eyewitness's confidence statement. If the eyewitness refuses to sign, the lineup administrator will note the refusal and will also sign the notation.
- b. The witness's own words regarding how certain he/she is of any identification
- c. OCA number;
- d. the source of the photos used in the line-up;
- e. the fact that it was a photo line-up and the number of photos used in the line-up;
- f. date, time, and location where the line-up was conducted;
- g. the persons present in the room when the line-up was conducted;
- h. the order in which the photos/images were presented;
- i. the actual photographs that were used in the line-up;
- j. any reaction (verbal or non-verbal) the witness displays to being shown each photo; and
- k. the witness' own words concerning any identification made or not made.

If there is a positive identification, the lineup administrator will seek and document a clear statement from the eyewitness, in the eyewitness's own words as to the eyewitness's confidence level that the person identified in the lineup is the perpetrator.

In addition to the statement, the confidence level of the eyewitness should be evaluated in terms of the eyewitness's conduct or other relevant observations and documented.

E. Alternative Methods

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In lieu of using an independent administrator, a photo lineup eyewitness identification procedure may be conducted using an alternative method specified by the North Carolina Criminal Justice Education and Training Standards Commission. Alternative methods may include:

- a. Automated computer programs which administer the lineup directly to an eyewitness and prevent the administrator from seeing which photo the eyewitness is viewing until after the procedure is completed.
- b. A procedure in which photographs are placed in folders, randomly numbered and shuffled and then presented to an eyewitness such that the administrator cannot see or track which photograph is being presented to an eyewitness until after the procedure is completed.
- c. Any other procedures that achieve neutral administration.



Chapel Hill Police Department



Eyewitness Identification Verbal Instructions

Policy 2-9 Eyewitness Identification

Any person showing a photo line-up to will give the following instructions to the eyewitness:

“In a moment I am going to show you a series of photos. The person who committed the crime may or may not be included in the series of photos.

Even though, I am showing you this series of photos, I have not been informed of the suspect’s identity.

You should not feel like you have to make an identification. It is as important to exclude innocent persons as it is to identify the suspect.

The investigation will continue whether or not you make an identification.

I will show you all of the photos in the series. Keep in mind that things like hair styles, beards and mustaches can be easily changed and that complexion colors may look slightly different in photographs.

The photos will be shown to you one at a time and are in no particular order. Take as much time as you need to look at each one. After each photo I will ask you, ‘Is this the person you saw (insert crime) yes or no?’ Take your time answering the question. If you answer ‘yes’, I will then ask you, ‘Can you describe how sure you are?’

Because you are involved in an ongoing investigation, in order to maintain the integrity of the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the way the line-up procedure will be conducted and the other instructions I have given you?”

I acknowledge receipt and understand the above instructions.

Eyewitness Signature

Print Name

Date

Lineup Administrator

Date



Chapel Hill Police Department



Subject: Hazardous Materials Incident Response

Number: 2-10

Issued: 5-12-2006

Pages: 1 of 4

Policy: It is the policy of the Chapel Hill Police Department to reduce the potential for employees to be exposed to hazardous materials that could be dangerous to the employee or others.

I. Definition

Hazardous materials are any explosive materials, flammable materials, oxidizers, poisons, etiological agents, radioactive substances, corrosive materials, or any other substance or material in any quantity or form that may pose an unreasonable risk to health, safety, or the environment.

Clandestine drug laboratories are facilities equipped and used in the production of illegal drugs. Clandestine drug labs often contain large quantities of potentially volatile chemicals and should be considered very hazardous.

II. Responding to a Possible Hazardous Materials Scene

The responding officer is responsible for protecting health, safety, and property in the event of a hazardous materials emergency. Upon arrival, the Chapel Hill Fire Department is the primary agency responsible for assessing the hazard. **Control of the scene will be relinquished to Fire Department personnel upon their arrival.**

- A. Approach the scene from a direction that is preferably upwind and shielded from a direct blast.
- B. If possible, the scene should be assessed from a distance or from the officer's patrol vehicle.
- C. Where possible, do not approach the ends of a tanker truck or railway car.
- D. Attempt to keep vehicles and persons at least 150 feet away from a spill, debris, or gas cloud.
- E. Be aware that gasses and/or liquids may travel towards or through manhole covers or sewer drains. Attempt to position yourself and incoming officers accordingly.
- F. Clear the area of people by using a public address system or bullhorn.

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- G. Render aid to those in immediate danger, if this can be done without undue risk.
- H. Use gloves and available clothing to protect exposed skin. If exposure becomes unavoidable, the responder should use a mask or cloth to cover the nose and mouth in order to reduce possible inhalation of the material.
- I. Use gas masks, protective eye wear, handkerchiefs, or any other means to protect eyes and breathing passages.
- J. Should a tanker car or container emit a sound from a venting safety device, withdraw or seek substantial cover immediately.

III. Assessment

As soon as possible, the responding officer should perform a quick assessment and relay information to Orange County Communications.

The following information should be provided:

- A. Address and exact position of the hazard to other responders.
- B. Recommended approach route for other responders to a location upwind and shielded from the scene.
- C. Class of hazardous material involved (explosive, poison, radioactive, etc). This can normally be determined by the markings on the vehicle or container.
- D. Nature of the problem (fire, chemical, spill, radiation leak, etc). If there is a possibility of chemicals spilling into storm drains, this should be reported.

IV. Radioactive Materials

- A. Responders should avoid unnecessary contact with exposed persons, spills, or debris.
- B. If possible, all exposed skin should be covered. If possible, officers should assess the scene from a distance, or from their patrol vehicle. If exposure becomes unavoidable, the responder should use a mask or

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handkerchief to cover the nose and mouth and reduce possible inhalation of the material.

C. Decontamination

1. All officers and equipment must be checked for dosimeter readings by the fire department.
2. Officers who have been exposed to radioactive contamination will be decontaminated at the scene by Fire Department staff. Some equipment may be discarded or decontaminated at a later time.

V. Clandestine Drug Labs

A clandestine drug lab will be treated as a hazardous materials incident. Should officers come into contact with such a scene, the following steps should be followed:

- A. The shift supervisor should contact the State Bureau of Investigations immediately and ask for the Clandestine Lab Team representative for Orange County.
- B. Immediately evacuate everyone at the scene into a location upwind from the scene and coordinate with the Fire Department for secondary evacuation distances and locations.
- C. Do not touch, change or alter anything, including off/on light switches or heat sources
- D. Do not use police radio or cellular phone.
- E. If drugs are being manufactured, do not shut off the heat source or stop the cooking process.
- F. Do not open or break windows or doors to ventilate the scene; this action may cause contamination of a greater area.

VI. Exposure to a Chemical in the Workplace

A spill of a hazardous chemical in police headquarters may be considered a hazardous materials incident and proper clean-up, use of personal protective equipment, and decontamination may be required.

- A. The Material Safety Data Sheet (MSDS) books contain lists of all hazardous materials in the police headquarters building or in any

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substation. A list of all hazardous chemicals for each workspace is available to any employee. It is located in the appropriate MSDS book for that location.

- B. All containers of hazardous chemicals in each workplace will be conspicuously labeled with the identity of the chemical (same as on the applicable MSDS), and the appropriate hazard warnings.
- C. The person having supervisory responsibility for the storage or use of each hazardous chemical will ensure that such labels are not defaced and that they remain legible at all times. Protective eyewear will also be located nearby where appropriate.
- D. If a spill occurs that requires a building evacuation, employees will evacuate the building to a safe area (Section II-B). Evacuation procedures for each floor are located in prominent areas of the building. The fire department will be notified to assist with decontamination as needed.



Chapel Hill Police Department



Attachment

Policy 2-10 Hazardous Materials Incident Response

HAZARD COMMUNICATION PROGRAM

This plan applies to the Chapel Hill Police Department and all substation properties.

University Mall COP Shop
201 S. Estes Drive

Southern Village Substation
700 Market Street

University Square Substation
133 W. Franklin Street

Sykes Street Substation
509 Sykes Street

The North Carolina Department of Labor has adopted the federal OSHA Hazard Communication Standard 29 CFR (Code of Federal Regulation) 1910.1200. The goal of the Hazard Communication Standard is to reduce the occurrence of workplace illnesses and injuries caused by hazardous chemicals by providing information and training for employees who work with hazardous chemicals.

- I. This program will describe how the Chapel Hill Police Department intends to protect the safety and health of employees who are exposed to hazardous chemicals in the workplace, and to comply with the provision of 29 CFR 1910.1200.
- II. The Chapel Hill Police Department Safety Committee is responsible for monitoring all related activities to ensure compliance with both the intent and specifics of this program. Each supervisor will be held responsible for strict adherence to these policies and will closely monitor all activities involving hazardous chemicals.
- III. A list of all hazardous chemicals and the MSDS for each workplace is available, upon request, to any employee. It is located in the appropriate MSDS book for that work area.
- IV. The Administrative Assistant has been designated as the Hazard Communication Program Monitor and is responsible to ensure that the list of hazardous chemicals is kept current and that a current MSDS for each hazardous chemical used is in the MSDS book in the evidence lab. No chemical not already shown on the current list will be ordered without prior coordination with the Administrative Assistant. This will ensure that an MSDS is obtained for the product.

- V. All containers of hazardous chemicals in each workplace will be conspicuously labeled with the identity of the chemical (same as on the applicable MSDS) and the appropriate hazard warnings. The person having supervisory responsibility for the storage or use of each hazardous chemical will insure that such labels are not defaced and that they remain legible at all times.
- VI. The Chapel Hill Police Department Safety Committee is responsible for anticipating the hazards that would be present for non-routine tasks, such as a chemical spill or container rupture. Adequate training for such tasks as clean-up procedures and the proper use of personal protective equipment shall be addressed as part of the Safety Committee's duties.
- VII. When an outside contractor is used, it will be the responsibility of the Administrative Services Supervisor to advise the contractor of any hazardous chemicals to which their employees may be exposed and the appropriate protective measures to be taken. Conversely, it will be the same person's responsibility to determine if the contractor will be using any hazardous chemicals that would expose Chapel Hill Police Department employees.
- VIII. Any employee who will be exposed to any hazardous chemicals in their workspace will complete an information and training program prior to that exposure which includes at least the subjects listed below. Adequate training of all employees exposed to hazardous chemicals will be coordinated by the Training Division staff, assisted as needed, by the Hazard Communication Program Monitor.
 - A. Employee information for this program will include:
 - 1. The purpose and need for such a program, including the basic concept that gives every employee the right to know about hazardous chemicals with which they work. This will include the location and availability of the written Hazard Communications Program, plus the list of hazardous chemicals and their corresponding MSDS.
 - 2. The identity, upon request, of any chemical to which the employee is exposed.
 - B. Employee training shall include at least the following:
 - 1. Methods and observations used to detect the presence or release of a hazardous chemical in the work area such as monitoring devices, appearance, or odor.
 - 2. The physical and health hazards associated with chemicals found in the Chapel Hill Police Department, and substations, as specified in the MSDS.

3. Actions which employees can take to protect their own safety and health, including specific procedures that have been established for normal work practices, emergency procedures, and policies on the use of personal protective equipment.
4. Details of the Hazard Communication Program, including how employees can obtain and use information contained in the MSDS.

IX. It is the intent of the Chapel Hill Police Department to protect the safety and health of each employee. By following correct procedures, no employee should experience any harmful effects from working with chemicals in their workplace.



Chapel Hill Police Department



Subject: Bomb Threat/Suspicious Device	Number: 2-11
Issued: 10-11-2006	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to respond to bomb threats in an organized and controlled manner, with the safety of building occupants and responding personnel being the primary concern.

I. Duties and Responsibilities

A. Telecommunicator (Orange Central Communications and Base III)

1. Obtain all available information.

[REDACTED]

B. Responding Officer

1. Meet with a representative from the threatened location and discuss alternatives.
2. Share information with supervisor and responding units.

C. On-scene Supervisor

1. Direct incoming officers
3. Establish command in a safe area
4. Ensure that evacuated persons are outside the perimeter and are interviewed if possible

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

II. Building Search

If a search of the threatened location is done the following guidelines will be followed:

[REDACTED]

[REDACTED]

III. Suspicious Device Located

A. If a suspicious package or device is located, the officer will:

[REDACTED]

B. If the suspicious item is not claimed or identified by facility occupants, Command will:

[REDACTED]

[REDACTED]

[REDACTED]

3. Notify the Chapel Hill Fire Department and Orange County Emergency Medical Services of the location of the device and request staging in a safe location.

[REDACTED]

C. If detonation occurs, Command will:

1. Transfer command to the Fire Department for hazard mitigation and victim search. After the Fire Department operations are complete, assume command for investigative purposes.
2. Notify ATF and FBI of the incident.



Chapel Hill Police Department



Subject: Juvenile Response

Number: 2-12

Pages: 1 of 9

Policy: It is the policy of the Chapel Hill Police Department to provide services to juveniles and their families in accordance with statute and the best interest of the juvenile.

I. Definitions

A. **Juvenile** is a person under the age of 18.

B. **Delinquent Juvenile** is:

1. any person 16 and 17 years of age who commits a crime other than a Chapter 20 motor vehicle violation; or
2. any person less than 16 years of age, and at least age 6, who commits any violation of the law (or ordinance), including Ch. 20 motor vehicle violations.

C. **Undisciplined Juvenile** is a juvenile who, while less than 18 years of age but at least 6 years of age:

1. is regularly disobedient to and beyond the disciplinary control of the juvenile's parent, guardian, or custodian; or
2. is regularly found in places where it is unlawful for a juvenile to be; or
3. has run away from home for a period of more than 24 hours; or
4. is unlawfully absent from school (This does not apply to 16 and 17-year olds).

D. **Status Offenses** are acts which are criminal only when committed by a juvenile, including runaway, curfew violation, and truancy.

E. **Abused Juvenile** is a juvenile whose parent, guardian, custodian, or caretaker does any of the following:

1. inflicts or allows to be inflicted upon the juvenile a serious physical injury by other than accidental means
2. creates or allows to be created a substantial risk of serious physical injury to the juvenile by other than accidental means
3. uses or allows to be used upon the juvenile cruel or grossly inappropriate procedures or devices to modify behavior
4. commits or encourages the commission of a sexual act on the juvenile, including but not limited to rape, violations of obscenity laws, taking indecent liberties, or promoting prostitution of a juvenile

5. creates or allows to be created serious emotional damage to the juvenile, which may be observed as the juvenile's severe anxiety, depression, withdrawal, or aggressive behavior towards himself or others
6. encourages, directs, or approves of delinquent acts as described in I.A. above, involving moral turpitude committed by the juvenile
7. Commits or allows to be committed an offense involving human trafficking, involuntary servitude, or sexual servitude against the child

F. **Neglected Juvenile** is any juvenile less than 18 years of age who:

1. does not receive proper care, remedial care, supervision, or discipline from a parent, guardian, custodian, or caretaker
2. has been abandoned
3. has not been provided necessary medical care
4. lives in an environment that is injurious to his welfare
5. has been placed for care or adoption in violation of the law
6. is a victim of human trafficking

G. **Temporary Custody** is the taking of physical custody and providing personal care and supervision of a juvenile until a secure or non-secure custody order can be obtained, or until released into the custody of a parent or guardian.

H. **Nonsecure Custody** must be ordered by the Court. Placement is with the Department of Social Services or a facility named in the court order.

I. **Secure Custody** must be ordered by the Court and detention must be in a detention facility approved by the North Carolina Department of Juvenile Justice.

J. **Juvenile Complaint** is a pleading of abuse, neglect, dependency, or delinquency requesting the Juvenile Court to hear the matter. Filing a complaint does not necessarily mean the case will go to court. A juvenile court intake counselor will meet with the juvenile and his parents. Except for "non-divertible offenses" (certain serious felony charges), it is at the discretion of the Office of Juvenile Justice to devise a diversion plan instead of a court trial.

K. **Juvenile Petition** is a juvenile complaint once an intake counselor has approved it for Court.

L. **Personal Care and Supervision** means close, constant supervision by the officer who took the child into temporary custody.

II. Juveniles Committing Delinquent Acts

A. Filing a Juvenile Complaint

1. The officer completes the complaint, which must include the juvenile's name, address, parent or guardian contact information, witness information, and the facts of the crime.
2. The officer must sign the complaint and swear in front of a magistrate, Juvenile Clerk of Courts, clerk in the Office of Juvenile Justice, or notary that the information is accurate.
3. The original complaint, along with copies of statements, photographs, and other documents related to the case is taken to the Office of Juvenile Justice.

NOTE: The Juvenile Court Counselor's office or a CHPD juvenile investigator can assist with the process.

B. Officers must seek a petition if probable cause exists to believe that the juvenile committed a "Non-divertible" offense. These offenses are:

1. Murder
2. 1st and 2nd-degree rape or sexual offense
3. Arson
4. Chapter 90 felony offenses
5. First-degree burglary
6. Crime against nature
7. Felony assault inflicting serious bodily injury upon another
8. A felony which was committed by the use of a deadly weapon (G.S. 7B-1701).

NOTE: All other offenses are divertible.

C. The juvenile court counselor, without further inquiry, shall authorize the complaint to be filed as a petition if the juvenile court counselor finds reasonable grounds to believe that the juvenile has committed one of the preceding non-divertible offenses.

D. If the offense is divertible, an officer may divert such offense, by taking one of the following actions, considering the best interest of the juvenile and as appropriate under the circumstances:

1. Release the juvenile, with or without first counseling the juvenile
2. Release the juvenile to the juvenile's parent, guardian, or custodian
3. Refer the juvenile to community resources

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4. Seek a petition with or without requesting custody order

NOTE: If the offense is “divertible,” the officer may exercise discretion to divert before or after temporary custody. The petition must be filed if the offense is a “non-divertible offense.” See Section II.B)

- E. A Juvenile Contact Form will be completed when the juvenile has committed a criminal offense for which an arrest is authorized.

III. Procedures for Taking Juveniles into Custody

- A. Temporary custody: taking a juvenile into physical custody and providing the juvenile with personal care and supervision until a court order for secure or nonsecure custody can be obtained.
- B. An officer is authorized to take temporary custody of a juvenile under any of the following circumstances:
 1. A secure or non-secure custody order has been issued by a Judge, even if the order is not in the possession of the officer and has not been executed.
 2. The officer has probable cause to believe that the juvenile has committed one of the following acts:
 - i. Any criminal offense (felony or misdemeanor) in the officer’s presence;
 - ii. A felony, in or out of the officer’s presence;
 - iii. Any of the following misdemeanors out of the officer’s presence:
 - a. Shoplifting (G.S. 14-72.1)
 - b. Impaired driving (G.S. 20-138.1 and G.S. 20-138.2)
 - c. Violation of pretrial release under Chapter 15A-543 or 15A-534.1 (a)(2)
 - d. Assaults against a person with whom the juvenile has a personal relationship as defined under Ch. 50B-1 {NOTE: This includes (a) Parents; grandparents; current or former household members}.
 - e. Violation of a DVPO under GS 50B-4.1(a); or
 - f. Any criminal offense and will not be apprehended unless immediately arrested, or may cause physical injury to himself or others, or damage to property unless immediately arrested. Or
 3. The officer has reasonable grounds to believe that the juvenile is undisciplined.

4. The officer has reasonable grounds to believe that the juvenile is abused, neglected, or dependent and that the juvenile would be injured or could not be taken into custody if it were first necessary to obtain a court order.
5. The officer has reasonable grounds to believe that the juvenile is an absconder from a State training school or detention facility.

NOTE: Status offenders, juveniles involuntarily committed, and juveniles determined to be abused, neglected, or undisciplined will not be placed in a secure setting, in an adult jail, or secure areas in Police Department.

C. Procedures subsequent to taking a Juvenile into Temporary Custody

1. In delinquency cases, after taking a juvenile into temporary custody, officers should follow the same procedures for divertible offenses as outlined in Section II. D. above;
2. The officer must notify the juvenile's parent, guardian, custodian, or caretaker that the juvenile has been taken into temporary custody and advise that person of their right to be present with the juvenile. However, the inability to contact the parent, guardian, custodian, or caretaker is not grounds for the release of the juvenile;
3. The officer will hand-deliver or ensure that a parent notification form is mailed, even if telephone contact was made.
4. The juvenile will be released to the parent, guardian, custodian, or caretaker if the officer decides that continued custody is not needed.
5. A juvenile taken into temporary custody shall not be held for more than 12 hours, or for more than 24 hours if any of the 12 hours falls on a Saturday, Sunday, or legal holiday. EXCEPTION: The 12 hours time limit does not apply if a petition has been filed by an intake counselor and an order for secure or nonsecure custody has been entered.

D. Custodial Interrogations/Miranda Rights

1. Before beginning custodial interrogation of any Juvenile, Officers should read the Juvenile Miranda Rights and seek a written waiver from the juvenile.
 - i. If the juvenile is less than 16 years of age, a parent, guardian, custodian, or attorney must be present to witness the reading of the warnings, the juvenile's waiver, and any subsequent interrogation.
 - ii. If the juvenile is 16 or 17, officers may read the Rights and seek a waiver without a parent, guardian, custodian, or attorney present.
2. Obtaining a Statement:

When possible, have the juvenile write a statement as to what happened. The juvenile and their parent should sign the statement. The officer should note the date and time and sign as a witness.

3. Electronic Recordings of Interrogations:
Officers shall electronically record (visual and audio) all custodial interrogations of juveniles in criminal investigations conducted at any place of detention (a jail, police or sheriff's station, correctional or detention facility, holding facility for prisoners, or other facilities where persons are held in custody).

E. Fingerprinting and Photographing Juveniles

Officers shall fingerprint and photograph a juvenile who is in custody when:

1. The juvenile was at least 10 years old when the crime was committed,
and
2. a complaint has been prepared for filing as a complaint,
and
3. the crime is a non-divertible offense (See Sect. II-B).

REMINDER: Officers must complete an entry in the Juvenile Custody Log when anyone under 18 is held for processing in the Booking Room.

F. Show ups

Officers shall photograph a suspect at the time and place of the show-up to preserve a record of the appearance of the suspect at the time of the show-up procedure. Provided that the following are true:

1. The juvenile is 10 years of age or older, and
2. Is suspected of a non-divertible offense or common law robbery.

G. Nontestimonial Identification Evidence

1. Nontestimonial identification procedures shall not be conducted on any juvenile without a court order unless the juvenile has been charged as an adult.
2. Nontestimonial identification" means identification by fingerprints, palm prints, footprints, measurements, blood specimens, urine specimens, saliva samples, hair samples, or other reasonable physical examination, handwriting exemplars, voice samples, photographs, and lineups or similar identification procedures requiring the presence of a juvenile.

3. A nontestimonial identification order authorized by this Article may be issued by any judge of the district court or the superior court upon request of a prosecutor.

H. Secure Custody

1. If after further investigation, it is determined that the juvenile needs to be placed in secure custody, the following steps should be taken.
 - i. Contact a Juvenile Court Counselor who will prepare a Secure Custody Order.
 - ii. Prepare the juvenile complaint and have it verified before a magistrate, clerk, or notary.
 - iii. Copies of the original Juvenile Complaint and Secure Custody Order will be given to the officer, the juvenile, the family, and the detention center. The Juvenile Court Intake Counselor will file the originals with the Clerk of Courts.
 - iv. The officer will transport the juvenile to the facility.
 - v. Delinquent offenders that are taken into the secure part of the police department must be recorded on the Secure Juvenile Holding Log.
 - vi. Juveniles may not be held in the secure area for longer than 6 hours before and 6 hours after a court appearance or 6 hours for processing purposes.
 - vii. All juveniles that are held securely must be separate from the sight and sound of adult offenders.
2. Officers must consider the appropriateness of seeking such an order. Some of the more common factors for consideration include:
 - i. The juvenile has demonstrated that the juvenile is a danger to property or persons
 - ii. The juvenile has willfully failed to appear on a pending charge
 - iii. There is reasonable cause to believe the juvenile will not appear in court
 - iv. The juvenile is an absconder from a state detention or residential facility
 - v. The juvenile is held as a runaway and is inappropriate for nonsecure custody placement.

I. 16 and 17-year-olds – Chapter 20 Motor Vehicle Exception

1. The adult criminal court has jurisdiction over 16 or 17-year-olds who commit a chapter 20 infraction or criminal offense.

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2. Officers charge and process 16 and 17-year-olds for Chapter 20 offenses using the adult procedures. As appropriate and authorized by law, officers may exercise one of the following enforcement options:
 - i. Warn;
 - ii. Cite; or
 - iii. Arrest

IV. Role of Law Enforcement Officer in Responding to Juvenile as a Victim of Abuse

- A. If an officer suspects that a juvenile is abused, neglected, or dependent, or a juvenile has died as the result of maltreatment, the officer shall report the case to the Department of Social Services in the county where the juvenile resides or is found.
- B. The investigation of a sexual assault of a juvenile is handled according to Policy 2-4 Sexual Assault Response – Adult Victim except for the following:
 1. If the alleged perpetrator is a family member, the Department of Social Services must be notified. A joint plan should be developed for gathering evidence and statements, as well as interviewing the child victim, the non-offending parent/custodian, and the suspect.
 2. If the sexual abuse occurred within the last 72 hours or if the child has injuries, a physical exam should be done as soon as possible by the Center for Child and Family Health or the UNC Hospitals Beacon Program.
 3. Photographs should be taken sensitively and with the consent of the child or parent/custodian. Photographs are evidence and not attached to the Incident/Investigation Report.
 4. If a child is interviewed by police department personnel only, that interview should be videotaped.
 5. Blind reports cannot be taken if the victim is 15 years old or younger. If the victim 16 or 17 years old, a blind report can be taken with the consent of the parent/custodian.

IV. Missing or Runaway Juvenile

Procedures for responding to a missing or runaway juvenile are in Policy 2-8, Missing Person and Runaway Juvenile, Section II.

V. Confidentiality of Records

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Juvenile records may generally be examined only by an order of the court. Officers may, as necessary to perform their official duties, share juvenile information with prosecutors, juvenile justice, and other law enforcement officers. For other disclosures, officers should consult their supervisor or legal advisor for further guidance.



Chapel Hill Police Department



Subject: Response to Demonstrations

Number: 2-13

Date Issued: 03-22-2010

Revised: 11-07-2012

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Policy: It is the policy of the Chapel Hill Police Department to protect citizens in the exercise of their First Amendment rights to a peaceful demonstration, protest, counter-protest, or public show of support for or against a cause or issue. While individuals and groups have the right to peacefully gather and express themselves, they shall not impinge upon the rights or physical safety of others. The responsibility of the Chapel Hill Police Department is to maintain law and order at all times and to address the potential for unlawful behavior that might occur before, during, or after such activities.

I. Definitions

- A. Demonstration/Large-Scale Event: A public gathering of people. The purpose of the gathering may be celebratory or to advance an issue or agenda in a public setting. Behaviors exhibited in such settings could range from lawful assembly to non-violent unlawful behavior (i.e. blocking traffic, sidewalks or other non-threatening actions not likely to cause injury to a person or property) to widespread unlawful activity (i. e. throwing objects, smashing windows or destroying property.)
- B. Picket or picketing: Picketing is defined as a demonstration or vigil on sidewalks or other public property reserved for pedestrian use.
- C. Sidewalk: The portion of the street right-of-way which is designated for the use of pedestrians and may be paved or unpaved and shall include both dedicated and undedicated easements and rights of ways.
- D. Street: The entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right, for the purposes of vehicular traffic, including that portion that is known as the shoulder of the roadway and the curb.
- E. Information Gathering: The assessment of available information or data may occur before, during, or after a planned or spontaneous demonstration.

II. Response Procedures

A. Participation

- 1. CHPD employees shall not prevent or hinder any person from lawfully participating in planned or spontaneous demonstrations.

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2. CHPD employees shall not collect, document or retain information on persons associated with a planned or spontaneous demonstration based solely on that individual's:
 - i. Ethnicity, national origin, race;
 - ii. Religious, political or social beliefs or association;
 - iii. Sexual orientation; or
 - iv. Support for unpopular causes protected by the First Amendment.
 3. Officers shall not seize a participant or spectator's camera, cell phone or other electronic recording device or a participant or spectator's journal, writing, or other personal documents unless they have probable cause to believe that the item itself has evidentiary value or contains evidence of a crime.
 4. The photographing or video recording of specific individuals by law enforcement is permitted if there is a reasonable suspicion that the person is involved in unlawful activity or the photographing/recording serves a legitimate law enforcement objective.
 5. Nothing in this policy prevents an employee from recording or monitoring events by video/digital means or the taking of photographs for the purpose of managing the event or collecting information and/or images to use in future training settings.
- B. If the Chapel Hill Police Department has advance notice of a possible demonstration involving a large group of participants, the Assistant Chief of Operations may initiate the call-back of officers to assist with the event.
1. Officers responding to spontaneous demonstrations shall:
 - i. Notify a Supervisor as soon as possible that they are in-route to or on site of the demonstration.
 - ii. Attempt to determine the crowd's intent and purpose (i.e. celebration, demonstration or confrontation).
 - iii. Limit interaction with the demonstrators or bystanders to only what is necessary to prevent injury to people or personal property.
- C. The first supervisor on scene shall:
1. Establish command and consider the following:
 - i. Perceived intent of participants
 - ii. Crowd Size
 - iii. Traffic volume

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- a. Coordinate routing of traffic to provide a safe area for the participants to gather. Provide traffic direction should the participants begin to march or otherwise change locations.
 - iv. Number of officers on scene and need for additional resources, including mutual aid
 - a. Monitor the crowd's actions and coordinate officer response. Should the actions of some or all participants escalate to unlawful activity, the on-scene supervisor will make the determination if enforcement action is necessary and will determine what, if any, additional resources are required.
 - v. Location and movement of participants
- 2. Contact the on-call Captain to provide a briefing of the incident. The on-call Captain will notify up the chain of command, as necessary.
- 3. At the conclusion of the incident, all involved officers will prepare a written supplement and any other necessary documentation.

D. Enforcement of Relevant Statutes and Town Ordinances.

Supervisors responding to a demonstration or other large-scale event may need to take enforcement action based upon one of the following State statutes or Town ordinances.

- 1. Picketing Ordinances (Town Code Sections 11-53. - 11-61.)
 - i. Picketing may be conducted only on the sidewalks or other public property reserved for pedestrian movement or, where there is no paved sidewalk, on the unpaved shoulder portion of a public right-of-way if such picketing will not interfere with normal vehicular traffic, and may not be conducted on the portion of a street used primarily for vehicular traffic or parking.
 - ii. If pickets promoting different objectives desire to use the same sidewalk or other pedestrian area for picketing, the Chief of Police, or designee, shall allot time and space to each group of pickets for the use of such sidewalk on an equitable basis.
 - iii. Protestors may carry written or printed placards or signs not exceeding two (2) feet in width and two (2) feet in length promoting the objective for which the picketing is done; provided the words used would not tend to produce violence.
 - iv. Protestors may carry signs larger than two (2) feet by two (2) feet if the Chief of Police or his designee, based on the location of the picketing activities, determines that such signs do not appear to interfere with drivers' line of sight or otherwise constitute a risk to public safety.

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- v. It shall be unlawful for any person to physically interfere with pickets or to address abusive or threatening language to or at pickets which would tend to provoke protestors or others to a breach of the peace.
- vi. The police officers of the Town may, in the event of the assemblage of persons in such numbers as to tend to intimidate pickets pursuing their lawful objective through numbers alone or through use of inflammatory words, direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.
- vii. Whenever the free passage of any street, or sidewalk, alley, or public walkway in the town shall be obstructed by a person or persons, so that another person's passage is thereby blocked, the person or persons obstructing said passage shall disperse or move on to allow the other person to pass when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a police officer as herein provided.

2. Obstructing Traffic (N.C.G.S. 20-114.1(a))

- i. If deemed necessary for public safety purposes, protesters standing in the public roadway and blocking traffic shall be given a lawful order to move out of the roadway under the officer's authority to direct or regulate traffic under N.C.G.S. 20-114.1(a). Arrests may be made under this statute if protesters refuse to move out of the roadway. Such determination shall be made by the on-scene supervisor.
- ii. Officers should advise persons on the scene not to walk in front of vehicles entering and exiting the parking lot of any adjacent business. The potential for confrontation between the various interests involved and the danger of a pedestrian being struck by a vehicle are additional law enforcement concerns.

3. Trespassing

- i. If officers are asked to intervene or respond on behalf of a private property owner, protesters standing on private property are to be verbally advised by a property representative that they are not allowed on the private property.
- ii. Prior to taking any enforcement action, an officer shall provide a verbal warning to violators that they are going to be arrested for 1st degree trespassing if they are wrongfully in a building or enclosed

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area and for 2nd degree trespassing if they are outside but not on the sidewalk or other public area.

4. Noise Ordinance (Town Code Sections 11-37. – 11-43.)

Violations of the noise ordinance could occur if participants use megaphones or other sound amplification devices. Prior to issuing a citation for a violation, measurement of the noise by a qualified, trained officer should be taken to verify the noise level.

5. Weapons at Parades and Picket Lines (N.C.G.S. 14-277.2)

It is unlawful for any person participating in, affiliated with, or present as a spectator at any parade, picket line or any demonstration upon a private health care facility or upon any public place owned or under the control of the State or any of its subdivisions to willfully or intentionally possess or have immediate access to any dangerous weapon. The provisions of the statute apply to a person with a carry concealed permit carrying a concealed handgun. The provisions of the statute do not apply to any person authorized by State or federal law to carry dangerous weapons in the performance of their duties, including many private security officers licensed to carry a firearm while on duty.

6. Distribution of Handbills or Leaflets

Generally, officers should not charge protestors with littering for placing copies of their literature, picket signs or other material on public or private property for the period of the demonstration. However, signs or other material placed on the private property by protestors may be taken and disposed of by the property owner or his or her designee.

E. Information Gathering

1. CHPD may collect information for the purpose of determining whether there is a legitimate law enforcement objective related to a planned or spontaneous demonstration. This will be done in accordance with State and federal law.

2. Procedures for Information Gathering

Information that identifies individuals by name, address, vehicle ownership, registration or by any other personal identifier will not be collected unless it is directly related to a legitimate law enforcement objective.

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3. Unless special circumstances exist, officers gathering information in preparation for (or in response to) a demonstration will rely upon the least intrusive method of monitoring a planned or spontaneous demonstration.

F. Retention of Information

1. The following information shall be retained in accordance with the North Carolina Retention Schedule:
 - i. Information related to or part of an ongoing criminal investigation or information that may be used as part of a CHPD internal investigation.
 - ii. Any information that may be discoverable in a criminal prosecution or subject to Brady/Giglio requirements.
 - iii. Information necessary to protect the Town from civil claims that may arise out of a demonstration or protest.
 - iv. Information such as video recordings or pictures that will assist CHPD in training for future events. All recognizable facial images or other identifying information will be blurred or removed.
 - v. Sharing of information with other municipal, state, and federal agencies will occur when it is related to that Agency's function as defined by law or with the private sector if the information may affect a private property interest related to public safety.

Response to Demonstrations 2-13

Supervisor's Guide

Attachment One

Crowd Management, Intervention & Response Strategies

S I T U A T I O N	<u>Lawful Assembly</u>	<u>Non-Violent Unlawful Behavior</u>	<u>Isolated Violent/Destructive Unlawful Behavior</u>	<u>Widespread Unlawful Behavior</u>
	<p>Lawful First Amendment Activity held on property that is traditionally used for demonstrations such as Public Parks, Sidewalks and Public Streets. It includes such activity as:</p> <ul style="list-style-type: none"> • Speeches • Picketing • Marches • Assemblies • Protests 	<p>Non-violent activity where some or all participants violate regulatory ordinances or statutes. Examples of such activities include:</p> <ul style="list-style-type: none"> • Sit-ins or Sit-downs • Blocking traffic • Blocking entrance and exits to selected buildings or property • Spontaneous marching in street w/o permit 	<p>Isolated physical violence against persons or damage to property committed by a small group of persons that may be associated with a demonstration. Examples include:</p> <ul style="list-style-type: none"> • Throwing objects • Smashing windows or destroying property • (Does not include verbal taunting or the use of offensive speech by itself.) 	<p>Widespread physical violence against persons and/or damage to property or the imminent threat of widespread physical violence against persons and/or damage to property.</p>
	<u>Police Presence Monitoring</u>	<u>Police Presence Limited Intervention</u>	<u>Limited Intervention Isolated Arrests</u>	<u>Large Scale Arrest and Dispersal</u>
R E S P O N S E	<ul style="list-style-type: none"> • Ensure that persons are allowed to peacefully exercise their rights <ul style="list-style-type: none"> ○ Establish and maintain communication with event holder via liaison. ○ Monitor and assess crowd behavior without interfering with the Activity. ○ Maintain neutrality and focus on potential unlawful behavior and public safety concerns. ○ Maintain tolerance even if taunted or baited. Don't overreact, but maintain readiness to respond to unlawful behavior. • Do not interfere with media or recording of event by spectators or participants. 	<ul style="list-style-type: none"> • Monitor and assess crowd behavior without interfering with lawful activity. • Record and document acts of unlawful behavior. • Establish and maintain communication with event holder via liaison. • Seek voluntary compliance or time table for compliance. • Do not lock into one strategy. Remain fluid and ready to respond as circumstances change. • Re-route traffic. • Issue warnings before any police action with emphasis on waiting out disobedience. • If arrest/removal is necessary, instruct on arrest process and seek compliance. • Limit force option to commands and soft empty hands. Higher level of control must be approved by supervisor. • Do not interfere with media or recording of event by spectators or participants. 	<ul style="list-style-type: none"> • Use organizers and monitors to gain voluntary compliance if feasible. • Identify and track key suspects. • Video recording of suspects and police action. • Re-route traffic. • If possible, arrest suspects away from group and immediately remove from area. • Document and collect evidence for prosecution. • Do not interfere with media or recording of event by spectators or participants. 	<ul style="list-style-type: none"> • Contact the on-call Captain to provide a briefing of the incident. The on-call Captain will notify up the chain of command, as necessary. • Identify and isolate key offenders • Video recording of suspects and police action • Quickly extract and arrest key offenders if feasible • If feasible, issue dispersal order to persons committing the unlawful behavior(s). <ul style="list-style-type: none"> ○ Repeated amplified commands. ○ Direct them to dispersal route ○ Allow reasonable time to disperse • Evidence collection



Chapel Hill Police Department



Subject: Officer Involved Shooting		Number: 2-14
Issued: 3-22-2010	Revised: (2)9-25-2012, (3)7-1-2014	Pages: 1 of 6

Policy: It is the policy of the Chapel Hill Police Department to stabilize and investigate officers' discharge of their weapons in order to ensure that the law, department policy, and safety procedures are followed.

I. Definitions

A. Officer Involved Shooting

1. The discharge of a weapon by an officer while on duty; or
2. The discharge of a weapon while off duty and using any one of the following:
 - i. The authority granted to the officer by the Town of Chapel Hill.
 - ii. A department issued firearm.
 - iii. A firearm that is personally owned and the officer is qualified to carry on or off duty.
 - iv. The discharge of any firearm that initiates a criminal investigation, damages property, or results in personal injury
3. There are three exemptions:
 - i. Supervised training or qualification (Unless the discharge is suspected to be unintentional).
 - ii. The discharge of an authorized weapon, with supervisory approval, for the purpose of killing an injured animal.
 - iii. Unsupervised training with department issued weapons or personally owned off-duty weapons approved and authorized for carry by the Chief. (Unless the discharge is suspected to be unintentional).

B. Unintentional Discharge is any discharge of a firearm that is a result of improper weapon handling or a weapon malfunction.

C. Authorized Weapons, as described in the Firearms Policy (1-2), are weapons and accessories authorized by the Chief of Police and carried only after such training as required by law and department policy is completed.

D. Involved Officer is any Chapel Hill Police Department employee who discharges his weapon as described above in I.A.

E. Other Involved Officer is any officer who was on-scene during the discharge of a firearm under the authority granted by the Town of Chapel Hill, but who was not the one discharging the weapon.

F. Subject for the purposes of this policy is the person(s) at whom the officer fired his weapon.

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II. Duties and Responsibilities: Intentional or Unintentional Discharges with Injury.

- A. **Involved Officer** - An officer who discharges a firearm, in a manner consistent with the circumstances outline in section I-A of this policy, shall immediately:
1. Seek medical attention for any injured persons
 2. Notify the on-duty supervisor
 3. Broadcast any suspect information for fleeing subject(s)
 4. Refrain from discussing the incident with anyone until:
 - i. Formal interview conducted, and
 - ii. Written statement of incident completed
- B. **The On-duty Supervisor** will manage the police shooting scene as any other crime scene, including, but not limited to the following:
1. Determine need for resources for medical, rescue, crowd control, traffic direction
 2. Ensure that crime scene is secured
 3. Assign officer to record all persons who enter and leave the crime scene area
 4. Identify all subjects, suspects, witnesses, officers, EMS personnel and others involved:
 - i. Obtain names, addresses, phone contact information
 - ii. Determine involvement and location during incident
 - iii. Ensure all witnesses are sequestered and prepare written account of incident
 - iv. If possible, assign officer to secure and monitor witnesses
 5. Ensure that involved officers are separated and that they make no statements other than necessary at the scene.
 6. Assign a supervisor to remain with and provide support for involved officers and others involved
 7. Coordinate notification of the
 - i. Professional Standards Officer
 - ii. Operations Commander
 - iii. Crisis Intervention Unit Supervisor
 - iv. Police Attorney
 - v. SBI
 8. Ensure that involved officer's weapon, accessories, and ammunition are secured and labeled as evidence (any alteration of the condition of these items, i.e., unloading ammunition, will be thoroughly documented)

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9. Provide transportation for the involved officer(s) to the police headquarters.
10. Ensure the event is documented in accordance with Policy 1-1, Use of Force.
11. Any shooting scene where personal injury or property damage occurred shall be processed as a crime scene.

C. Operations Commander

1. Notify the Chief of Police
2. Provide oversight for incident management and investigation
3. Coordinate the issuance of a press release
4. Assign appropriate resources for a criminal investigation and/or crime scene security.
5. If officer's discharge of his weapon resulted in bodily injury to self or others ensure that medical services are provided for all parties and drug/alcohol testing is obtained for involved officer

D. Crisis Intervention Unit Supervisor

1. In coordination with the Chief of Police, contact the injured person(s) and/or family members and provide resources as needed.
2. Provide resources to the involved officers and/or family members.

E. Legal Advisor

1. Provide legal advice to staff members
2. Provide legal oversight as to the action of department members

F. Other Involved Officers – will provide a detailed written account of where they were, what role they were serving and what they observed.

G. Training Division

1. Provide subject matter assistance to designated administrative investigator.
2. At the direction of the Chief of Police or his designee, coordinate weapon qualification.

III. Investigation of Officer Involved Shootings

A. Internal Investigation

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1. At the direction of the Chief of Police, his designee will conduct an administrative investigation of the shooting. The purpose of the investigation is to determine whether:
 - i. Department policy was followed
 - ii. Any training needs exist
2. If instructed by the Chief of Police, request the services of the SBI and serve as a Liaison with the Supervisory Agent in Charge.
 - i. Provide agent with requested information
 - ii. Coordinate logistical needs (i.e. office space, arrange interviews) of the investigating agents
3. Submit a complete report to the Chief of Police for review and possible action

B. State Bureau of Investigation (SBI)

1. Any on-duty officer involved shooting which results in the injury of a person will be referred to the SBI for investigation.
2. The SBI will be responsible for investigating the officer's actions to determine if they were justified and in compliance with federal and state law.
3. Upon completion of the investigation, the SBI will submit a report to the District Attorney for review and possible action.

IV. Follow-up Procedures

A. The Crisis Unit Supervisor will:

1. Arrange for a critical incident debriefing 24 to 72 hours after the incident for any involved officer, other involved officers and emergency response personnel.
2. Maintain contact with involved officers and advise the Chief of Police concerning referrals for services and necessary supports.
3. Provide appropriate services to involved officers as needed.
4. Arrange for any necessary intervention for the subject and/or the subject's family.

B. Duty Status of Involved Officers

1. Any officer directly involved in a shooting incident or unintentional discharge resulting in personal injury will be granted an administrative leave of absence. The Chief of Police will determine the onset and duration of this leave.
2. The Chief of Police will determine the need for a psychological evaluation of the involved officer(s). Psychological evaluation is mandatory if the discharge of the firearm resulted in personal injury.

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3. The Chief of Police will determine if and when alternative duty weapons may be issued to involved officer(s). The Chief will determine whether the involved officer(s) is required to qualify with alternative duty weapon.
4. The Chief of Police will review the Internal Investigation Report and will make a decision as to the appropriateness of the officer's actions.

V. Duties and Responsibilities: Unintentional Discharge without Injury.

A. Involved Officer - An officer who discharges a firearm unintentionally without injuring someone, shall immediately:

1. Notify the on-duty supervisor
2. If the incident occurs in a training environment the officer will notify the instructor. The instructor will then report to the training division.
3. Refrain from discussing the incident with anyone until:
 - i. Formal Interview conducted, and
 - ii. Written statement of incident completed

B. The On-duty Supervisor:

1. Unintentional discharges will be reported **immediately** to the Chief of Police, through the chain of command. The Chief of Police will make the determination of placement on administrative leave.
2. Complete the Chapel Hill Police Department Unintentional Discharge Report form (Appendix A).
3. If the unintentional discharge is reported to be from a mechanical failure or malfunction, the weapon will be secured, to be examined by a qualified armorer at the direction of the head firearms instructor. This weapon will not be returned to service until authorized by the head firearms instructor.
4. If the unintentional discharge is reported as being from officer negligence a qualified armorer will inspect the weapon and perform a functions check prior to the officer retaking possession of the weapon.
5. Do an initial Blueteam entry.

C. Training Division

1. Provide remedial training within 5 business days.
2. Provide subject matter assistance to designated administrative investigator.

VI. Investigation of Unintentional Discharge

1. At the direction of the Chief of Police, his designee will conduct an administrative investigation of the unintentional discharge. The purpose of the investigation is to determine whether:

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- i. Department policy was followed
 - ii. Any training needs exist
2. Submit a complete report to the Chief of Police for review and possible action
3. If determined to be at fault, the officer will attend one firearms training session per month for four consecutive months with a firearms instructor.

Related Policies: Use of Force 1-1; Firearms Qualification 3-2



Chapel Hill Police Department



Subject: Transportation and Custody Procedures

Number: 2-15

Issued: 12-15-2010

Pages: 1 of 8

POLICY: It is the policy of the Chapel Hill Police Department that officers use uniform procedures when transporting individuals and when searching and securing subjects during an arrest. Officers will take necessary precautions to protect themselves, the public and the person in custody.

I. DEFINITIONS:

Frisk: A frisk is a pat down of outer clothing for weapons.

Search Incident to Arrest: A search is limited to only the person arrested and the area immediately surrounding the person in which he person may gain possession of a weapon, in some way effect an escape, or destroy or hide evidence. This is an exception to the search warrant requirement found in the Fourth Amendment of the United States Constitution and Article I § 20 of the North Carolina Constitution.

Transport: To move a person, from one place to another, using a police vehicle. Transports will occur in a number of contexts to include arrest processing, custody transfers, involuntary commitments and stranded citizens.

II. PROCEDURES:

A. Frisk:

1. Officers may frisk a person, vehicle or locked and unlocked containers if the officer has reasonable suspicion to believe there is a weapon present and the subject may be dangerous. Officers should refer to NCGS 15A-255.
2. Officers may frisk suspects of the opposite sex, recognizing the potential for later misrepresentation by the suspect. Officers may protect themselves with a witness, using the back of their hand, or other method of accomplishing the frisk in a non-sexual manner.
3. If officers have a reasonable suspicion that a passenger or recent occupant of a vehicle, whether arrested or not, is dangerous and may gain access to a weapon, they may frisk the passenger compartment for weapons. If an officer during a vehicle frisk develops probable cause that the vehicle contains evidence of criminal activity, a thorough search may be conducted in any area of the vehicle where the evidence may

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be found, including, but not limited to, locked and unlocked containers.

B. Search incident to Arrest:

1. Persons: Officers may search the person and his or her immediate surroundings contemporaneous to a lawful arrest. Officers may not search persons contemporaneous with the issuance of a citation.

C. Vehicles:

1. Prior to a search of a vehicle incident to an arrest, an officer must be able to articulate that either the arrestee was unsecured at the time of arrest (not recommended) and within reaching distance of the passenger compartment of the vehicle at the time of search, **OR** that there is reason to believe that there is evidence in the vehicle related to the charged offense. More often than not, officers will not be authorized to search incident to arrest when the underlying basis for arrest is a traffic offense and/or outstanding warrants.
2. If officers have reason to believe that evidence of the charged offense is located in the vehicle, the officer may search incident to the arrest of any occupant, the entire passenger compartment (excluding the trunk), including all containers and glove boxes, locked or unlocked.

D. Officers may not search incident to arrest and then release on citation.

E. Handcuffing of Subjects:

1. Officers will use department issued or approved handcuffs. Handcuffs may be used to restrain a suspect when there is reasonable suspicion to believe the suspect is a threat to the officer or others.
 - a. Officers should advise suspects when they are not under arrest to minimize the potential for elevating a stop into an arrest.
 - b. Mere use of handcuffs alone does not constitute an arrest. However, officers should be aware that interrogation of suspects in handcuffs should be conducted in accordance with all applicable Federal and State interrogation laws.

- c. If officers determine there is not probable cause to arrest, the handcuffs will be removed and the suspect will be released.
2. The handcuffing of a suspect does constitute a “use of force” (Physical Guidance on our Continuum).
 - a. Officers are not required to complete a formal use of force report form after handcuffing suspects.
 - b. An officer must be able to articulate his or her reasoning (objective reasonableness standard in light of circumstances) for this use of force.
 - c. Officers will document the circumstances surrounding any handcuffing incident via a formal report, field contact or other form of documentation
3. When practical, arrested subjects will be handcuffed behind the back with palms facing outward to reduce the possibility of manipulating the handcuffs.
4. The handcuffs should be tightened only enough to effectively secure the person’s wrists. The wrists should be checked for cutting and swelling and the handcuffs loosened as necessary. Tightness should be checked by examining the handcuff at the radial bone of the wrist (above the thumb). A fingertip should easily slip between the radial bone and handcuff blade. Handcuffs will be double locked as soon as practical.
5. Subjects who are large or inflexible should be handcuffed in the rear using two sets of handcuffs or flexcuffs. This method of handcuffing is preferred over handcuffing in front when the person is large, obese, heavy or has short arms. This method prevents the person from using their fists or hooking the cuffed hands around an officer.
6. If further restraints are necessary, then department approved devices may be used. A supervisor will be notified in the event that utilization of further restrains is necessary.
7. Officers will not “hogtie” (tie a person’s hands to the feet in front or back) anyone in police custody under any circumstances.
8. Officers may utilize some discretion in those instances where the prisoner’s health or physical or mental state requires an alternative means of restraint. Any alternative restraint will be documented in the officer’s report.

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F. Booking Room Procedures

1. Officers will notify the Base-3 operator upon entering the booking room with an arrested individual. The officer will provide the Base-3 operator with individual's name.
2. All prisoners must be searched upon entering the prisoner processing area/booking room. Handcuffs or other restraining devices will not be removed until the prisoner is inside the secure lockup area.
3. At least one officer must remain within sight of the prisoner to maintain visual contact and physical control.
4. When transferring custody to another law enforcement officer or correctional facility, officers must deliver proper documentation on the prisoner to the receiving official and stand by until the receipt is acknowledged ensuring that all documentation is signed and completed correctly.
5. When transferring custody to another law enforcement officer or correctional facility the transporting officer must advise the receiving official of any security risk.
6. Non-custodial citizens in the booking room
 - a. In certain situations, citizens who are not in police custody may be brought into the booking room to facilitate or observe the processing of an arrestee.
 - b. When there is only one arrestee in the booking room, the arresting officer, after consultation with a supervisor, has the discretion to allow a non-custodial person to be present in the booking room during the booking process
 - c. When multiple arrestees are present in the booking room, non-custodial citizens will not be allowed in the booking room unless the purpose of their presence is to serve as a witness to a breath test.
 - i. In cases of breath testing where IV(f)(iii) applies, the witness will be allowed to remain in the booking area only for the time necessary to witness the officer's request for the arrestee to submit to the test and any subsequent breath testing.
 - ii. Prior to the witness entering the booking room to observe a breath test under IV(f)(iii), all arrestees, other than the subject providing the breath sample, will be secured in a seated position in a location that maximizes the distance between the secured subject and the non-custodial person. Officers will maintain close contact with their

arrestee the entire time that the non-custodial person is in the booking area. The secured arrestees will not be unsecured from their seated positions until the non-custodial person exits the booking room.

- d. Non-custodial persons shall not be allowed to bring any backpack, bag or any other package into the booking room.
- e. Non-custodial persons are subject to a weapons frisk prior to being allowed to enter the booking room.

G. Sickness or Injury in Custody

1. If a prisoner becomes sick or is injured incident to or during an arrest, the officer will advise the Communication Center to dispatch fire medics and the immediate supervisor to respond. When officers arrive at the Orange County Jail, or other detention facility, they will advise the jail personnel of the prisoner's recent medical treatment.
2. Prisoners who require medical attention may be transported to a nearby medical facility. The officer responsible for transporting the prisoner to the medical facility will remain with the prisoner and will exercise custodial control over the prisoner pending release or hospital admittance.
3. Whenever possible, the prisoner will be kept in sight at all times. The officer will cooperate with the medical officials during the treatment of the prisoner. In the event the prisoner must be admitted to the medical facility the on-duty supervisor will be contacted and will arrange for continued custodial control of the prisoner.
4. The transporting officer should obtain copies of the medical records. It is the responsibility of the officer accompanying the prisoner to the medical facility to submit completed reports to the supervisor.

H. Transportation

1. At the beginning of each tour of duty, officers will conduct a thorough inspection of all patrol vehicles that are used to transport persons in police custody.
 - a. Attention should be given to any damage and to areas accessible to a prisoner where weapons or evidence may be concealed. Any contraband or evidence located will be reported to the officer's immediate supervisor.

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- b. Officers will also inspect each vehicle to ensure that a person in police custody may not exit the vehicle without the aid of an officer. The inspection should determine that all windows and door latches are working properly. Safety partitions will be inspected to ensure they are secure.
 2. Notifications Required
 - a. Officers will advise Orange Central Communications of their destination when transporting a person in police custody.
 - b. When transporting a person of the opposite gender, officers will advise the Orange Central Communications of the starting mileage and at the completion of the assignment, the ending mileage.
 - c. When transporting a juvenile, officers will advise Orange Central Communications of the starting mileage and at the completion of their assignment, the ending mileage, regardless of the juvenile's gender.
 3. In-Custody Subjects
 - a. All persons in police custody will be searched by the transporting officer prior to the person being placed in the patrol car.
 - b. The transporting officer will ensure that the person in custody is properly handcuffed.
 - c. Absent extraordinary circumstances, the prisoner will be handcuffed and secured with a seatbelt when being transported in any police vehicle.
 - d. Under emergency or special circumstances officers may transport a person in police custody in a vehicle without a safety barrier. Officers will locate the person on the right rear side of the police car and have an escort officer seated in the left rear seat behind the driver. All prisoners transported in this manner will be properly handcuffed behind their backs. If one officer must transport a prisoner in a police car without a safety partition, the prisoner will be placed in the right front passenger seat, handcuffed behind the back, and seat belted. Only one prisoner will be transported in a police car that is not equipped with a safety partition.
 - e. While transporting a person in police custody, the transporting officer will not respond to other public matters.

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- f. Officers will thoroughly search the vehicle at the completion of a prisoner transport to ensure that no contraband or weapons are present in the prisoner area.
- g. For purposes of officer safety, the prisoner should not be allowed to communicate with anyone during the transportation period. No cellular phones will be retained or used by the prisoner during transport.
- h. When transporting a handicapped person in custody, proper care will be used when placing the person in the police vehicle. The prisoner's wheelchair, crutches or prosthetic appliance will be secured by the officer along with the prisoner. All other procedures will remain the same. Prosthetic appliances, crutches and wheelchairs will be examined to ensure that they do not conceal any weapons or contain evidence of a crime. The Police Department may utilize a Chapel Hill Transit Van to transport individuals in cases where transport in a police vehicle is impracticable.
- i. Individuals being transported subject to emergency commitment or an involuntary commitment evaluation order are in-custody subjects. Officers are reminded that NCGS 122C-251(d) requires the transporting law enforcement officer be the same sex as the respondent, unless the law enforcement officer allows a family member of the respondent to accompany the respondent in the vehicle
- j. If a prisoner escapes while being transported, officers will notify the Orange Central Communications immediately of the escape and provide the following information:
 - i. Present location
 - ii. Direction of travel and means of escape
 - iii. Prisoner's name and physical and clothing description
 - iv. Any knowledge of possible weapons held by prisoner
- k. In the event of a prisoner escape. The officer will:
 - i. Notify the on duty supervisor who will in-turn notify the on-call Captain.
 - ii. Report to their immediate supervisor all facts concerning the escape or attempted escape and

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document all details in an incident or follow-up report.

4. Non-Custody Transports

- a. At times, in the performance of our duties, officers may transport citizens as a professional courtesy. Examples of such transports include assisting stranded motorists, escorting intoxicated students or domestic violence victims or simply removing someone from a volatile or harmful situation.
- b. Courtesy transports should be considered an intervention of last resort.
- c. Officers should avoid transporting any injured citizens to the hospital. In the event that EMS refuses to transport an injured individual to the hospital, when such action is necessary, officers should consult with their supervisor.
- d. Prior to providing a non-custody transport, officers will work with the citizen to determine if there are other transportation options available.
- e. Prior to providing a non-custody transport, officers will explain to the citizen that as a condition of the transport and in the interest of safety that the citizen is subject to a pat down prior to entering the police vehicle. Should the citizen refuse to allow the officer to pat him or her down he or she will not be provided with the transport.
- f. In the interest of safety, officers should separate the citizen from their personal effects during the transport.
- g. Officers providing a non-custody transport should notify their supervisor that they are transporting someone; if the transport requires you to leave the city limits, supervisor approval must be obtained prior to initiating the transport.
- h. In any non-custody transport, the officer shall give Orange Central Communications the officer's starting location, destination, and odometer mileage. The officer should notify Orange Central Communications of the ending odometer reading when the final destination is reached.
- i. While officers may transport a stranded motorist to a gas station, containers of gasoline shall not be transported in department vehicles.



Chapel Hill Police Department



Subject: Naloxone Administration		Number: 2-16
Issued: 7-1-2014	Revised:	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to establish guidelines and regulations governing the utilization of naloxone (Narcan) by the Chapel Hill Police Department. The objective is to reduce the possibility of injury or death from opiate overdoses.

I. Definitions

- A. **Naloxone:** Naloxone (also known as Narcan) is a drug used to counter the effects of opioid overdose, such as heroin or morphine. Naloxone may be administered intra-nasally and/or intra-muscularly.

II. Training

A. Initial Training

1. Officers will receive initial training that will include, at minimum, an overview of 2013's Senate Bill 20 that permits law enforcement use of naloxone, patient assessment (e.g., signs/symptoms of overdose), universal precautions, rescue breathing, seeking medical attention, and the use of intra-nasal and/or intra-muscular naloxone as detailed in the standing order.
2. Upon completion of training, officers will have their training recorded by the Training Division and the North Carolina Harm Reduction Coalition Overdose Prevention Program Coordinator.

B. Continuing Education

1. Officers participating in the Chapel Hill Police Department's naloxone program will receive training refreshers during their yearly in-service training by the North Carolina Harm Reduction Coalition, the Orange County Emergency Management Staff, or other appropriately trained personnel.
2. Yearly in-service training will be recorded and documented by the department's Training Division.

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III. Naloxone Deployment

A. The Chapel Hill Police Department will deploy its naloxone kits in the following locations:

1. One in each Sergeant's patrol vehicle.
2. One in eight patrol vehicles.
3. The kits will be part of ten medical emergency kits that are shared among supervisor and shift vehicles.
4. Medical emergency kits will be turned over at shift change and the distribution of such shall provide for each district having at least one patrol vehicle equipped.
5. Additional locations and/or vehicles may be added as equipment and budget allows.

IV. Naloxone Use

A. When deploying the naloxone kit officers will:

1. Maintain universal precautions;
2. perform patient assessment;
3. determine unresponsiveness, absence of breathing and/or absence of a pulse; and
4. notify the dispatcher that the patient is in a potential overdose state and request Fire and EMS response if they are not already enroute.
5. Once medical personnel arrive, officers will inform the medical personnel of all medical steps taken prior to the Fire Department or EMS arrival.
6. Officers shall follow the protocol as outlined in the naloxone training in accordance with the North Carolina Harm Reduction and/or regional health authority guidelines.

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V. Maintenance/Replacement

A. First Line Maintenance

1. An inspection of the naloxone kit shall be the responsibility of the personnel assigned the emergency medical kit at the beginning of each shift.
2. Missing, damaged, or expired naloxone kits will be reported to the department naloxone coordinator and replaced or pulled out of service as appropriate. The naloxone program coordinator will be responsible for replacing the kits.
3. Naloxone kits will not be left in off-duty police vehicles but will be stored in the on-duty sergeant's or lieutenant's office if not assigned during that tour of duty.

VI. Documentation/Naloxone report:

- A. Upon completing the medical assist and use of naloxone, the officer will submit a report detailing the nature of the incident, the care the patient received and the fact that the naloxone was deployed. The report will be forwarded to the department naloxone coordinator who will then forward the data to North Carolina Harm Reduction's Overdose Prevention Program Coordinator.
- B. These records must be completed for statistical value of the naloxone program. The document shall be retrievable electronically and should be attached to the incident report in RMS.



Chapel Hill Police Department



Subject: Traffic Stops	Number: 2-17
	Pages: 1 of 8

RELATED POLICIES: 2-18 Low-level Misdemeanors
Merged with policy 3-14 (Vehicle Checkpoints) and policy 3-4 (Warning Tickets).

PHILOSOPHY: Research has shown that traffic stops result in disparate outcomes for some members of our community. The Chapel Hill Police Department actively works to eliminate any possibility of bias, implicit or otherwise, in the execution of its duties. Since research has also shown that regulatory stops have a disparate impact on marginalized individuals within our community, it shall be our policy not to use them as a basis for conducting a traffic stop. This policy will outline the procedures, record keeping, and analysis we conduct towards that end.

The Chief of Police will ensure that a quarterly review of all stops be conducted to examine the agency's progress towards providing fair and impartial policing.

Policy: It is the policy of CHPD that traffic stops are conducted in a consistent and equitable manner. This policy establishes expectations and procedures for conducting stops and recording data to ensure that applicable statutes, policies and philosophies are followed.

I. Definitions

- A. Traffic Stop: The seizure of a vehicle and its occupants by means of lights, siren or other demonstration of authority for the purpose of investigating violations of the law.
- B. Warning Ticket: An electronic warning ticket printed from E-citation.
- C. Traffic Stop Report (TSR) SBI-122: State form documenting demographic and search data.
- D. Consent to Search Form: CHPD form explaining a driver's rights regarding the search of their vehicle.
- E. Low-discretion searches: Searches conducted pursuant to applicable policies/directives/laws. These include: probable cause searches, search incident to arrest, search of a vehicle after its seizure, or a car frisk to determine if weapons are accessible by a driver or passenger. Low-discretion searches are generally not influenced by bias.

- F. High-discretion searches: Searches conducted pursuant to an officer's request. These are often referred to as "consent searches" and employees should note that high-discretion searches could be influenced by bias.
- G. Demographic Tracking Report: Quarterly report submitted to the Chief of Police summarizing the analysis of procedures and outcomes resulting from traffic stops conducted during that quarter.
- H. Regulatory Stops: Any non-moving, non-safety related traffic stops (example, expired registration, cracked windshield, broken taillight, broken license plate light and other laws not connected to safe operation of a motor vehicle).

II. Procedures

- A. Officers must have a lawful reason for making a traffic stop. A regulatory stop cannot serve as the basis for conducting a stop.
- B. Officers may only issue verbal or written warnings for regulatory or equipment violations discovered during a lawful traffic stop.**
- C. Officers are prohibited from stopping, detaining, arresting, searching, or attempting to search anyone based solely upon the person's race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation. Officers shall base all such actions on a reasonable suspicion that the person or an occupant of a vehicle committed a motor vehicle violation or other offense.
- D. Officers shall treat every person with courtesy and respect.
- E. Officer shall notify the driver of the reason for the stop on every traffic stop, interdiction, detention, arrest, or other non-consensual interaction unless doing so will interfere with an investigation or create a safety concern.
- F. Officers shall identify themselves and provide their supervisor's name whenever either is requested.
- G. All traffic and citizen stops shall be limited to the amount of time necessary to reasonably complete the transaction.
- H. All supervisors shall ensure that employees do not engage in discriminatory practices. This shall include clearly stating to employees that discriminatory practices are not tolerated, conducting ongoing reviews of enforcement activities, quarterly reports to identify possible profiling patterns, and encouraging appropriate enforcement tactics.

- I. All traffic stops will be called into Orange County Communications on the primary channel.
 - 1. When making the decision to stop a vehicle, officers are encouraged to consider the following:
 - i. Traffic flow and congestion: Officers should select locations where the stop is less likely to interfere with the flow of traffic.
 - ii. Lighting: If possible, traffic stops conducted at night should be done in areas that are well lighted.
 - iii. Characteristics of the roadway: Officers should avoid curves or hills that could obstruct passing motorists' view.
 - iv. Severity of the violation: The driving behavior of the motorist should be considered when deciding when or if to make a stop.
- J. Traffic stops shall be conducted by officers in full police uniform. If an officer wearing plain-clothes must stop a vehicle, he/she will immediately identify themselves as a Chapel Hill police officer and summon a uniformed officer to the scene as soon as is practical.
- K. If an officer has in-car or body worn audio and video recording equipment, he/she will make sure that it is activated and recording whenever a vehicle is stopped in accordance with CHPD Policy 3-09 – In-car Audio/Video Equipment.
- L. All traffic stops will be documented in one or more of the following ways:
 - 1. Citation: A NC Uniformed Citation may be issued for any infraction or misdemeanor for which probable cause exists.
 - 2. Arrest Report: In certain circumstances an arrest report may be completed in addition to a citation.
 - 3. Written/verbal warning: A verbal warning or warning ticket shall be given in place of a citation when the officer believes that a warning will suffice and/or when follow-up to a violation is desired. All such stops will be documented in the Field Contact module of our RMS system.

III. Documentation

A. Warning Tickets

1. Warning tickets may be issued to motorists, cyclists or pedestrians. Once issued, the warning will be documented using the Field Contact module in RMS. Prior to issuing a verbal warning or warning ticket, officers will check the department's records database to determine if the person has been previously warned for the same or similar violation. The officer issuing the verbal warning or warning ticket will be responsible for any follow-up required, such as in the case of equipment violations.
2. When determining if a warning is appropriate, officers are encouraged to consider the following:
 - i. Severity of the violation: Citation or arrest should be reserved for instances when dangerous driving has been observed. All other instances should suggest that a warning is appropriate.
 - ii. Has the driver been warned for similar violations?
 - iii. Does the driver have a documented dangerous driving history?
 - iv. Does the driver have a documented history of failing to appear in court?
3. Officers may consider a citation if one or more of the elements described above are present.
4. Warning ticket records will be maintained in the Field Contact module of the department's record keeping system. A paper copy will be stored in the Records Division.

IV. Procedures:

- A. History Check: Officers will check the department's records database to determine if the person has already received a warning ticket for the same or similar violation.
- B. Bicyclists: A warning ticket may be issued to a bicyclist who is found to be in violation of a State law or Town ordinance.
- C. Pedestrians
 - i. Checking the block marked "Other" in the first category of the warning ticket will indicate that the ticket was issued to a pedestrian.

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- ii. Officers will inform the violator that the violation will be documented and recorded at the Chapel Hill Police Department.

D. Traffic Stop Reports (TSR) SBI-122

i. Supervisors are responsible for conducting regular reviews of the demographic tracking report data submitted by their officers and for submitting a quarterly report to their division commander documenting that the review was completed. As part of this review, the supervisor will compare the number of traffic stops recorded in CAD with the number of citations/ warnings issued. In accordance with CHPD Policy 1-6, Fair and Impartial Policing, discrepancies in these totals will be reported in the quarterly review and appropriate corrective action taken.

ii. North Carolina General Statute 143B-903 requires police agencies to keep statistics on traffic stops. A Traffic Stop Report (SBI-122) must be completed for every traffic stop. Every officer will be issued a unique identification number to be used on the Traffic Stop Report (SBI-122) The department must submit this report to the SBI on a regular basis.

iii. Officers are not required to complete a Traffic Stop Report (SBI-122) for vehicles stopped at a checking station unless one of the following incidents occur:

- (1) An occupant of the vehicle is arrested.
- (2) A citation or warning ticket is issued.
- (3) Contraband is found in the vehicle or on one of the occupants.
- (4) Property is seized.
- (5) A search of a vehicle or its occupants.
- (6) Physical resistance by an occupant of the vehicle.
- (7) An occupant of the vehicle is injured.
- (8) Force is used against an occupant of the vehicle.
- (9) An investigation occurs as a result of the checking station stop.

iv. When completing a Traffic Stop Report, officers will:

- (1) Insert their name at the top of form or add it if it is not already there.

(2) Add their unique TSR number and the date and time of the traffic stop.

(3) Add the initial purpose of the traffic stop. Ex: if a vehicle was stopped for speeding and the driver is DWI, the initial purpose for the stop would be speeding and not DWI.

(4) Add driver's information. Officer will completely fill in the driver's information to include race, sex, age and ethnicity.

(5) Check the appropriate block in the enforcement action taken section. If an arrest is made indicate whether it was the driver or a passenger.

(6) Complete the "resistance encountered" block, if necessary. If an officer encountered physical resistance, engaged in use of force, and/or if any injuries occurred either to the officer or any occupants of the vehicle. The officer will check all blocks that apply.

(7) If a search was initiated subsequent to the traffic stop, the officer will check the box. If you fail to check the box, none of the data collected below will be reported to the State.

(8) Check appropriate box for the type of search conducted. You can only check one box. If an officer gets consent to search a vehicle, the consent will be documented on a written consent form. An officer can search incident to arrest if they are searching for additional evidence of the crime they are investigating. If an officer has probable cause to search a vehicle and asks for consent to search and receives it, this will still be labeled a probable cause search.

(9) Check the basis for the search. The officer will check all blocks that apply.

(10) Check whether the vehicle, driver, passengers, and/or personal effects of the driver or passengers were searched. The officer will check all blocks that apply.

(11) Add the age, sex, race and ethnicity of each passenger searched.

(12) Check whether or not contraband was found. If contraband is found, indicate whether it was drugs, alcohol, money, weapons, or other. The officer will also indicate the amount of contraband found based on the proper measurements. The officer will check all blocks that apply.

(13) Check whether or not property was seized during the traffic stop. If property was seized, the officer will check all blocks that apply.

v. There are two user-defined fields under the miscellaneous tab of the form. The officer will complete the prior stop and patrol type fields.

(1) Prior stop will indicate whether the officer making the stop has personally stopped this individual before.

(2) The patrol type field has four choices:

(a) Directed Patrol: If an officer has been assigned to a directed patrol to deter criminal activity.

(b) Directed Traffic: If an officer has been assigned to a directed patrol to deter motor vehicle violations.

(c) Routine patrol: if an officer on routine patrol makes a stop for a criminal violation.

(d) Routine traffic: If an officer on routine patrol makes a stop for a motor vehicle violation.

E. Consent to Search Forms

F. There are two categories of searches that may be conducted following a traffic stop: low discretion and high discretion. Low-discretion searches do not require the completion of the Consent to Search form. Consent to Search forms are required for high-discretion searches.

G. Officers must read the form to the driver, must ensure that the form has been understood (including the right to refuse the search), and must complete the form as indicated. Forms must be submitted pursuant to

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the guidelines found in SOP 400.16 Consent to Search forms and supervisors shall spot-check these interactions as part of their 28-day video reviews. Failure to correctly document and submit the search form may result in serious disciplinary action.

H. Mere nervousness on the part of the driver or an occupant is not enough to request a search. An officer's experience, training, and skills all contribute to his or her ability to assess the totality of the circumstances and consider the request to search.

I. Demographic Tracking Report

vi. Patrol supervisors shall submit a quarterly report to their Division Commander certifying that they have reviewed the stops, documentation, videos and other indicators to look for any disparities or irregularities in terms of race, gender and ethnicity.

J. Training & Awareness

vii. All Chapel Hill Police Department employees will complete the departments' course on Fair & Impartial Policing.

viii. Supervisors will review and discuss each officers stop statistics from the Demographic Tracking Report as part of their employees annual performance review.

V. Vehicle Checkpoints: It is the policy of the Chapel Hill Police Department to conduct vehicle checkpoints in compliance with Chapter 20 of the North Carolina General Statutes. **Checkpoint authorization** is the Chapel Hill Police Department form that is completed and signed by the Police Chief, or his designee, prior to each checkpoint



Chapel Hill Police Department



Subject: Low Level Misdemeanors	Number: 2-18
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Policy: This policy is intended to provide guidance to officers when dealing with low-level misdemeanor offenses, to include those involving marijuana, regulatory stops as defined in policy 2-17 and any other situation not directly linked to community safety. Discretion, in the form of verbal warning or citation, is most often the best course of action in these cases as it is a better use of our time and resources.

I. Definitions:

- A. **Low-level Misdemeanor:** For the purposes of this policy, low-level refers, generally, to class 2 and 3 misdemeanors.
- B. **Discretion:** Discretion refers to an officer's individual judgment when deciding the best course of enforcement action.

II. Use of citations for Misdemeanor offenses

- A. In order to provide consistent enforcement and to better utilize limited departmental resources, officers **should** exercise alternatives to arrest (cite/warn) in the following circumstances:
 - 1. Misdemeanors where there is no danger to persons or property and where the suspect may be apprehended at a later time.
 - 2. Misdemeanors where the suspect is not wanted on other charges or where the suspect is on parole or probation and the current charge would not revoke their status. Examples include simple affray, misdemeanor larceny, transfer of a price tag, first/second-degree trespass, injury to real property and communicating threats; or
 - 3. Misdemeanor marijuana offenses where the subject has no previous criminal charges other than traffic offenses, no outstanding warrants, valid identification in their possession, and there are no accompanying Class 1 or A1 misdemeanor charges.

III. Officers will have the discretion to arrest when doing so serves a legitimate purpose or interest. Examples include, but are not limited to:

- A. The removal of the person is necessary to prevent a breach of peace; or
- B. He or she has provided false, unreliable, or no identification; or
- C. Reasonable, genuine belief exists that the person to be cited does not intend to appear in court on the date and time specified.

IV. When a person is cited to court and no physical arrest is made, the following procedures are prohibited:

- A. Searching the person.
- B. Threatening custodial arrest to obtain permission to search a person; and
- C. Photographing and/or fingerprinting the person.

However, nothing in this directive prohibits the “frisk” of any person the officer has reasonable suspicion to believe is armed and dangerous.

- D. Supervisors **shall** evaluate decision-making and use of discretion and report aggregate trends and findings for the quarterly report.



Chapel Hill Police Department



Subject: Rules and Regulations		Number: 3-1
Issued: 10-1-2003	Revised: (3)1-18-2012, (4)6-5-2012	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department that employees will conduct themselves in accordance with Federal and State laws, Town ordinances, and department policies. Employees are also expected to act ethically and to treat others with respect.

I. Rules of Conduct

- A. Employees will always treat citizens, co-workers, and all others fairly and with respect.
- B. Employees will conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming employees includes that which brings discredit upon or interferes with the operation or efficiency of the department.
- C. All employees will obey, comply with, and abide by all laws of the United States and the State of North Carolina, ordinances of the Town of Chapel Hill, and regulations of the department.
- D. Employees will adhere to Chapel Hill Police Department policies, promptly obey all lawful orders, and follow directives from supervisors, including orders from a superior that may be relayed by an employee of equal or lesser rank.
- E. No supervisor will knowingly, willfully, or negligently issue an order that violates a Federal or State law, Town ordinance, or department policy.
- F. It shall be improper for an employee to publicly or maliciously criticize the work or manner of performance of duty by any other member of the department. Members will cooperate, support, and assist each other in accomplishing the goals of the department.
- G. Employees will not engage in activities on duty that would cause them to neglect or be inattentive to duty.
- H. The operation and use of department equipment is restricted to authorized and official police business, and for personal use as authorized by the Chief of Police.
- I. Employees will not divulge confidential information except as authorized by the General Statutes and the Chief of Police. Employees will give no

Subject: Rules and Regulations	Number: 3-1	
Issued: 10-1-2003	Revised: (3)1-18-2012, (4)6-5-2012	Pages: 2 of 3

unauthorized person information that would jeopardize an officer, witness, investigation, or any other law enforcement function.

- J. Employees having a civil suit, civil process, criminal charge, or traffic charge filed against them will report it to their immediate supervisor within 24 hours. If contact with the immediate supervisor is unsuccessful, employees must report the information to the on-duty supervisor.
 - 1. In the event of an in-custody arrest, employees are required to immediately report this information in the same manner.
 - 2. Any supervisor who receives notification from an employee regarding pending civil or criminal action against the employee will document the information and forward it to the employee's supervisor and division commander. The division commander should then immediately contact the Chief of Police and the Office of Professional Standards.
 - 3. The Office of Professional Standards will conduct an annual audit of employee drivers' histories.
- K. All employees will keep the department informed of their current address and telephone number, notifying their immediate supervisor within 24 hours of any change.
- L. Employees will not use tobacco products in the presence of the public.

II. Personal Conduct

- A. Employees will not ask, directly or by implication, for gratuities or special privileges. Any gift, favor or gratuity accepted by an employee must be of minimal value, and not accepted with the expectation by either the donor or employee that the actions of the employee or the delivery of police services will be influenced.
- B. Employees will not recommend or refer to specific vendors, commercial concerns, or service providers.
- C. No employee will record audio or video of another employee at any time without notifying parties affected before recording is initiated. The Chief of Police or his designee may approve recordings without notification in criminal or administrative investigations. All recordings made by employees must be documented in the records management system (RMS) or internal affairs and professional standards (IAPro) management system.
 - Department in-car camera and body-worn camera systems are exempt from the above restriction.

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- Any employee who has knowledge that they or another employee has in the past secretly recorded any conversations without notifying the person being recorded must without delay report this in writing to the Chief of Police and/or Professional Standards. Failure to notify immediately will subject the employee to disciplinary action up to and including termination.

III. Identification

- A. While on duty, employees will give their name and employee number to any person requesting such information.
- B. While on duty, employees will carry their Chapel Hill Police Department identification.



Chapel Hill Police Department



Cellular Telephone Protocol Policy 3-1, Rules and Regulations

The Police Department provides cellular telephones to employees in order to facilitate contact with citizens and among employees. Use of cellular telephones, as all department equipment, is governed by Section I.H. of the Rules and Regulations Policy (3-1) which states, "The operation and use of department equipment is restricted to authorized and official police business, and for personal use as authorized by the Chief of Police." The following is protocol for use of cellular phones.

1. Cellular telephones should be used only when access to a land line telephone is not readily available. It is expected that the majority of cellular calls will be by operational units in the field.
2. Cellular telephones may be used to respond to routine or belated calls that do not necessitate an on-scene response. Anytime a citizen requests to see an employee in person or if there is a question whether a physical response is needed, the employee will respond in person.
3. Employees may use cellular telephones to obtain information not provided by the telecommunicator while responding to a call for service.
4. Generally, cellular calls should be short. If it appears a call may become lengthy, the employee should obtain a callback number and follow up when a land line telephone is accessible.
5. Calls between department cellular telephones should be limited to operational issues and be of short duration. The telephones should not be used to replace routine police radio communication or car-to-car messaging.
6. Cellular telephones will not be used for Internet access.
7. Short (less than two minutes) personal calls are permitted. Employees should be mindful that cellular telephone records are public documents and may be viewed upon request by the public.



Chapel Hill Police Department



Subject: Firearms Qualification Procedures		Number: 3-2
Issued: 10-1-2003	Revised: (4)5-01-2013, (5)7-11-2014	Pages: 1 of 5

Policy: It is the policy of the Chapel Hill Police Department to ensure that all officers successfully qualify with weapons used in the performance of their duties as police officers.

I. Qualification

- A. All officers must pass an annual firearms qualification course for any approved firearm carried for police duties. These weapons may be department issued or personally owned.
- B. During handgun qualification officers must pass two (2) out of three (3) courses of fire. Shotgun, semi-automatic rifle, Sub-gun, select fire carbines, and Precision Rifle qualification officers must pass one (1) course of fire. Officers will be permitted two consecutive attempts to qualify with a shotgun, semi-automatic rifle, Sub-gun, select fire carbine, or Precision Rifle.
- C. Minimum qualification scores for each course of fire:
 1. Handgun, day and night: 80%, courses 100 (day) and 101 (night)
 2. Shotgun: 90%, course 200 (day)
 3. Semi-automatic rifle: 90% (authorized personnel only), course 300 (day)
 4. Sub-gun or semi-automatic or select fire carbines: 90% (SERT personnel only), course 301
 5. Precision Rifle: 100% (SERT personnel only), course 400
- D. One firearms instructor for every six officers must be present for any qualification attempt.

II. Failure to Qualify with Issued Duty Weapon

- A. If an officer fails to qualify:
 1. The officer will be placed on administrative duty without law enforcement authority and cannot carry a firearm in a law enforcement capacity, on or off duty.

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2. If the officer fails to qualify, the officer will be prohibited access to his/her firearm (except for supervised remedial training and qualification) until he/she successfully completes remedial training and qualifies.
3. The failed qualification will be documented on the department's Qualification Failure Form and submitted to the Head Firearms Instructor by the Firearms Instructor administering the qualification.
4. The Head Firearms Instructor will notify Professional Standards and the officer's supervisor of the failure to qualify.

B. Remedial Training

1. Within two (2) days of a failed qualifying attempt, the officer will begin remedial firearms training conducted by a firearms instructor unless an extension is approved by the Chief of Police.
2. The Lead Firearms Instructor present at remedial training must document the training on the departments Remedial Training Documentation form. This form must be submitted to the Head Firearms Instructor.
3. Before attempting a subsequent qualification, the officer must be able to (1) complete a minimum of two remedial sessions prior to any qualification attempt; and (2) demonstrate the ability to consistently qualify by passing two practice qualification attempts during two consecutive remedial sessions. Qualification attempts will not be conducted on the same day as a remedial session. An officer who is unable to consistently qualify after three remedial sessions will be considered not responding to training and the Training Division will review the deficiency and recommend a course of action.
4. One firearms instructor for every six officers must be present for remedial training and any re-qualification attempt.

C. Further Attempts to Qualify

1. The officer, having demonstrated the ability to consistently qualify, will attempt to qualify on the previously failed course of fire.
2. After successful qualification, the officer will attend one firearms training session per month for four consecutive months with a firearms instructor.
3. If an officer fails to qualify on the second attempt:

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- i. The officer will remain on administrative duty.
 - ii. Will complete remedial training as outlined in Section II. B. above.
4. If the officer does not qualify on a third attempt, the officer will have demonstrated a pattern of failure and may face disciplinary action up to and including termination from employment.

III. Pattern of Failure with Issued Duty Weapon

Any officer, who fails to qualify on course of fire 100(day) or 101(night) with any handgun intended for on-duty carry for two consecutive years, or three years out of five, will have demonstrated a pattern of failure and will be subject to disciplinary action up to and including termination from employment.

IV. Firearms Skills Training/Staff Assistance

The Training Division will schedule firearms skills training throughout the year during varied hours in an attempt to accommodate shift schedules.

V. Failure to Qualify with Other Weapons

- A. If an officer fails to qualify with a shotgun, semi-automatic rifle, Sub-gun, select fire carbine, or Precision Rifle, he/she will not carry or use that particular weapon on-duty.
- B. Before the officer can attempt to re-qualify with his shotgun or other weapon, the officer will attend remedial training at a time and duration determined by the Training Division in coordination with the Head Firearms Instructor.
- C. Following the completion of remedial training, the officer will attempt to qualify.

VI. Retired Officer Qualification

In accordance with the Law Enforcement Safety Act, a qualified retired law enforcement officer may carry a concealed firearm without a state issued concealed weapons permit, in any state in the United States. Furthermore, retired officers must be in good standing with their respective law

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enforcement agency. The Chapel Hill Police Department is committed to proving retirees an opportunity to carry a concealed firearm.

A. Retiree Requirements

1. Retired honorably from the Chapel Hill Police Department.
2. While carrying a concealed firearm, be in possession of their F-9A or approved department documentation and photographic identification card from the Chapel Hill Police Department. This card will be valid for one year.
3. Meet the minimum standards for annual firearms qualification as described in Section I of this policy and in accordance with NC Justice Training and Standards requirements.
4. Complies with the State's standards for retired law enforcement officers and applicable state laws regarding carrying concealed firearms, including, but not limited to, not being under the influence of drugs or alcohol, while carrying a concealed firearm.
5. On an annual basis, sign a form indicating that have not been charged with a felony or 50B offense.
6. During their initial request, submit an AOC check to the Training Division.

B. Responsibilities of the Chapel Hill Police Department

1. After completing firearms requirements, the Chapel Hill Police Department will provide retired officers with a photographic identification card and F-9A or approved documentation on an annual basis.
2. Each card will include the retired officer's name, date of expiration, firearm type(s) and requirement that the retiree carries the card while he/she is carrying the firearm concealed.
3. Provide annual firearms training separately from active duty officers (retirees may qualify with no more than two firearms).
4. Provide annual training as it relates to retirees' lack of law enforcement authority and their personal liability for using force.
5. Perform and annual review of requests from retirees for credentials to carry concealed and renewals.

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C. Letter of Interest

Retired officers may carry a concealed firearm if they meet the criteria listed above and submit a written request to the Chief of Police. An AOC check should be included in the retiree's letter. After the application process, each retiree will be notified by a member of the Training Division as it relates to their standing.

***The Chief of Police reserves the right to rescind a retiree's credentials.**



Chapel Hill Police Department



Subject: Secondary Employment	Number: 3-3
	Pages: 1 of 8

Policy It is the policy of the department to allow employees to participate in secondary employment as long as such employment does not interfere with the effective operations or mission of the Police Department.

I. Definition

Secondary Employment: Services provided to employers other than the Town of Chapel Hill. These services do not include duties assigned by the Chief that have a direct correlation to the employee's responsibilities as a Police Department employee, such as parades or street celebrations. Extra-duty assignments offered by the Police Department are subject to the provisions of this policy.

Contract Vendor: A third party company that provides coordination, scheduling, and payment services for secondary employment services fulfilled by officers of the Chapel Hill Police Department.

II. All Employees

- A. Employees may work for secondary employers who have been approved by the Chief. All employees must complete a Secondary Employment authorization request to be approved by the Division Commander and the Chief of Police prior to beginning secondary employment that is not posted through the Contract Vendor. The Secondary Employment Liaison will maintain a copy of the signed forms.
- B. Secondary employment is a privilege and not a right of employment. While reasonable efforts will be made to accommodate secondary employment requests, the Chief of Police may prohibit any and all employees from working a secondary job. The Chief also reserves the right to withhold approval of any secondary employment that could cause, or appear to cause, a conflict of interest with the mission of the Town.
- C. Secondary employment may not interfere with or negatively impact the on-duty performance of an employee. On-duty work responsibilities always take precedence over secondary work assignments. Employees who are subject to call back for police department matters must inform their secondary employer of that possibility.
- D. Employees working in a secondary employment capacity must file appropriate tax forms in accordance with local, state, and federal laws. Failure to adhere to the regulations regarding reporting of income may result

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in disciplinary action being taken against the employee up to, and including, termination. Employees required by law to report earnings received from a secondary employer may be requested by Professional Standards to submit tax and earning records for review. Those records must be made available upon request when an allegation of misconduct has been made.

- E. Employees will not perform duties for a secondary employer while on duty. At no time will a secondary employer compensate employees for time spent while working on-duty.
- F. Employees may not schedule secondary employment that prevents sufficient rest time prior to regularly scheduled workdays.
- G. Any employee who acts in an inappropriate or improper manner while working in a secondary employment capacity will face disciplinary sanctions equal to those that would be levied if the action had occurred while on duty. In addition, behavior in connection with secondary employment may result in limiting or prohibiting secondary employment for that employee.
- H. Employees who are on administrative duty for work-related or non-work related injuries/ illnesses will not engage in any police-related secondary employment.
- I. Employees on administrative duty or leave due to an internal investigation will not work police-related secondary employment.
- J. Employers may request the Town to allow officers to use marked Chapel Hill Police vehicles during secondary Employment. The Secondary Employment Liaison will evaluate each request and determine whether use of the vehicle is appropriate under the circumstances. If the Chief of Police reasonably determines that public safety necessitates it, the Chief may require an employer to use marked Chapel Hill police vehicles as a condition of allowing employment at a particular location. The Chapel Hill Police Department will charge the employer for vehicle usage based on the current fee schedule.
- K. Town-owned vehicles assigned to employees (i.e. command staff, canine, on-call investigator, on-duty officers) are not allowed to be driven to secondary employment, unless determined by the Chief of Police as necessary for public safety.

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- L. Reserve Officers can work police-related secondary employment opportunities as long as the job is posted by the Contract Vendor and the job is one that is offered to, but not filled by, full-time employees.

III. Sworn Employees

- A. Officers providing law enforcement services for a secondary employer will notify Orange County Communications on the primary patrol radio channel at the beginning of their work assignment. Such notification will include the officer's radio identifier, the location of the assignment, and the duration of the assignment. Supervisors are encouraged to check on those officers who are working secondary employment to ensure that their locations are known, should a police response become necessary.
- B. Officers working secondary employment must wear either a Class A or Class B uniform unless specifically requested by the secondary employer and approved by the Chief of Police. Officers must carry the Department's issued radio during any secondary assignment.
- C. New Employees
 - 1. Prior to the successful completion of Basic Law Enforcement Training and field training, officers may not engage in any secondary employment, except for services for reduced rent.
 - 2. Following the successful completion of field training, officers may engage in approved secondary employment.
 - 3. Employees who are self-employed at the time of hire (landscaping, auto repair, maintenance services, etc.) may continue such employment through the training and probationary periods. Sections II- A through II- F applies to employees in this situation.
- D. Types of Secondary Employment
 - 1. In any secondary employment activity, officers will ensure they remain in compliance with North Carolina statutory requirements governing the provision of Private Protective Services (N.C. General Statute § 74(C)). This statute prohibits a law enforcement officer from being licensed as a private detective or security guard or patrol licensee.
 - 2. Officers will not provide security guard or patrol services for a licensed security guard company or a patrol licensee.

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3. Officers are also prohibited from engaging in the following off duty employment activities: conducting background checks, investigating crimes against the government, collections, locating or recovering lost or stolen property or securing evidence for court.
 4. Officers may provide security at functions where alcohol is served if:
 - i. The consumption of alcohol is monitored by employees, staff or host; and
 - ii. The likelihood of alcohol violations is minimal.
 - iii. Officers providing security at bars/nightclubs where alcohol is served as the primary source of business revenue or income are prohibited from entering such establishments unless summoned or when responding to an immediate need for police services. Officers may briefly enter to use the restroom but may not stand inside such establishments for any reason.
 5. Officers will not work off-duty as bouncers or in any job requiring the officer to check the age or identification of patrons for the immediate consumption of alcohol (i.e. bartender or waitperson). Officers may work in food stores, convenience stores, and other establishments where alcohol is sold and the officer is required to check identification for the purchase of alcohol at a register or sales counter. **NOTE:** The consequences of selling to an underage customer will likely result in both criminal charges and the application of serious disciplinary sanctions. (Section II.F above.)
 6. Officers providing security services in return for reduced rent or similar compensation will not exercise their law enforcement powers unless the officer is responding in an on-duty capacity or the reported criminal activity is so serious that immediate action is necessary to protect the public from serious bodily harm.
 7. Officers that enter into any type of agreement, written or oral, where they receive a reduction of cost for services or similar compensation in exchange for security services, will abide by all of the rules governing secondary employment. All of these services will be coordinated by the Secondary Employment Liaison.
- E. Scheduling Officers for Secondary Employment
1. The Chief of Police will designate a Secondary Employment Liaison that will work with the Contract Vendor to ensure that the administration and

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scheduling of secondary employment is consistent with departmental policy.

2. All requests from employers for the services of officers will be forwarded to the Contract Vendor after approval by the Chief of Police. All police-related secondary employment must be scheduled and posted by the Contract Vendor.
3. All secondary employment requests submitted by officers for approval by the Chief will be maintained by the Secondary Employment Liaison. The officer and his supervisor will receive copies of approved forms for their records.
4. All approved requests for secondary employment will be posted by the Contract Vendor in a manner approved by the Chapel Hill Police Department that offers all officers the opportunity to apply.
5. The Contract Vendor, along with the Secondary Employment Liaison, will work with employers requesting the service of officers to determine the number of officers required to meet their needs. When five (5) or more officers are required, employers will also be required to employ a Supervisor that will be the officer in charge during the event. In such cases, the supervisor in charge will be compensated at the department's Supervisor rate.
6. To ensure that most or all officers have opportunity to work secondary employment, the Contract Vendor may limit the number of slots that an officer can fill.
7. Officers may not sign up other officers for secondary employment.
8. Once an officer has been assigned a job, he/she is responsible for ensuring that the job is completed. Scheduling conflicts are to be resolved by the officer who originally accepted the job. Failure to complete or arrange for completion of a job for any reason, including illness, may be considered unsatisfactory job performance and subject the officer to disciplinary action in accordance with the Town's policies and procedures. Moreover, failure to complete or arrange completion of a job on more than one occasion could result in the following consequences:
 - i. A second violation within 12 months of the initial violation will result in a 30-day suspension of off duty privileges for the offending officer.

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- ii. A third violation within 12 months of the initial violation will result in a one-year suspension of off duty privileges for the offending officer.
- 9. If an officer is unable to work a job they have been assigned, they must notify the Contract Vendor so the job can be posted again. However, the original officer that signed up will still be subject to discipline for unsatisfactory job performance as outlined above in Paragraph 8.
- 10. Once an officer signs up for a job, they are not allowed to remove their name in order to sign up for another job that occurs during the time period of the original job.

F. Wages and Compensation

- 1. Wages and fees for secondary employment are determined by the Chief of Police and will include a contract vendor surcharge where appropriate.
- 2. The following situations will incur a \$5 per hour surcharge.
 - i. Supervisor required (5 or more officers needed)
 - ii. Town holiday (actual holiday, if different from day observed by the Town)
 - iii. Request for services received less than 48 hours in advance
- 3. Officers working any assignment lasting less than three (3) hours will be paid a sum equivalent to 3 hours pay, regardless of the actual time worked. The Chief of Police or designee may make an exception to this on a case-by-case basis.
- 4. Cancellations:
 - i. Employers may cancel an assignment with at least 24 hours advance notice at no penalty.
 - ii. Employers that cancel an assignment with less than 24 hours advance notice will be expected to pay the three (3) hour minimum. Exceptions to this rule (ex. severe weather) must be approved by the Chief of Police or designee.

G. Arrests, Court Appearance, and Compensation

- 1. Officers who make an arrest or take any other law enforcement action on behalf of a secondary employer that results in the officer working beyond the scheduled secondary employment hours should seek

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compensation from the secondary employer for the additional time worked.

2. Any time not compensated by the secondary employer will be compensated by the Town through standard payroll procedures upon written request from the officer.

H. Restrictions

The following limitations may be superseded only upon direction of the Chief of Police and only when such exemption is necessary for the protection of life and property during emergency and/or catastrophic occurrences.

1. Secondary employment of any kind shall not be so demanding in time and energy that the member is fatigued or tired to the detriment of his/her duty performance. Between two consecutive working days, employees shall have at least a six-hour consecutive block of time in which no type of secondary employment is performed.
2. Officers using sick leave for personal illness or injury may not work secondary employment during a twenty-four (24) hour period that begins at the time that the officer would have reported to work had he not been sick.
3. Officers can take time off in the beginning, or end of a work shift to work secondary employment with supervisor approval based on minimum criteria. However, officers are not allowed to work a split shift. If an officer, with supervisor approval, leaves to work the secondary employment, they are not allowed to come back to work at the police department once the secondary employment is completed. This applies to all sworn officers.
4. If an officer is unable to fulfill an assignment due to on-duty staffing criteria, the officer must attempt to find a replacement. If he/she cannot find a replacement, it is the officer's responsibility to notify the employer prior to the reported start time that he/she cannot work due to the department's staffing needs. If both obligations are met, it is considered an excused absence for the assignment.
5. No officer will work a secondary employment assignment while being compensated for remaining in an on-call status.

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I. Supervisor Responsibilities

1. Supervisors will inform their employees of the policies regulating secondary employment. They will ensure that employees under their supervision are in compliance with the work restrictions as described in Section G of this policy. Supervisors will review Secondary Employment request forms for accuracy.
2. On-duty supervisors are ultimately responsible for the operational oversight of officers working in secondary employment during their shift.
3. Supervisors should know which establishments have off-duty officers working during that time and should make an effort to check on those locations for the safety of the officers and to ensure compliance with this policy.



Chapel Hill Police Department



Subject: Warning Tickets	Number: 3-4
Issued: 10-1-2003	Pages: 1 of 1

Policy 3-4 Warning Tickets has been merged into [Policy 2-17 Traffic Stops](#).



Chapel Hill Police Department



Subject: Confidential Funds and Cash Handling	Number: 3-5
Issued: 5-10-2004	Pages: 1 of 2

Policy: It is the policy of the Chapel Hill Police Department to use confidential funds in order to advance criminal investigations. The funds are used to pay informants, purchase contraband, or otherwise finance covert operations approved by the Chief of Police. It is also the policy of the Chapel Hill Police Department to track and record all handling of cash in an appropriate manner.

I. Procedures

A. Maintenance of the Fund

1. The Vice and Narcotics supervisor will be responsible for maintenance of confidential funds. This includes the funds for Narcotics and ABC.
2. The funds will be kept in a secured place.
3. A log of requests for funds, how much is given, and how they are expended will be maintained by the Vice and Narcotics supervisor. The log will be stored on the shared files with access rights limited to the supervisory chain.
4. Payments in excess of \$50 for information must be approved by the Vice and Narcotics supervisor's commanding officer.
5. The Vice and Narcotics supervisor will ensure that enough funds are available, by requesting money when needed from the Division Commander who will then make the request to the Administrative Coordinator.
6. All funds will be reconciled at the end of each fiscal year. This will be completed by the direct supervisor and the Division Commander counting the funds independently. Any discrepancy will be reported to the Chief of Police and he/she will determine the next course of action.
7. Whenever personnel are changed, the outgoing person will reconcile the funds and the new personnel will verify the funds. The supervisor will oversee this process. Any discrepancy will be reported to the Chief of Police and he/she will determine the next course of action.

B. Expenditure of Funds

1. Officers assigned to Vice and Narcotics Investigations will request confidential funds by completing the Confidential Funds Expenditure Form.
2. Within three working days of expending the funds the officer will submit in writing to the Vice and Narcotics supervisor how much money was expended, for what purpose, and to whom (name or code number). The officer will return any unused cash to the Vice and Narcotics supervisor where it will be recorded and placed back into Confidential Funds.

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II. Auditing

- A. The Vice and Narcotics supervisor will conduct monthly audits of the confidential funds account.
- B. The Chief of Police will do an unannounced audit of the confidential funds at least once every six months.

III. Other Cash/Revenue Funds

A. Maintenance of Revenue Fund

- 1. Any revenue that is received based upon the approved fee schedule will be recorded through the cash register in the Record's Division.
- 2. The Record's Division supervisor will make daily deposits to the Town's Revenue Collector.
- 3. If any money is received after normal business hours, the amount will be logged and placed in the designated safe. The Record's Division personnel will retrieve the money from the safe during normal business hours.

B. Petty Cash

- 1. Petty cash will be maintained by the Administrative Coordinator.
- 2. The Department will maintain two accounts for Petty Cash: Supply and Training.
- 3. Any distribution of funds will be logged by the Administrative Coordinator. The employee receiving the funds will sign for the cash. If the employee is not available to sign for the funds, they may request in writing to release the funds to a designee.
- 4. All funds will be reconciled every time the Administrative Coordinator receives a receipt from the employee. The reconciliation will be recorded in the petty cash log.
- 5. The Petty Cash will be reimbursed at least quarterly and at the end of the fiscal year.
- 6. Whenever personnel are changed, the outgoing person will reconcile the funds and the new personnel will ensure the supervisor will oversee this process.



Chapel Hill Police Department



Subject: Information Release – News Media Relations	Number: 3-6
Issued: 5-10-2004	Revised: 1-1-2006, 1-17-2012
	Pages: 1 of 7

Policy: It is the policy of the Chapel Hill Police Department that the public will have timely access to information arising from the transaction of public business unless the release of such information could jeopardize a law enforcement investigation, the apprehension of a suspect, or the prosecution of an offense; or could be harmful to witnesses, victims, or others; or is prohibited by law. This policy establishes guidelines and procedures concerning the accurate and appropriate release of information to news media and establishes protocols for the release of information at crime scenes and other events.

I. Public Information Office

- A. The Department's principal point of contact with the media is the Public Information Office. To avoid confusion or duplication and to ensure uniformity, the Public Information Officer or designee will, under normal circumstances, provide information to the media or authorize the release of such information.
- B. News media representatives will be directed to the Public Information Officer or designee when inquiries are made. During non-business hours, the Watch Commander will normally serve as the designee.

II. Media Requests and Items of Interest

- A. During normal business hours, media requests for news information will be referred to the Public Information Officer. At other times, requests for information on occurring events will be referred to the Watch Commander.
- B. Information concerning matters that are likely to produce media inquiries should be communicated as soon as practicable to the Public Information Officer during normal business hours and to the Watch Commander at other times.
- C. Information about special events and occurrences that involve the Department will be provided to the Public Information Officer, as needed, for the preparation of news releases or the scheduling and coordination of media briefings.

III. Information That Is Released to the Public

- A. Routine Informational Releases

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- i. The first page of Incident/Investigation Reports, Traffic Collision Reports and Arrest Reports
- ii. Chapel Hill arrest records

B. Bulletins

Any person or organization can request bulletins which contain a listing of Incident/Investigations and Arrests Reports.

C. Media Releases

1. The Chief of Police, public information officer, or the Chief's designee will provide police media releases.
2. Media releases will be provided in a manner to ensure that the same information is available to all news agencies.
3. The Public Information Officer or designee will maintain a system for providing written news releases to the media and for appropriately distributing them within the Department.

D. Photographs

1. Photographs or electronic images of persons may be released in the following situations:
 - i. Arrested person after his first appearance before a magistrate or judge
 - ii. Wanted person when a warrant for arrest has been issued
 - iii. A person who is missing and/endangered
 - iv. An identified person that the department is trying to locate in relation to a crime or other incident
 - v. An unknown person that the department is trying to identify, such as a person photographed by a security camera

2. 911 Recordings

Only the Police Department may release recordings of Chapel Hill 911 calls and police radio communications. Recordings will be reviewed by Police Department staff, and information that is not public record as provided by NCGS 132-1.4 may be deleted prior to release.

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IV. Information That Is Not Released to the Public

- A. Identifying information will not be released on the following:
1. Juveniles, except on Traffic Collision Reports
 2. Victims of a sexual assault
 3. Any person reporting illegal drug activity
 4. Any person who attempted suicide
 5. Any person receiving emergency medical treatment
 6. Witnesses, except on Traffic Collision Reports
 7. Suspects
 8. Any person, if the release of the information is reasonably likely to pose a threat to the mental health, physical health, or personal safety of the complaining witness or materially compromises a continuing or future criminal investigation or criminal intelligence operation. Such information may be released as soon as the circumstances that justify withholding it cease to exist (per North Carolina General Statute 132-1.4).
 9. Victims or reporting persons who request that their name be withheld from the public.
- B. Information that might hamper an investigation or delay the apprehension of suspect(s). This includes, but is not limited to:
1. Officers' field notes/narratives
 2. Investigative reports
 3. Driving While Impaired supplemental information
- C. Case notes of the Crisis Intervention Unit, Human Services Unit.
- D. Personnel Information, except as provided by NCGS 160A-168, including but not limited to:
1. Information relating to personnel records of employees
 2. Information concerning the investigation of an employee's performance or any actions taken as a result of such investigation
 3. Photographs or other information relating to undercover personnel
- E. Information that would disclose the nature of one reporter's original work to another reporter, news agency, or person.

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V. Exemptions

A. Emergency Situation

1. If there is an **immediate** threat to a person, group, or institution, potential victim(s) will be notified as soon as possible.
2. If there is a **potential** threat to a person, group, or institution, the Chief of Police will determine what information may be released, to whom, and in what manner.

B. Employees may share restricted information only with those necessary as part of an investigation, case management, or delivery of services.

VI. Specific Information Release

- A. Agencies with legal rights to information will be given information which is part of an investigation/case. These agencies are the Department of Social Services, Juvenile Services, Orange County District Attorney, Probation and Parole, the North Carolina Victim's Compensation Program and other law enforcement agencies.
- B. Driver histories, vehicle registration, and criminal histories maintained on the Division of Criminal Information computer system are available to Chapel Hill law enforcement personnel, the Orange County District Attorney, and defense attorneys for pending cases. Defense attorneys must present a court order or authorization from the Orange County District Attorney.
- C. Incidents involving residents of Chapel Hill public housing (name is on a lease) will be released to the Town of Chapel Hill Department of Housing.
- D. Schools, child care centers, medical facilities, and other public or private organizations that are responsible for the care of people will be notified if an employee, volunteer, or participant is arrested for a crime that could impact the people in the organization's care.
- E. The parent or guardian will be notified when a minor is charged with anything other than a moving violation for which three or fewer points are assessed under NC GS 20-16(c) per NC GS 15A-505(a).
- F. When a petition is filed alleging that a juvenile is abused, neglected, dependent, undisciplined, or delinquent, relevant information will be

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provided upon request to local mental health facilities, local health departments, the Department of Social Services, local law enforcement agencies, local school administrative units, the district attorney's office, Juvenile Services, and the office of Guardian ad Litem Services per NC GS 7B-3100.

- G. A juvenile or juvenile's parent, guardian, or custodian may examine and copy law enforcement records concerning the juvenile per NC GS 7B-3001.

- H. Information Released to Schools
 - 1. When a student, in grades kindergarten through twelfth (no matter what age), is charged with a felony, the principal of his school will be notified per NC GS 15A-505(c).
 - 2. An appropriate local school official will be notified when a student is arrested if the crime occurs during school hours or at a school-sponsored event.

- I. University of North Carolina at Chapel Hill
 - 1. When a UNC-CH student, due to being seriously injured or traumatized, is unable to make an informed decision, a Crisis Counselor will contact the Dean of Students in order to access resources for the student. **If the student is the victim of a sexual assault, that information will not be shared.**

 - 2. Illegal activity involving UNC-CH students will be reported to the appropriate University official. Only public information (Section I of this policy) will be given.

VII. Access to Crime Scenes and Other Incident and Event Locations

- A. The crime or incident scene area will be clearly marked to prevent all unauthorized persons from entering the area.

- B. The incident command officer will appoint a public information officer to be responsible for all information released to the public. Appropriate information will be released in a timely manner.

- C. Representatives of the media have the same access permitted to other members of the general public and will not be prohibited from entering into or photographing from any areas accessible to the general public.

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The limits of access granted to members of the general public will be determined by the requirements of the incident. When utilizing such access, media representatives are responsible for complying with all applicable laws, ordinances and regulations.

- D. As needed, media representatives will be informed about accessible areas, about areas that have been secured and restricted such as crime scenes, and about any particular restrictions that might apply.
- E. Media Assembly Area
 - 1. In some instances, to ensure that safety and necessary order are maintained, a media assembly area will be created to provide a designated location for media representatives and for the dissemination of information.
- F. Barricaded Areas
 - 1. In some instances, such as parades, rallies, and demonstrations, media representatives with appropriate press credentials may be admitted past police barricades and roadblocks that have been established to restrict entry by the general public. Such access will not be afforded to crime scenes or areas determined to pose unreasonable risk to health or public safety.

VIII. News Media Interactions

- A. News Media Input
 - 1. The Public Information Officer will communicate at least annually with representatives of the media to solicit their observations and proposals for changes in Departmental media procedures. The Public Information Officer will convey the input provided by the media to the Chief of Police for consideration.
- B. News Media Identification
 - 1. Members of the Chapel Hill Police Department may require adequate identification of media representatives prior to permitting them access to controlled or secured areas. The Chapel Hill Police Department does not normally issue credentials to media representatives and

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relies on media organizations to provide appropriate identification to their representatives.

C. News Media Conduct

1. If a member of the Department concludes that a representative of the media has not acted professionally, issue should be brought to the attention of the Public Information Officer. The Chief of Police and the Public Information Officer will determine whether follow-up contact with the media organization is appropriate and whether any additional actions should be taken.



Chapel Hill Police Department



Subject: Canine Program		Number: 3-7
Issued: 10-22-2004	Revised: 12-11-2006, 7-16-2012	Pages: 1 of 5

Policy: It is the policy of the Chapel Hill Police Department to maintain a canine program in order to enhance police services.

I. Responsibilities

A. Handler

1. Selection
 - i. Canine handlers will be selected through a process as described in Section II.B. of Policy 4-09, Specialty Positions.
2. Training
 - i. The handler and canine will:
 - a. Successfully complete Basic Canine Training.
 - b. Receive an average of sixteen hours of training per month, to include training by a qualified canine trainer, in-service training, and thirty minutes of training exercise each workday if feasible.
3. Care and Maintenance
 - i. The handler will:
 - a. Maintain control over the canine.
 - b. Provide routine care and nourishment.
 - c. Ensure that the canine is provided a clean and habitable living environment.
 - d. Ensure that the canine receives regular and emergency medical care.
 - e. Maintain all canine related equipment, including but not limited to the vehicle, portable kennel, and accessories.
 - f. Notify the Program Coordinator if the canine is ill or injured.
 - g. Notify the Program Coordinator of damaged or lost equipment.
4. Records
 - i. The handler will maintain the following records which are to be submitted to the Program Coordinator as requested:
 - a. Canine medical records
 - b. Training records
 - c. Incident/Investigation and Arrest Reports where the canine was used

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5. Personal Use of a Canine
 - i. The canine will not be used for any personal reasons, including but not limited to:
 - a. Breeding with other dogs, unless approved by the Chief
 - b. Hunting
 - c. Competition in canine shows unless approved by the Operations Commander
6. Return of Equipment
 - i. If the handler leaves the Chapel Hill Police Department or is assigned to other duties, all issued canine equipment will be returned within five working days.

B. Program Coordinator

1. The Program Coordinator will be appointed by the Chief of Police.
2. The Program Coordinator will:
 - i. Supervise the canine functions, ensuring that training criteria are met and all records are maintained.
 - ii. Schedule demonstrations of the canines.
 - iii. Inspect all canine equipment at least quarterly.

C. Chief of Police

1. The Chief of Police may remove a canine from duty at any time for the safety of the canine, officers, or citizens.
2. The Chief of Police will determine the disposition of the canine if the handler is being reassigned, leaves the department, or if the canine is removed from duty.

II. Procedures for Use of Canines

- A. The following factors will be considered in determining whether to use the canine:
 1. The nature of the offense or incident
 2. Danger to assisting officers
 3. Danger to the public
- B. Canines can be used for:
 1. Building Search

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2. Suspect Apprehension
3. Tracking (The attempt to locate a person whose whereabouts are unknown.)
4. Evidence Search
5. Controlled Substance Search
6. Handler Protection
7. Public Education/Demonstrations
8. Mutual Aid Request

C. Required Actions

1. Building Search

- i. Prior to a building search, the handler will:
 - a. Make a reasonable effort to ensure that no innocent people are inside
 - b. Announce the following warning three times, "this is the Chapel Hill Police Department. The building will be searched by a police dog. Exit the building now with your hands raised and you will not be hurt. If you do not exit, I will send the dog into the building. The dog will find you and may bite you."
 - c. Sufficient time should be given for the occupants to exit prior to releasing the canine.
- ii. The use of a cover officer will be at the discretion of the handler.

2. Suspect Apprehension

- i. Prior to using the canine for suspect apprehension, the handler must reasonably believe that the suspect has committed a crime or is about to commit a crime **and** that one of the following situations exist:
 - a. The suspect poses an immediate threat of violence or serious harm to the public, officers, or himself; or
 - b. The suspect is concealed in an area that would pose a danger to officers entering the area.

NOTE: Mere flight from pursuing officers does not serve as cause for canine apprehension.
- ii. The handler will provide a verbal warning, if feasible, before releasing the canine.

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3. Tracking
 - i. The canine remains on the lead.
 - ii. The use of a cover officer will be at the discretion of the handler.
 - iii. Requests for assistance by other law enforcement agencies will be approved by the on-duty supervisor.

- D. Canines will not be used for:
 1. Crowd Control
 2. Search of person for controlled substances

- E. Responding/Assisting Officers will:
 1. Determine if there is an immediate need for a canine.
 2. Secure the scene.
 3. Brief the handler and assist as needed.

- F. Injuries Injuries or Damages Caused by Canine
 1. In instances where a canine causes injury to a person or significant property damage, the handler will:
 - i. Have medical attention provided to the injured person.
 - ii. Notify the on-duty supervisor of the incident.
 - iii. Follow procedures as described in the Use of Force Policy.
 - iv. Refrain from making statements related to the incident to anyone other than authorized Town officials.

 2. In addition to the procedures listed in II.F.1 (above). In instances where a person is bitten by a canine and the bite punctures or lacerates the person's skin, the handler and canine program supervisor will:
 - i. Contact the legal office.
 - ii. Obtain copies of the canine's vaccination and most recent veterinary visit records.
 - iii. With the assistance of the legal office, comply with the notice requirements of NCGS 130A-196 by immediately notifying the Animal Control Director (designee of the Orange County Health Director) about the bite and providing the name and address of the person bitten and make a formal request that the canine be released from confinement to perform official duties.
 - iv. Ensure that the canine remains confined according to the specifications set by the Health Director, or his/her designee, when the canine is not performing official duties.

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G. Call Back

1. The on-duty supervisor will determine if a canine is required and the appropriate handler to contact.



Chapel Hill Police Department



Subject: Weapons		Number: 3-8
Issued: 1-28-2005	Revised: (1)12-11-2006 (2)1-2-2014	Pages: 1 of 10

Policy: It is the policy of the Chapel Hill Police Department to ensure the safety and security of departmental weapons as well as personal weapons used for department purposes.

I. Definitions:

- A. **Duty Firearm/Weapon:** Any departmentally owned firearm weapon that is issued for use to a specific officer.
- B. **Personal Duty Firearm:** A firearm that is not owned by the police department, but used or carried by an officer while on-duty.
- C. **Off-Duty Firearm:** A firearm that is not owned by the department, but is used by an officer for concealed carry while off-duty.
- D. **Departmental Pool Weapons:** Weapons owned and provided by the department for officers to use on-duty. These are Patrol Rifles, Shotguns, Tasers, and Bean Bag Less-Lethal Guns.
- E. **Training Firearms:** Firearms owned by the department that are used for training purposes only.
- F. **Specialty Weapons:** Firearms and Weapons used exclusively by qualified officers and members of the department's Special Emergency Response Team. These weapons include carbines, sub-guns, and precision rifles.
- G. **Armory:** The Armory is designated for secure storage of weapons and ammunition.

II. Storage and Usage of Departmental Weapons

A. Duty Firearms and Weapons

1. Duty Firearms shall be issued by the Head Firearms Instructor to officers who have successfully completed the course of qualification (Policy 3-2).
2. Firearms and weapons will only be issued to individual officers. They may not be issued to units or divisions.
3. Duty Weapons that are not firearms shall be issued by the Quartermaster to qualified sworn personnel only.
4. Duty Firearms, when carried in plain view shall be carried in holsters that are equipped with a retention device. Duty firearms and weapons must

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- always be carried in a holster or carrier specifically designed for that purpose.
5. The duty firearm for officers will be the .40 caliber Glock Model 22, 23, or, 27. The Model 27 is only authorized for officers on special assignments.
 6. While on duty or in uniform, unless the Chief of Police grants special permission, all officers will be armed with their issued duty firearm, ammunition, and Taser (if issued).
 7. Officers may only use factory loaded ammunition in departmentally owned firearms. While on-duty, officers may only carry ammunition that has either been issued by the department or approved for use by the Head Firearms Instructor.
 8. At no time will any officer be assigned more than two departmental handguns, without authorization from the Chief of Police.
 9. User level maintenance/cleaning are the responsibility of the individual officer. Officers shall inspect each piece of equipment for function and safety, prior to beginning each tour of duty.
 10. Duty firearms/weapons shall be stored in a manner that prevents access to unauthorized individuals. Firearms must be stored in a manner that complies with North Carolina General Statutes § 14-315.1(Storage of firearms to protect minors)
 11. Sworn Officers that are on full-duty status may carry their duty firearm concealed while off-duty. At no time shall minors or non-sworn personnel be allowed to handle a department weapon without explicit written permission from the Chief of Police.
 12. Officers may utilize their issued duty weapons for training when off- duty as long as that training is in accordance with the training they received to carry the weapon.
 13. When on duty or otherwise acting under the authority granted an officer by the Chapel Hill Police Department, an officer shall carry only weapons and accessories authorized by the Chief of Police and only after such training and qualifications with each weapon as required by law and department policy.
 14. When off duty, if carrying concealed by authorization of the Chief of Police, whether within or outside North Carolina, an officer shall carry concealed only department-owned firearms or privately-owned firearms with which he/she has qualified with the department. To receive the Chief's authorization to carry concealed, an officer must obtain the Chief's signature on the "Statement Concerning Carrying a Concealed Weapon" and must comply with all departmental regulations concerning concealed carry.
 15. When off-duty, an officer may carry concealed a privately-owned firearm with which he has not qualified only if he has obtained a concealed carry permit from the North Carolina sheriff of the officer's county of residence.

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This permit is valid only within North Carolina and other states which comply with the reciprocity provisions of N.C.G.S. 14-415.24.

16. When off-duty and beyond the officer's territorial jurisdiction, an officer's authority to use a weapon is subject to the same laws and rules which govern a private citizen's use of force.
17. Officers, on or off duty, will not have firearms or any other departmental weapons on or about their person while using or under the influence of any impairing substance or with the odor of any alcohol on their breath.

B. Personal Duty Firearms

1. All Personal Duty Firearms must be approved for use by the Head Firearms Instructor.
2. Officers must abide by departmental policies regarding personal weapons.
3. The primary duty handgun must be a .40 caliber Glock Model 22, 23, or 27*. (*The Model 27 is for officers on special assignments only)
4. Handguns carried on-duty as a back-up/secondary weapon must be no less than a .22 caliber, be no greater than a .45 caliber, and have a barrel length of no less than two inches and no more than six inches.
5. Back-up/secondary handguns shall be carried concealed.
6. Officers may only carry factory loaded ammunition that has been approved by the Head Firearms Instructor

C. Off-Duty Handgun Carry

1. All Off-Duty handguns must be approved for use by the Head Firearms Instructor.
2. Handguns carried in an off-duty capacity must be no less than a .22 caliber, be no greater than a .45 caliber, and have a barrel length of no less than two inches and no more than six inches.
3. Officers may only carry factory loaded ammunition that has been approved by the Head Firearms Instructor.

Section II(C) only applies to officers carrying a concealed handgun under their authority as a Chapel Hill Police Officer. The department does not regulate weapons carried under a civilian concealed carry permit.

D. Departmental Pool Weapons

1. Department Pool Weapons shall be stored in the following locations when not being carried on-duty:

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- i. Carbines/Patrol Rifles – Dedicated, locked storage cabinet. Only sworn supervisors and the Head Firearm Instructor are authorized to access the cabinet.
 - ii. Shotguns – Dedicated, locked storage cabinet. Only sworn supervisors and the Head Firearm Instructor are authorized to access the cabinet.
 - iii. Tasers – Dedicated, locked cabinet or in a locked cabinet dedicated for their storage when out of service by the Quartermaster. Only the Quartermaster and sworn supervisors are authorized to access the cabinet.
 - iv. Less-Lethal Bean Bag Shotguns – Dedicated, locked storage cabinet. Only sworn supervisors and the Head Firearms Instructor are authorized to access the cabinet.
2. All firearms, when out of service for maintenance, shall be stored in the Armory or in a secured location designated for that purpose by the Head Firearms Instructor.
 3. The following personnel will be issued keys to the pool weapon lockers:
 - i. Sworn Supervisors
 - ii. Quartermaster
 - iii. Head Firearms Instructor

E. Training Firearms


Training weapons are to be stored in the Weapons and Ammunition Storage Area of the Armory and may be signed out for authorized departmental training only. Training weapons must be returned to the Armory within 24 hours after completing training. Any exceptions must be approved by the Head Firearms Instructor.

F. Specialty Weapons

In an effort to reduce risk of injury or death to citizens and officers, it is the policy of the Chapel Hill Police Department to authorize the use of specialty weapons by qualified officers.

1. Definitions:
 - i. **Carbine:** A Colt AR15 or AR15 variant that fires 5.56mm/.223 caliber ammunition. The Carbine is a semi-automatic or select fire gas operated barrel weapon that is shoulder fired and fed by a detachable magazine.

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- ii. **Sub-gun:** The Colt SMG that fires 9mm ammunition. The Sub-gun is a blow back operated long barrel weapon that is shoulder fired and fed by a detachable magazine
 - iii. **Precision Rifle:** A bolt action rifle manufactured by Remington, Macmillan, or Robar that fires 7.62mm/.308 caliber ammunition. The scoped rifle is shoulder fired and has a scope mounted on the weapon. It is designed to deliver precision fire at extended distances.
1. Officers who have successfully completed the course of qualification will be authorized to carry and deploy semi-automatic carbines.
 2. Officers assigned to the Special Emergency Response Team who have successfully completed the course of qualification will be authorized to carry and deploy semi-automatic or select fire carbines and sub-guns.
 3. Officers assigned to the Special Emergency Response Team and selected as Marksmen by the Special Emergency Response Team commander will be authorized to carry and deploy scoped rifles.
 4. Specialty SERT Weapons shall be the responsibility of a designated member of the Special Emergency Response Team.
 5. The Team Commander shall designate one member of the team to be responsible for all weapons used by the team and relay this to the Head Firearms Instructor via written memorandum. This person will be referred to as the Team Armorer.
 6. The Team Armorer shall conduct an inventory of all specialty SERT weapons on a yearly basis and as requested by the Head Firearms Instructor.
 7. Specialty SERT weapon assignments shall be relayed to the Head Firearms Instructor by the Team Armorer at the onset and as they change.
 8. Specialty SERT weapons not assigned to active team members shall be assigned to the Team Armorer. Their security and upkeep are his responsibility.
 9. When not in service, specialty SERT weapons should be stored in the SERT Room 
 10. Specialty weapons may be deployed (in hand and available for immediate use) if one or more of the following situations exist:
 - i. Partial or complete activation of the Special Emergency Response Team
 - ii. The officer reasonably believes deployment is necessary to counter the threat or imminent threat of deadly force by a person possessing a weapon

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- iii. Hostage or barricaded subject situation
 - iv. The officer reasonably believes a suspect is wearing body armor
 - v. Any other situation, with permission of a supervisor
11. If an officer deploys a specialty weapon, it will remain in the possession of the deploying officer at all times.
12. Any pointing or discharge of a specialty weapon, whether intentional or accidental, will be reported immediately in writing to the Chief of Police through the officer's direct supervisor, as described in the Use of Force Policy (Number 1-1).

G. Armory

1. The Armory is divided into two secure sections:
 - i. Maintenance Area
 - ii. Weapon and Ammunition Storage Area
2. Current Firearm Instructors will have a key to access the Maintenance Area.
3. Keys to the Weapons and Ammunition Storage Area will be held by the Chief's designee and the Head Firearms Instructor.

III. Officers On Restricted Duty or Administrative Leave

- A. Any officer who has been placed on administrative duty or is otherwise serving in a restricted status shall immediately turn in their issued departmental weapons to the supervisor notifying them of their change in status.
- B. Officers that are on light duty status must only turn their weapons in if the Chief of Police deems it necessary.
- C. Officer's firearms collected pursuant to this policy must be turned in to the Head Firearms Instructor. All other weapons shall be turned into the Quartermaster. This shall be coordinated by the respective officer's Division Commander immediately following the notification of the affected officer.

IV. On Duty Injuries

- A. In the event an officer is injured on-duty and unable to maintain the security of their duty weapon, the on-duty supervisor shall:
1. Take custody of the officer's weapon(s)
 2. Note the make, model and serial numbers of all weapons on a receipt and provide the officer a copy of the receipt. The original receipt should be retained by the supervisor as documentation.

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3. Turn the firearms over to the Head Firearms Instructor
4. Turn any weapons that are not firearms over the Quartermaster
5. In the event the Head Firearms Instructor or Quartermaster is not available, the weapons must be locked in an evidence locker. The on-duty supervisor must notify the Investigations Supervisor, Evidence Technicians, Head Firearms Instructor, and the Quartermaster. The Head Firearms Instructor and Quartermaster will take control of the items as soon possible.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VI. Procedures for Controlling Pool Weapons

- A. Department Pool Weapons must be issued at the beginning of each tour of duty by the shift supervisor. Weapons must be signed out and returned by the officer that carried the weapon.
- B. To ensure the pool weapons are available should they be needed and evenly dispersed throughout the town, the patrol supervisor shall ensure all officers that are certified to carry pool weapons, are issued or carrying weapons at the beginning of each tour of duty.
- C. Officers will indicate the following information on the log when signing for weapons:
 1. Name
 2. Date and time removed and returned
 3. Weapon make and serial number
 4. Vehicle Number they are driving
- D. In the event a weapon is returned by someone other than the officer that checked out the weapon, the supervisor will print the returning officers name on the form indicating they returned it and the reason it was not returned by the officer that checked it out.

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- E. The incoming Patrol Supervisor must check the Firearms Sign-Out Log and the Taser Sign-Out Log at the beginning of each shift to ensure all weapons have been returned. The supervisor must sign the log indicating the date and time they completed the check. In the event a weapon has not been returned they must:
1. Immediately attempt to locate the weapon.
 2. If the weapon is not located they must notify their chain of command and send a memorandum to the Head Firearms Instructor if the item is a firearm. If the item is any weapon other than a firearm, the memorandum must be sent to the Quartermaster. The Head Firearms Instructor will assist in the search for firearms. The Quartermaster will assist in the search for weapons that are not firearms.
- F. In the event a weapon was not turned in properly or procedures were not followed the incident will be documented and investigated in accordance with the department's internal investigation procedures.

VII. Lost, Damaged or Stolen Weapon

- A. If a department weapon is lost or stolen, the officer will:
1. Immediately notify the on-duty supervisor. The supervisor will make notification through the chain of command to the Chief of Police and the Head Firearms Instructor or Quartermaster for non-firearms.
 2. If the weapon is a duty handgun, the Chief of Police may direct the Head Firearms Instructor to issue the officer a new handgun. The Training Division will coordinate with the officer and a firearms instructor for the officer to demonstrate proficiency with the newly issued handgun.
 3. Complete an Incident Report with the agency that has jurisdiction. This report will detail the circumstance of how the weapon was lost or stolen.
 4. Ensure the weapon information is entered into the proper DCI/NCIC weapons files. Provide copies of the Incident Report and NCIC entry form to their supervisor for inclusion into internal files. These copies will also be forwarded to the Head Firearms Instructor who will place them into the firearms file record and will include the appropriate notation (OCA, NIC, etc.) indicated in the departmental weapons inventory list.

VIII. Ammunition

- A. Ammunition that has not been issued for use shall be stored in the Weapons and Ammunition Storage Area of the Armory only.

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- B. A small amount of ammunition will be stored in the Maintenance Area of the Armory, for use when needed and the Head Firearms Instructor is not available.
 - 1. Any ammunition removed will be documented by the individual instructors on the Ammunition Tracking Form.
 - 2. All ammunition used will be accounted for on an Ammunition Tracking Form. An up to date ammunition inventory will be maintained by the Head Firearms Instructor.
- C. Department ammunition shall be used for official use only.
- D. Ammunition that has been issued and not used must be returned to a Firearms Instructor. The Firearms Instructor will return the ammunition to the department's inventory and indicate its return on the Ammunition Inventory.
- E. All Firearms Instructors shall have a key to the Firearms Trailer and Maintenance Area of the Armory issued to them. Keys are assigned and must be returned if the Firearms Instructor no longer serves.

IX. Firearms Tools and Cleaning Supplies

- A. Firearms cleaning kits shall be available for use by officers. The Head Firearms Instructor will ensure the kits are properly stocked and available for use.
- B. Only certified Armorers may perform maintenance beyond user level cleaning on firearms.
- C. Armorer tools and spare weapon parts for duty handguns will be stored in the Weapon Maintenance Area of the Armory.

X. Head Firearms Instructor

- A. The Chief of Police shall designate one sworn employee to be the Head Firearms Instructor.
- B. The Head Firearms Instructor is supervised by the Department's In-Service Training Coordinator.
- C. The Head Firearms Instructor's responsibilities are as follows:

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1. Management of the Departments Firearms In-Service Training Program, Firearms Instructors, and any firearms training activities.
2. Working under the Training Division to schedule, plan, develop and facilitate firearms training.
3. Management of the Chapel Hill Police Department Armory and firearms related training equipment.
4. Maintaining records pertaining to firearms training and the use of training weapons.
5. Maintaining inventories of all department owned firearms and ammunition. This will be coordinated by working with the departments Quartermaster.
6. Maintaining the sign out records for Department Pool Weapons that are firearms.
7. Upon appointment by the Chief of Police, the Head Firearms Instructor shall perform an inventory of all firearms and ammunition owned by the Chapel Hill Police Department.
8. All department owned firearms, ammunition, and tools shall be inventoried at least once every calendar year.
9. A random audit may be performed at the direction of the Chief of Police or his designee. Any inventory discrepancies shall be reported immediately to the Chief of Police.

XI. Quartermaster Responsibility in Regard to Departmental Weapons

A. The Departments Quartermaster shall be responsible for the following:

1. Issuing and maintaining inventories of all department weapons with the exception of firearms. This includes but is not limited to the following, impact weapons (batons), Tasers, chemical munitions, distraction devices, pepper spray, etc.
2. Managing the maintenance of all items listed in section II(D).
3. Maintaining the sign out records for Department Pool Weapons that are not firearms.
4. Coordination with the Head Firearms Instructor on procurement of weapons, ammunition, and related equipment in order to maintain sufficient stocks of supplies.
5. Upon appointment by the Chief of Police, the Quartermaster shall perform an inventory of all items defined in II(D) that are owned by the Chapel Hill Police Department.
 - i. These items shall be inventoried at least once every calendar year.
 - ii. A random audit may be performed at the direction of the Chief of Police.
 - iii. Any inventory discrepancies shall be reported immediately to the Chief of Police.



Chapel Hill Police Department



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Introduction: In an effort to enhance its services to the community, the Chapel Hill Police Department utilizes In-Car and Body-Worn Cameras. Our goal is to enhance both officer and citizen accountability and strengthen public trust by preserving factual representations of officer-citizen interactions while protecting civil liberties and privacy interests; to enhance evidence collection and training efforts, and to provide an additional means of documentation for administrative purposes.

Policy: This policy establishes procedures for the use, maintenance and control of the department's In-Car and Body-Worn Camera Systems.

I. Definitions:

- A. **Digital Mobile Video Recorder (DMVR):** Audio/video recording equipment designed for fixed installation in patrol vehicles (Digital format). Also known as an In-Car Camera.
- B. **Body-Worn Camera (BWC):** Audio/Video recording device designed to be worn on an officer's uniform.
- C. **DMVR/BWC Operator:** An officer who has been trained in the operation of a DMVR or BWC and who is authorized to use such equipment in the performance of their duties.
- D. **Trigger Event:** An event that causes the vehicle's DMVR or BWC to begin recording automatically.
- E. **Event Bookmark:** Term used to signify the various methods an authorized user can classify an event that has been recorded and set retention period including, but not limited to: Accident, DWI, Inspection, K-9 Search, Pursuit, Traffic Stop, Transport and Use of Force.
- F. **Recorded Media:** Material used to store data, including but not limited to DVD's, CD's and Digital Memory Cards.
- G. **Recording.** – A visual, audio, or visual and audio recording captured by any video or audio recording device operated by a law enforcement agency or law enforcement agency personnel when carrying out law enforcement responsibilities. This term does not include any video or audio recordings of interviews regarding agency internal investigations or interviews or interrogations of suspects or witnesses.

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H. **Disclosure:** Viewing/listening to a recording.

I. **Release:** Providing a copy of a recording.

J. **TSU:** Technical Services Unit.

II. Procedures

A. Officers and supervisors will adhere to the procedures listed below when utilizing DMVR/BWC equipment.

1. DMVR/BWC equipment installed in a vehicle or worn by an officer is the responsibility of the officer to whom that equipment is assigned. That officer will maintain, use and care for the equipment according to manufacturer's recommendations.
2. Prior to and throughout each shift, officers will ensure that all components of their DMVR/BWC equipment are working satisfactorily and will immediately report any problems to their supervisor. The officer will also notify the TSU and the Quartermaster of any malfunctions.
3. The TSU will be notified by the patrol supervisor if a vehicle is damaged when security of the DMVR may be compromised or where it might be further damaged from exposure. The TSU will arrange to have the unit removed from the damaged vehicle.
4. Once assigned a BWC, officers are mandated to wear it during their entire tour of duty. It will also be worn when working off-duty assignments or other special events where the uniform of the day is a class A or B uniform.

B. Failure to use a DMVR/BWC as described in this policy could result in disciplinary action up to and including termination.

III. DMVR/BWC Equipment Activation and Deactivation

A. It is understood that not all situations will clearly start out as requiring recording nor will all recorded incidents have a clear ending for when recording is no longer required. Officers are expected to follow departmental policy utilizing ethical and legal discretion when activating and deactivating their DMVR/BWC. DMVR/BWC shall remain on until an incident has stabilized or the officer leaves the scene.

B. The DMVR equipment is automatically activated when the vehicle's emergency warning devices are in operation, and when other trigger events

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occur such as a collision involving the police vehicle or exceeding a preset speed.

- C. The BWC is activated manually and will be utilized during the following circumstances:
1. Prior to any officer initiated field contacts involving actual or potential violations of the law including traffic stops, and pedestrian or vehicle contacts;
 2. Upon being dispatched to, and/or when responding to assist on, any and all calls for service, other than a call handled via telephone;
 3. When engaged with a citizen for the purpose of investigating or assisting in the investigation of suspected criminal activity; and
 4. While executing searches of individuals, personal property, vehicles, and premises. The body-worn camera will be used to record a request for consent to search and the granting or denial of that consent. This recording shall not replace the use of the Consent to Search Form as required by policy.
 5. As it pertains to designated checking stations, the body-worn camera may be off initially. Once an officer determines there is reasonable suspicion or probable cause to take enforcement action or detain the driver, the officer shall begin recording with their body-worn camera.
- D. DMVR/BWC equipment may be manually deactivated during the following circumstances:
1. If an officer is on a perimeter or assigned to a static post where he/she is not in contact with citizens or actively participating in the investigation. The body-worn camera will be reactivated if either of these conditions fails to apply.
 2. If it is necessary to discuss issues or concerns regarding an individual's mental or physical health condition. As soon as the private conversation is completed, the body-worn camera shall be returned to record mode so long as the situation still falls under the definition of required use.
 3. When interviewing victims of sexual assault: The officer shall inform the victim that he/she is being recorded, ask the victim if he/she would prefer not to be recorded, and honor that request.

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4. Officers will document the reason that the body-worn camera has been deactivated in the form of a recorded announcement on the body-worn camera prior to deactivation.
 5. In a residence, there is a heightened degree and expectation of privacy. Officers **shall** inform the resident that he or she is being recorded. If the resident wishes not to be recorded, this request should be documented by recording the request before the device is turned off. However, if an officer may enter a dwelling without the consent of the resident, such as when serving a warrant, or when the officer is there based on an exception to the warrant requirement, recordings should be made of the incident until its conclusion. **As a general rule, if the officer must legally ask permission to enter a premises, he or she shall also ask if the resident will allow recording.**
- E. Use of the body-worn camera or DMVR is prohibited in the following situations:
1. To record conversations involving Department employees that are not required to be captured pursuant to this policy.
 2. In places where a heightened expectation of personal privacy exists, such as locker-rooms, dressing rooms, or restrooms unless the recording is for the purpose of official law enforcement activities and no uninvolved parties remain present.
 3. To record confidential informants or undercover officers.
 4. To record strip searches; however, officers may video the location of the search immediately prior to beginning. While officers may not video the search itself, the camera may remain recording, but be turned away from the suspect so that an audio recording of the event may be captured.
 5. In patient care areas of a healthcare facility, officers should not record patients during medical or psychological treatment or evaluations by a medical professional other than to document injuries, or obtain statements, for official law enforcement purposes. Officers should take special care to ensure to record only the parties involved in the incident being investigated.
 6. To record communications between a defendant and his/her attorney.
 7. To record activities which are not official law enforcement functions.

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- F. Officers who have inadvertently activated the body-worn camera during non-law enforcement related activities and mistakenly recorded material that needs to be deleted (i.e. meal breaks, restroom breaks, etc.) shall make an email request to their Chain of Command to have the video deleted. This email request should explain the circumstances surrounding the inadvertent recording. If approved by the Division Commander he/she will notify TSU, to have the recording deleted and shall include the reason(s) for the request. Prior to deletion, the video in question will undergo a review by the TSU to ensure that the device only captured a non-law enforcement related recording. TSU is expressly prohibited from disseminating such videos in any way, or discussing such videos outside of the officer's chain of command. This section shall only apply to inadvertent recordings that are not made while carrying out law enforcement responsibilities, and are not subject to the provisions G.S. 132-1.4A.
- G. When an incident has ended, the officer will stop the recording and select the appropriate bookmark to classify the recording.
- H. Officers must ensure non-police related electronic devices within the police vehicle (i.e. music radios, CD players, etc.) are turned off when the in-car audio system is activated.
- I. Personnel shall never use or activate any video and/or audio recording devices to record other department personnel unless they are engaged in official law enforcement business. Activation of video and/or recording devices is limited to situations involving official police activities authorized by law, court order or investigations of violations of criminal law.
- J. Whenever possible, officers shall inform individuals that they are being recorded. If a citizen inquires as to whether a body-worn camera is in use or whether a recording is being made, officers shall provide a prompt and truthful response.
- K. The DMVR/BWC shall remain activated until the event is completed in order to ensure the integrity of the recording.
- L. Since the public may assume misconduct if an officer fails to activate the body-worn camera when they should have and as required by policy, the officer shall document said failure in his or her report, and shall make an email notification to his or her supervisor outlining the circumstances surrounding his or her oversight.
- M. All officers shall note in incident and/or supplemental reports when recordings were made during the incident.

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- N. If an incident involves a use of force by any officer on scene all reports will be written prior to reviewing any DMVR/BWC footage. After reports or statements have been documented an officer may review their own footage and amend their statements or report while preserving the original version.
- O. During incidents not involving a use of force officers are encouraged to complete their reports prior to viewing any DMVR/BWC footage. In the event a review of footage is necessary to accurately complete a report, the officer will make note of this need in their report. Additionally, they will make note of what information was gained by this review.
- P. To enhance the services provided to the community, officers may only use video captured by their assigned DMVR or body-worn camera to assist with investigations and evidence collection; and to improve and or enhance the accuracy of officer reports and courtroom testimony. Recordings are not a replacement for written reports, and officers shall not use statements such as, "refer to video", etc. as a substitute for a thoroughly detailed reporting of an incident. The video of an incident should serve as a visual support or enhancement of the written report. No recording shall be disclosed or released except as provided in this policy.
- Q. It is understood that there may be certain instances where officers operating in a self-initiated (non-dispatched) capacity may become involved in a situation requiring immediate action to prevent injury, make an arrest, and or prevent the destruction of evidence or escape. If the immediate activation of the body-worn camera or DMVR is not reasonable due to the circumstances, the officer will activate their body-worn camera or DMVR at the first available opportunity after the immediate threat has been addressed. Supervisors will closely review documentation of such incidents to ensure exigent circumstances did in fact exist.
- R. Officers will not attempt to erase, alter or tamper with DMVR/BWC recordings.
- S. Officers will ensure that the vehicle's DMVR/BWC has an adequate amount of free recording space to complete their tour of duty. The TSU will upload memory cards on a regular schedule. Officers will notify TSU and their immediate supervisor when recording space is 75% full.
- T. Officers must login to the DMVR/BWC at the start of their tour of duty and remain logged into the application until their tour of duty has ended. Officers will test each system at the beginning of each tour of duty to ensure it is completely operable.

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- U. The TSU or their designee will remove all memory cards and upload all video from the DMVR.
- V. Field Training Officers will be responsible for training new officers in the operation of DMVR equipment and will document that training.
- W. BWC training will be done on an individual basis as cameras are assigned.

IV. Retention and Management of Recordings

- A. The retention period for the video will be set based on the following criteria, following the town’s adopted retention schedule:

Type of Event	Retention Period
Pursuits	3 Years
Misdemeanor Case File	3 Years
Citizen Complaint	3 Years
Use of Force/Alleged Injury Incident	3 Years
Vehicle/Equipment Inspection	30 Days
Traffic Stop	90 Days
Emergency Incident Response	90 Days
Field Contact	90 Days
Prisoner Transport/Custodial Interview	90 Days
Non-custodial Interview	90 Days
Search	90 Days
Felony Case File (Including traffic felonies)	30 Years
Homicide Case File	Indef.

- B. All recordings shall be labeled with the longest retention policy which applies (i.e. a traffic stop which results in a DWI arrest should be labeled as a Misdemeanor or Felony Case File, depending on the level of the DWI charge).
- C. All recordings are subject to being erased after the designated retention period unless a longer retention period has been identified for court or investigative purposes.
- D. An officer, through their supervisor, may request a copy of a video or for the retention period to be extended for court purposes. This request will be in writing, from the supervisor to the TSU (can be through e-mail). Any supervisor can request a copy of a video or for the retention period to be extended for evidentiary purposes, internal investigation, or for training purposes.

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- E. Recordings will only be released to attorneys upon the presentation of a valid order issued by the superior court that has jurisdiction in accordance with section VI below.
- F. Officers who need recordings duplicated for court must make the request at least 48 hours prior to the court date.
- G. All recordings are the property of the Chapel Hill Police Department. Officers will not duplicate recordings for personal use.

V. Review of Recordings

- A. As part of the 28 Day Reporting Process, supervisors will review a minimum of 4 videos per officer. These videos should be randomly selected and consist of 2 traffic stops (body worn camera footage), 1 incident response (in-car camera footage), and 1 citizen interaction (body worn camera footage) such as an arrest or incident report.
- B. The following videos are not part of the 28 Day Reporting review process, since they are already reviewed pursuant to other policy mandates; vehicle pursuits, uses of force, and video's included in internal investigations.
- C. If the supervisor finds something during the video review that needs to be addressed, it should be resolved in the following manner;
 - 1. If the issue concerns constructive feedback that does not amount to a violation of policy, law, serious performance deficiencies, or serious safety concerns, the supervisor will document the event and corrective action in the employees EPMDS log. The reviewing supervisor must document the OCA (if applicable), date, time, and a brief description of the video, and a brief synopsis of what they saw in the officers EPMDS log or attach it thereto.
 - 2. If the issue concerns potential violations of policy, law, serious safety or performance deficiencies, the incident should be documented and forwarded through the chain of command via Blue Team.
- D. Officers may view their own recordings; however, they may not duplicate the recording. Officers must properly bookmark applicable events.
- E. Officers may view their own body-worn camera and DMVR recordings for law enforcement purposes only. Officers may not upload and view recordings from body-worn cameras assigned to other officers unless necessary for the performance of a supervisory function or administrative assignment.

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- F. All recordings are subject to be reviewed during an internal investigation.
- G. Except as provided in Section VI below, videos will not be shown to other employees or for training purposes.
- H. Any video that is evidence in an active internal investigation will not be viewed by other employees or accessible for training purposes.

VI. Disclosure and Release of Recordings

The Chapel Hill Police Department is committed to openness and transparency in its relationship with members of the public. Accordingly, the sharing of information is encouraged. Absent a compelling investigative reason as articulated by the Chief of Police, our intention is to **always** disclose to authorized persons as fully as is allowed by the law.

A. Disclosure or Release for Law Enforcement Purposes

- 1. A recording shall be disclosed or released without a court order to a district attorney for the following purposes:
 - a. To evaluate the need to initiate criminal charges;
 - b. To comply with discovery requirements in a criminal prosecution;
 - c. For use in criminal proceedings in district court;
 - d. Any other law enforcement purpose.
- 2. A recording may be disclosed or released for the following purposes, with the approval of the Office of Professional Standards or the Chief of Police:
 - a. For law enforcement training purposes
 - b. Within the custodial law enforcement agency for any administrative, training, or law enforcement purpose.
 - c. To another law enforcement agency for law enforcement purposes.

B. Disclosure

- 1. A recording can be made available for viewing or listening, to a person whose image or voice is in the recording, or to a personal representative of a person whose image or voice is in the recording, including:
 - a. A spouse, attorney, or court-appointed guardian of an adult person who has consented to the disclosure;
 - b. A parent, attorney, or court-appointed guardian of a minor;

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- c. A spouse, attorney, or court-appointed guardian of an incapacitated adult;
 - d. A personal representative of a deceased person.
2. Any request for disclosure, regardless of the manner in which it is presented, will be received and documented immediately on the designated request form, directed to the Chief of Police, and must indicate with reasonable accuracy the date and approximate time the recording was made, or otherwise sufficiently identify the event or events subject to the recording.
3. Upon receipt of request for disclosure, the Office of Professional Standards will request a copy of the video from the Information Technology Division (IT) staff. The IT staff will produce a copy of the video upon request.
4. The recording will be initially located and reviewed by the Office of Professional Standards. The relevant portion of the recording will be forwarded to the Chief of Police.
5. The Chief shall review the contents of the recording for which disclosure is sought, and shall carefully consider the following:
 - a. The need to protect an internal or criminal investigation;
 - b. The existence of any legal impediments to disclosure, such as confidentially laws;
 - c. The likelihood disclosure may endanger the safety or reputation of a person, reveal information of a highly sensitive or personal nature;
 - d. Whether the recording contains material of a highly sensitive or personal nature;
 - e. Whether the recording contains material likely to present a serious threat to the fair administration of justice.
6. A decision to deny disclosure or to allow a disclosure as requested in whole or in part (after redaction), shall be made within 3 business days if feasible, or as soon as reasonably practicable. Disclosure may be limited to un-redacted portions of the requested recording.
7. If allowed, the Office of Professional Standards will promptly provide the authorized party a date, time, and location to view or hear the recording. Only those portions of the recording that are relevant to the request will be disclosed. It is a violation of State law for any party to make any copy of the recording subject to disclosure.

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8. If denied disclosure of a recording in whole or in part, the Office of Professional Standards will promptly notify the requesting party of the right to appeal a denial of disclosure to the Superior Court with jurisdiction.

C. Release

1. Any person (including individuals depicted in a recording and their representatives, law enforcement personnel, media, and other members of the public) who desires a copy of a recording must initiate an action in the Superior Court with jurisdiction for an order releasing a recording. The Chapel Hill Police Department will release a recording in compliance with such order.
2. Upon receipt of request for disclosure, the Office of Professional Standards will request a copy of the video from the Information Technology Division (IT) staff. The IT staff will produce a copy of the video promptly upon request.
3. The recording will be initially located and reviewed by the Office of Professional Standards. The relevant portion of the recording will be forwarded to the Chief of Police.
4. Once approved, the Office of Professional Standards will arrange a meeting time and place for the complainant to review the video.



Chapel Hill Police Department



Subject: Use of Information Technology Resources		Number: 3-10
Issued: 2-24-2006	Revised: 5-12-2006, 12-20-2012	Pages: 1 of 7

Policy: The purpose of this policy is to outline the acceptable use of the Department's Information Technology (IT) systems. This policy is in place to protect our employees and the Department. Inappropriate use exposes the Department to risks including but not limited to virus and malware infection, compromise of network systems and services and possible loss or corruption of data.

I. Monitoring and Privacy

- A. CHPD has the right to monitor, audit, and or inspect any and all aspects of the Department's electronic technology resources without advance notice to any user. Personnel within scope of this policy are advised that they have no privacy rights and that there is no reasonable expectation of privacy when using Department IT systems and resources.
- B. CHPD does not guarantee the confidentiality of user information stored on any network, computer, or communications device belonging to the Department. CHPD users should be aware that the data they create on Department technology or communications systems remains the property of the Department and is not private (unless the data is protected by privacy or confidentiality laws). Information that is stored on or transmitted to or from CHPD systems may be subject to disclosure pursuant to the North Carolina Public Records Law.

II. Acceptable Use

Employees are expected to utilize CHPD technology resources responsibly and professionally and with respect to others. Unless otherwise authorized in the performance of a particular job duty, CHPD technology resources are limited to the following usage:

- A. Employees will not send, store or cause to be received any electronic information that would discredit the Department or its employees. Examples of inappropriate use include, but are not limited to, messages, websites, images, videos or audio containing racist, sexist, sexually explicit or harassing content. (See Rules and Regulations Policy 3-1, Section 1.B)
- B. Employees will not send, copy, email or store any Departmental records, reports, videos, audio and any other data or file to a web based storage medium. This includes but is not limited to Drop Box, Microsoft SkyDrive, Google Gmail, or any web based email or storage provider.

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- C. Computer use that violates or infringes on the rights of others including the right to privacy and defames others is prohibited. Employees are prohibited from computer use that constitutes illegal activities or encourage illegal activities.
- D. Employees will not knowingly access Internet websites, send or store records, images, videos, audio and any other data that compromises the integrity of the Department and its mission or reflects negatively on the Department or the Town in any way. This prohibition includes visiting websites or sending, receiving or storing records, images, videos, audio and any other data that contains material inappropriate for a workplace. Material that is inappropriate for the workplace includes, but is not limited to, material that is abusive of another, obscene, pornographic, or that offensively addresses another's age, gender, race, ethnicity, sexual orientation, religious beliefs, national origin or disability.
- E. Employees may use Departmental technology resources to transmit and receive electronic information for personal reasons, unless such use disrupts effective operation of the Department, violates policy, interferes with the duties of the employee or compromises the security of the network.
- F. All electronic information stored in, transmitted or received via Departmental technology resources is considered the property of the Chapel Hill Police Department.
- G. Instant Messaging (IM) is prohibited except as part of a Police investigation. This does not include communication that is part of Department provided software, such as car-to-car messaging.

III. Use of Email

- A. Email communications are public records and employees should not presume any expectation of privacy. Email messages transmitted through the Department's email system or IT network are the property of the Department and are subject to inspection at any time.
- B. Employees will not send email messages to any group in the address book that is outside of the Police Department without the approval of a command staff member.
- C. Employees will not open suspicious or executable attachments to email messages as such attachments may damage equipment and compromise the security of the computer and network. Executable files include but are not limited to the following file extensions: .exe, .pif, .scr, .vbs and .zip.

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Suspicious PDF attachments, Microsoft Word attachments and any clickable links sent via email from an unknown sender should never be opened or clicked on.

- D. Department email shall not be used for any illegal, unlawful or offensive purposes. Material that is inappropriate for the workplace includes, but is not limited to, material that is abusive of another, obscene, pornographic, or that offensively addresses another's age, gender, race, ethnicity, sexual orientation, religious beliefs, national origin or disability.

IV. Security

- A. CHPD computer systems and network security must be maintained at all times. Employees who use CHPD technology resources must have a valid user ID and password whenever required. Users must take all reasonable precautions, including but not limited to: safeguarding passwords, maintaining reasonable physical security around CHPD computer equipment, and locking or logging off unattended workstations. Employees are prohibited to leave a PC or laptop unattended without first logging off or locking the computer.
- B. A user who is actively logged on to a CHPD computer system is responsible for any activity that occurs whether or not they are present.
- C. Employees may not install or upgrade any software from any source either internal or external without the prior approval of TSU. This includes, but is not limited to; freeware, shareware, personal software, browser plug-ins, video players, audio players; video and/or audio codecs, browser toolbars, freeware screensavers, online games or any other unauthorized software.
- D. Employees may not connect, attach, insert or play any media on Department technology resources from an unknown source. This includes but is not limited to USB drives, CD or DVD discs, media players or any media or devices from an unknown source.
- E. Prior to initial use on the CHPD network or related infrastructure, all devices must be approved by TSU.
- F. Employees who identify or perceive an actual or suspected security problem shall immediately contact the TSU help desk.

V. Administrative Privileges

For security reasons, administrator-level network, server, and PC access, is limited to TSU support staff and or their designees. Administrator privileges will not be

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extended to users in order for software to operate. Software vendors are responsible for providing software that will operate without administrator privileges.

VI. Passwords and User System Access

The Technical Services Unit (TSU) is responsible for the creation, assignment, modification, revocation and deletion of all user accounts for CHPD IT systems. The level of access provided to the network, servers, applications, desktop, laptop and MCT computers will be administered by the Technical Services Unit (TSU) based upon the job tasks for the individual user.

Users are responsible for protecting their passwords and access to assigned accounts (network, systems, applications, etc.) at all times.

PASSWORD AND ACCOUNT DO'S

- Passwords must be changed every 90 days.
- Create strong passwords (greater than eight characters, mixed case, mix letters numbers and symbols, use long passphrases when possible).
- Log off unused systems, and or utilize password protected screen savers.
- Compromised passwords/accounts must be reported to the Technical Services Unit (TSU) immediately.

PASSWORD AND ACCOUNT DON'TS

- Do not use weak passwords (simple words, names, personal dates, all alpha, all same case, predictable patterns, e.g. 12345, zyxw, asdf, etc.).
- Do not use dictionary words or proper names
- Do not share, distribute, document or give your password to anyone verbally, electronically or in written form for any reason. Your password belongs to you and only you.
- Do not use personal, non-Department system passwords (e.g. home email, home Internet, eBay, etc.) as passwords for Department systems.
- Do not reuse the same password for multiple systems or web sites.
- Do not store passwords electronically unless they are encrypted and inaccessible to others.

VII. Physical Security

A. CHPD IT systems (network, servers, systems etc.) will be physically secured by the Technical Service Unit (TSU).

1. Access to the server room, disaster recovery site, and network infrastructure is limited by lock with access granted to authorized personnel only.

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2. Media such as daily and monthly backups, in-car camera recordings, and in-building security camera recordings will be stored in a secure area with access granted to authorized personnel only.
- B. Users are responsible for the physical security of assigned technology resources.
1. Employees should exercise precautions to ensure that their computer and associated hardware is not exposed to accidental beverage spills or any preventable environmental hazard.
 2. Mobile Communication Terminals (MCT's) will be removed from patrol vehicles when the patrol vehicle is taken out of service for maintenance. The MCT should be returned to the Watch Commander's office to be secured until the vehicle is back in service.

VIII. Mobile Devices

"Mobile device" refers to any portable electronic device which allows for the processing, receiving and sending of data without the need to maintain a wired connection with the internet. Examples include smart phones, cell phones, personal digital assistants (PDA's), laptops, tablet personal computers and mobile handheld devices.

- A. Mobile devices must be appropriately secured to prevent sensitive or confidential data from being lost, compromised or wrongly disseminated.
- B. All smart phones or tablet PC's that fall under the guidelines listed above must be password, PIN or pattern lock protected. Devices must be locked when not in use and be configured to auto lock when not in use. The use of unprotected devices to access or store confidential or public record data is prohibited.
- C. All public records and confidential data shall be removed from the mobile device before it is returned, exchanged or disposed of. This applies to both Department and personally owned smart phones or mobile devices. In the event of a lost or stolen device, it is incumbent on the user to report the incident to TSU immediately. Please note that in certain situations a device may have its data remotely wiped (erased) in order to ensure that the Town can protect its interest. Users should be aware that wiping a device will delete all data on the device and restore the device back to the original manufacturer's standards.
- D. Approved user owned personal smart phones and personal tablet PC's are permitted to connect to the CHPD Exchange Server through

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ActiveSync. All other remote connections are prohibited unless approved by TSU.

- E. Any mobile device that has been modified to remove the limitations and security controls imposed by the manufacturer or associated cellular carriers are prohibited from accessing the Department's network.
- F. Support for the usage, functionality and technical specifications of personal smart phones, tablet PC's and other personal mobile devices is the responsibility of the employee.
- G. Non-sanctioned use of personal devices to back up, store and otherwise access any enterprise related data is strictly forbidden.
- H. Mobile Communication Terminals (MCT's) shall only be removed from a vehicle with supervisor approval or in the event that the vehicle will be taken out of service for maintenance. The MCT should be returned to the Watch Commander's office to be secured until the vehicle is back in service.
- I. Mobile printers shall only be removed with supervisor approval and must be returned to TSU or the Watch Commander's office.
- J. Employees shall not attach or affix any unauthorized accessories to any computing device such as dry erase boards, portable writing surfaces or deface the equipment in any way with markers or stickers unless authorized by TSU.
- K. Bluetooth enabled computer accessories and peripherals are prohibited for in vehicle use. Mobile Communication Terminals (MCT's) Bluetooth functionality is disabled.

IX. Storage Media Recycling and Disposal

- A. The purpose of this section is to ensure that all digital media is properly recycled or disposed of for reasons pertinent to data security, software license protection, and in compliance with environmental regulation.
- B. If a hard disk, tape, CD, DVD, ZIP disk, diskette, or other storage device can be re-used, users should erase the existing data from the device and continue to use it, or make it available for someone else to use. If the digital media is unusable, is no longer needed, or cannot be reused due to security concerns it should be sent to TSU for destruction.

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- C. Non-recyclable or unusable media must be completely erased using a disk sanitizer utility. If that is not possible, the media will be physically damaged in a manner to render it unreadable by any device.

X. Surplus

The Technical Services Unit (TSU) is responsible for the disposition of all surplus technology related hardware and software in coordination with the Department's Surplus Designee. All unassigned, unallocated, or otherwise unneeded technology related equipment or software must be returned to TSU.

XI. Hardware & Software Standards, Procurement and Installation

The Technical Services Unit (TSU) is responsible for establishing standards, procuring, maintaining inventory and installing technology and software applications required for CHPD operations. TSU is also responsible for engaging and managing relationships with technology vendors for the Department.

All software installation media must be stored and maintained by TSU.

XII. Technology Support

TSU has sole responsibility for technical support to users for all CHPD IT systems and infrastructure. Unless TSU has specified otherwise for a particular system, users should always contact TSU for all Department related Technology needs. Technology resources shall not be tampered with, modified or defaced in any way.

XIII. Security Awareness Training

Basic security awareness training shall be required within six months of initial assignment and biennially thereafter for all personnel who have access to Criminal Justice Information (CJI). Training must be documented, kept current and maintained by the Department.



Chapel Hill Police Department



Subject: Collection, Submission, and Disposal of Evidence and Property

Number: 3-11

Issued: 5-12-2006

Revised: (3)9-18-2012 (4)12-4-2013

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Policy: It is the policy of the Chapel Hill Police Department that physical evidence and other property coming into police custody are collected, preserved and disposed of according to professional law enforcement best practice.

I. Definitions

- A. **Evidence** is any item that may be submitted in a court of law in the prosecution of a crime.
- B. **Officer notes** are the original hand-written documents created by a responding or investigating police officer.
- C. **Suspicious property** is property that appears likely to have been stolen or is otherwise related to a criminal offense.
- D. **Weapon for safekeeping** is any weapon that has been collected in order to protect a person or person(s). Situations in which confiscation of a weapon would be appropriate may include, but are not limited to, domestic disputes, mental health issues, or suicide threats.
- E. **Surrendered Weapon** is a weapon that is surrendered to the police department by its lawful owner.
- F. **Electronic media** is an object or device that is capable of storing digital evidence through electronic, magnetic, or other means. Electronic media includes computers, memory cards, compact disks, video tapes, personal digital assistants, digital cameras, and cell phones.
- G. **Digital evidence** is data, files, images, records, or other information that is stored on electronic media. Digital evidence is the information stored on media, not the media itself.
- H. **Personal Video Recorder** is any machine or device that is capable of making a digital audio/video recording for non-commercial use.
- I. **Found property** is any item turned in to or collected by the police department that has no evidentiary value.
- J. **Prisoner property** is any item taken from a person who is incarcerated.

II. Collection of Evidence from a Crime Scene

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- A. The responding officer determines what significant evidence is present and needs to be collected, preserved or protected through means such as photographing, sketching, noting the location of evidence, collecting latent fingerprints and the gathering of physical evidence.
- B. If the responding officer needs assistance in collecting evidence, the patrol supervisor will contact an Investigations supervisor or on-call investigator.
- C. Biohazards and sharps will be handled in accordance with Policy 2-1, Bloodborne Pathogens Exposure Reduction and Infection Control Procedures
- D. Digital evidence should be collected only by personnel trained to do so.

III. Packaging, Storing, and Submitting Evidence and Suspicious Property

- A. Evidence and suspicious property will be packaged in an appropriate type and size container, sealed with evidence tape, labeled with the item number, case number, date, description, and location where the item was found.
- B. Evidence will be sealed with the collecting officer's initials, date, and time written on the seal.
- C. Evidence and suspicious property will be submitted by storing in an evidence locker, storing in the locked evidence lab, or giving it directly to a Forensic and Evidence Specialist.
- D. All evidence and suspicious property must be accompanied by an evidence voucher. The voucher narrative will include handling instructions, e.g. hold for court, process for latent evidence or send to the SBI for analysis.
- E. Unique Storage Situations
 - 1. Firearms
 - i. Firearms must be unloaded prior to submission into evidence.
 - ii. No weapon that is unsafe will be submitted.
 - iii. Officers who seize weapons from the lawful owners for safety reasons will explain in the voucher narrative the reason for taking the weapon.
 - 2. Illegal Drug Items

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- i. Illegal drug items (including drugs, paraphernalia, money, etc.) will be packaged in separate containers to avoid contamination.
 - ii. Drug samples must be counted and weighed prior to submission.
 - 3. Bio-Hazardous Materials and Sharps (items that have been exposed to human body fluids, excretions, or secretions) will be handled in accordance with Policy 2-1, Bloodborne Pathogens Exposure Reduction and Infection Control Procedures.
 - i. Contaminated items will be handled with the proper protective equipment, consisting of gloves, masks or other items deemed necessary for safety.
 - ii. Precautions will be taken to properly secure the container without exposing the contents.
 - iii. The container will be clearly marked with biohazard stickers.
 - iv. Needles and syringes will be packaged in puncture-resistant containers and clearly marked with biohazard stickers.
 - v. Knives and other sharp instruments will be packaged in a manner to protect the handler(s) from the exposed blades or sharp edges. The container will be clearly marked with biohazard stickers.
 - vi. Wet Contaminated Items
 - a. Wet contaminated items will be placed in the putrifaction room.
 - b. A voucher will be placed in the receptacle by the door.
 - c. The Forensic and Evidence Specialists will package and label items when they have properly dried.
 - vii. Wet items (not exposed to human body fluids, excretions, or secretions) will be hung in the drying closet until dry.
 - viii. All money will be counted by two officers. Both officers will participate in the packaging of the money. Both officers will initial, date, and time the package's seal.
 - ix. Electronic devices such as computers and cell phones will be turned off prior to being placed in an evidence locker. Laptops and cellular phones should have their batteries removed if possible.

IV. Officer Notes

A. Notes concerning the following crimes must be saved:

- 1. Felonies
- 2. Misdemeanors that will be tried with a felony crime
- 3. Misdemeanors that are reasonably likely to become felonies, e.g. a traffic charge may become a felonious Death by Vehicle if the person who was struck dies.

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- B. Officer(s) original handwritten notes will be retained so that they are available when needed for court. Investigators can maintain their notes in case files.
- C. When an officer leaves a division or employment with the department, they will provide the division supervisor all of their original files. The officer may keep copies for court purposes.

V. Personal Audio and Video Recorders

Utilization of a personal audio/video recorder is categorized as on-duty conduct and as such may be monitored or regulated at the discretion of the Chief (see CHPD policies 3-1 generally and 4-4(III)(A)).

VI. Examination of Digital Evidence

- A. Digital Evidence will be examined by a computer forensic examiner in accordance with generally accepted practices.
- B. Legal authority to seize electronic media does not necessarily constitute legal authority to examine digital evidence contained on that media. Employees will ensure that a search warrant or other appropriate legal authority has been secured prior to examining digital evidence.

VII. Release and Disposal of Evidence and Property

- A. North Carolina Statutes, court orders, and/or department policy controls release and disposal of evidence and property.
- B. Any evidence that has been or could be tested for DNA evidence will not be disposed of. This includes, but is not limited to sexual assault kits, swabbings, human tissue or fluid, and samples taken from cadavers.
- C. All other evidence and suspicious property will be disposed of by a Forensic and Evidence Specialist in accordance with Chapter 15 of the North Carolina General Statutes.
- D. When property is turned over to the Courts, a chain of custody form must be signed by the Court official and returned to a Forensic and Evidence Specialist.
- E. When a case is disposed of and/or the property owner has been established, the property may be returned to the owner, except as

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described in (weapons) below. The owner will sign the chain of custody form.

- F. Before releasing or destroying any property except for found items, the Forensic and Evidence Specialists must have written authorization on file for property release/destruction, executed by:
1. The submitting officers, or
 2. The assigned investigator, or
 3. The district attorney or an assistant district attorney, or
 4. An order issued by a court of competent jurisdiction
- G. Citizens must present proper identification to the Forensic and Evidence Specialist prior to any property or evidence being released. If the investigator or officer that turned the evidence/property in to the Evidence Section is not available to release the property to the requesting person, the property can only be released with authorization documented on the property voucher. Authorization on the voucher shall include the following:
1. The number of the item which may be released, i.e. "item #3 may be released".
 2. The name of the person who the item may be released to, i.e. "release to John Smith with proper identification".
 3. Any special conditions of the release, i.e. "release with proof of ownership".
 4. The requesting person must show proper identification before the property can be released.
 5. Any serial numbers will be verified on property before releasing the item to the person.
 6. **If there is any question as to ownership of any evidence or property, the officer will contact his immediate supervisor and/or the department Legal Advisor.**
- H. Upon the issuance of a specific court order, certain property may be turned over to the Police Department for departmental use. A Forensic and Evidence Specialist will prepare a list of any such property and submit it through the chain of command to be reviewed by the Chief. The Forensic and Evidence Specialist will maintain a file of the property given to the department.

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- I. Vehicle Registration Tags collected as evidence in an arrest for improper registration, or other similar traffic offenses can be returned to the registered owner, once court disposition is known or as authorized by the investigating officer. Unclaimed tags will be returned to DMV.
- J. All destruction of property will be performed by the Forensic and Evidence Specialist(s) and witnessed by an investigations supervisor. All parties involved in the destruction of evidence will sign records attesting to the destruction, which will be maintained in the evidence file.

VIII. Weapons

- A. NCGS 15A-285 authorizes a law enforcement officer to exercise control over the property of another when doing so is urgently necessary to save life, prevent serious bodily harm, or avert or control public catastrophe. Weapons held for safekeeping will be returned to the owner or other designated person when ordered to do so by the Court.
- B. A weapon may be surrendered, by its lawful owner, to the Chapel Hill Police Department. Any weapon surrendered to the Chapel Hill Police Department will be disposed of in accordance with Chapter 15 of the North Carolina General Statutes. The owner surrendering the weapon must sign a Weapons Disposal form.

IX. Other Property

- A. Found Property
 - 1. All found property, except for bicycles, will be logged into evidence.
 - 2. A property voucher must be completed in the computer, documenting the appropriate category. The property will be stored in an evidence locker. This will also be documented in an incident sheet.
 - 3. A Forensic and Evidence Specialist will log in the property and transfer it to a secure location.
 - 4. Bicycles, with a tag containing OCA number and date, will be placed in the outside storage unit. A property voucher must be completed in the computer and documented in the incident sheet.
 - 5. Found property shall be held for at least 180 days from date of receipt. If after the 180-day holding period, the officer is unsuccessful in locating the owner of the found property by using all

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means available (RMS, DCI, contacting other agencies) and the original owner has failed to file a lost property report, then the found property shall be disposed as follows:

- i. If the finder of the property requests in writing that the property be returned to him/her, then the property can be returned to the finder.
- ii. If the finder of the property does not request that the property be returned to him, then the property will be treated as unclaimed property and should be disposed of in accordance with the unclaimed property procedures.
- iii. Bicycles may be returned to the finder after a 60-day holding period from date of receipt.
- iv. **Police personnel are not considered finders.**

C. Prisoner Property

1. Prisoner property, with the exception of bicycles and firearms, will be placed in the Records Division.
2. Valuables that can be carried on the inmate's person such as wallets, currency, credit cards and jewelry will be transported with the prisoner to the Orange County Jail or other detention facility.
3. Prisoner property retained at the Chapel Hill Police Department will be entered into the property and evidence module.
4. Officers will generate a property voucher and attach it to the retained prisoner property.
5. Records Division personnel will log in the property and store it in a secure location.
6. Bicycles, with a tag containing OCA number, date, and prisoner's name, will be placed in the outside storage unit. A copy property voucher should be generated and left for the records supervisor.
7. Inmate firearms will be packaged and submitted to the Forensic and Evidence Specialist for safekeeping. Inmate firearms will be disposed of in accordance with Chapter 15 of the North Carolina General Statutes by a Forensic and Evidence Specialist.

D. Found property and prisoner property will be disposed of in accordance with Chapter 15 of the North Carolina General Statutes.

X. **Unclaimed Property Disposal Procedures**

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- A. Unclaimed Property that has been seized, recovered, or otherwise received shall be disposed of according to NCGS 15-12 through 15-16 to include:
1. Waiting period: at least 180-days (60 days for bicycles) from date of receipt
 2. Notice of Unclaimed Property: After the 180-day waiting period, a notice of unclaimed property must be published in a newspaper published in the county. The notice must contain a brief description of the property, specify the listed items are in the custody of the Chapel Hill Police Department, state that any person who may have or claim any interest in the property must report that claim to the department within 30 days of the publication of the notice and a statement that any unclaimed property will be sold or otherwise disposed.
 3. Notice of Sale: In addition to the notice of unclaimed property, the department must advertise and post the sale of the unclaimed property. This may be combined with the notice of unclaimed property. The notice of sale must:
 - i. be published at least one time in a newspaper published in the county
 - ii. be posted at the courthouse
 - iii. be posted at three other public places in the county
 - iv. be posted at least 10 days prior to the sale
 - v. specify the time and place of the sale
 - vi. contain a sufficient description of the property to be sold
 4. Sale of Property: If property remains unclaimed for 30 days after both notices of unclaimed property and sale have been properly published then the property may be sold at public auction.
 5. Bicycles: may be donated to a charitable organization exempt under section 501(c)(3) of the Internal Revenue Code. This must be stated in the notice of unclaimed property.
 6. Proceeds of Sale: The proceeds from the sale shall pay the costs and expenses of the sale and the remaining balance is to be paid to the Orange County Board of Education.

XI. Evidence Inventory

- A. All evidence and property held by the Chapel Hill Police Department will be subject to periodic inspection and audit to ensure it is being recorded

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and stored properly, protected from damage and deterioration, and that the proper disposal procedures are being followed.

1. The Investigations Captain or his designee will conduct semi-annual inspections of the evidence holding facilities that may be announced or unannounced.
2. An annual inspection and audit will be conducted by an appointee of the Chief of Police who does not have direct access or control of property. This audit will include a random sampling of evidence to verify proper procedures are being followed.
3. A complete inventory of the evidence holding facilities will be conducted any time a new Forensic and Evidence Specialist is hired or appointed by the Chief of Police. This inventory will be conducted by the Forensic and Evidence Specialist(s) and a designee of the Chief of Police to ensure the accuracy of property records.

Upon the conclusion of all inspections, audits and inventories of the evidence holding facilities, the inspecting officer will complete an Evidence/Property Storage Accountability Report. The inspecting officer will document any deficiencies noted during the inspection on the inspection sheet. This report will be forwarded to the Chief of Police for review.



Chapel Hill Police Department



Subject: Strip Search

Number: 3-12

Issued: 5-12-2006

Pages: 1 of 2

Policy: It is the policy of the Chapel Hill Police Department to conduct strip searches only when legally justified and only in a reasonable manner.

I. Definitions

- A. **Strip Search** is a visual inspection of a person's naked body, including breasts, buttocks, crotch, and other private areas. A strip search may include requiring the person to squat, bend, and/or cough. A strip search does not involve touching the private areas.
- B. **Body Cavity Search** is the internal examination or the touching of anal or vaginal cavities.
- C. **Evidence** includes contraband, weapons, or other items or information which may be relevant to criminal activity.

II. Requirements

All of the following requirements must be met before a strip search may be conducted.

- A. The person must be under arrest or named in a search warrant; and
- B. The officer must have approval from a supervisor; and
- C. There must be reasonable suspicion to believe that the person is hiding evidence in private areas of his body. The reasonable suspicion must be based on one or more of the following:
 - 1. An officer, on this occasion, observed the person appearing to hide evidence in his private areas.
 - 2. Information has been received on this occasion from an informant that the person is hiding evidence in his private areas.
 - 3. Several factors are present, and the totality of these factors constitutes reasonable suspicion that the person is hiding evidence in his private areas, including such factors as:
 - a. Evidence was found in the private areas of the same person on a previous occasion.
 - b. The person has prior drug crime convictions (**but this alone is not sufficient to justify a strip search**).

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- c. Relevant evidence has been found on this occasion with/on the person (e.g. controlled substances, paraphernalia, cash, weapons, etc.).
- d. Officers have other specific information leading them to reasonably believe that the person is hiding evidence in his private areas, and officers are able to testify to the factual basis for this reasonable belief.

III. Procedures

- A. The strip search must be conducted in a reasonable manner and in a private location.
- B. Two officers, both of the same gender as the person, must be present. However, a supervisor may authorize a strip search by only one officer if a second officer of the same gender is not available. In determining whether the strip search should be conducted when only one officer would be present, the supervisor should weigh:
 - 1. Safety concerns, including the expected level of cooperation or contentiousness of the person.
 - 2. The importance of seeking evidence from the person.
 - 3. The possibility that the person may make false accusations against the officer who performs the search.
 - 4. The possibility of securing another officer in a short period of time.
- C. If an officer conducting a strip search sees evidence in a private area, he/she should ask the person to remove it. **If the person refuses, the evidence may not be removed by officers.** (Removal would be a body cavity search, which may be conducted only by medical personnel, and only if the person has consented or a search warrant has been obtained.
- D. **Whether or not any evidence is found**, the officer who conducts the strip search must write a report describing the justification, the procedures followed, and the results of the strip search.



Chapel Hill Police Department



Subject: Drug Recognition Evaluation	Number: 3-13
Issued: 12-11-2006	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to investigate the use of drugs as related to traffic violations and vehicle collisions.

I. Definitions:

- A. **Drug Recognition Expert (DRE):** A police officer certified by the International Association of Chiefs of Police to perform standardized and systematic drug evaluation on a suspect/offender.
- B. **Drug:** Any substance which when taken into the human body can impair the ability of a person to operate a vehicle safely.
- C. **Drug Evaluation:** A standardized and systematic evaluation conducted to determine if a) there is impairment, b) if impaired, is it due to drugs or a medical condition, and c) if drugs, which category or categories of drugs are causing the impairment.
- D. **Standardized Field Sobriety Tests (SFST):** A series of standardized, divided attention tests (Horizontal Gaze Nystagmus, Walk and Turn and One Leg Stand) designed to assist in determining impairment.
- E. **Drug Recognition Expert (DRE) Coordinator:** An officer appointed by the Chief of Police to coordinate the Drug Recognition Expert program.

II. Criteria for Drug Recognition Expert Use

Officers should contact a Drug Recognition Expert in the following situations:

- A. A driver of a vehicle is suspected of driving while impaired and there is reasonable suspicion to believe that drugs are a significant or the sole cause of the signs of impairment; **or**
- B. A driver of a vehicle is being investigated for driving while impaired and a properly calibrated portable breath testing device or evidentiary breath test instrument (Intoxilyzer 5000) has been used with alcohol concentration results below 0.07, and that result is inconsistent with the level of impairment shown; **or**
- C. A driver refuses to provide a breath sample on a portable breath testing instrument, is arrested for driving while impaired, and the charging officer believes, based on training and experience, that the impairment is due to drugs; **or**

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- D. A driver of a vehicle involved in a collision has been placed under arrest for driving while impaired or criminally related charges, **and** physical evidence developed during the investigation reveals drug use as a probable cause of impairment; **or**
- E. A vehicle collision results in serious physical injury of another person **and**, based on the opinion of the investigating officer or supervisor, a Drug Recognition Expert is needed to determine drug or medical impairment of the driver; **or**
- F. A vehicle collision results in the death of another person and the investigating officer believes drug use may have been involved.

III. Procedures

- A. Drug Recognition Expert response is based on the determination of the investigating officer and his supervisor.
- B. Due to the variation in effects that each drug has on an individual and the time the effects last, the Drug Recognition Expert should be contacted as soon as possible.
- C. The following steps shall be taken:
 - 1. The investigating officer will conduct all Standardized Field Sobriety Tests as instructed in "DWI Detection: Standardized Field Sobriety Tests". Prior to requesting a breath sample, the investigating officer should develop an opinion of whether the driver is impaired.
 - 2. If the criteria listed in Section II above are met, the officer should request that an on-duty Drug Recognition Expert be contacted. If an on-duty Drug Recognition Expert is not available, the on-duty supervisor will contact the on-call Drug Recognition Expert.
 - 3. The Drug Recognition Expert may either respond to the scene or assist on the phone to help establish probable cause.

IV. Post-Arrest

- A. Drug Recognition Expert
 - 1. Complete and submit a supplemental report, within 72 hours containing:
 - a. Standardized Drug Recognition Expert Face Sheet
 - b. Drug Recognition Expert Report Narrative
 - c. Standardized 12-step Checklist

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2. Forward copies of the report to the investigating officer and the Drug Recognition Expert Coordinator.

B. The investigating officer will:

1. Ensure that evidence collected from the suspect is submitted in accordance with departmental policies and state laws.
2. Following the submission of blood samples, contact the District Attorney's office and request that a letter be sent to the State Bureau of Investigations requesting an analysis of the sample for impairing substances. The investigating officer should consult with the DRE to determine if any specific drugs should be noted in the request.

V. Annual Reporting

The Drug Recognition Expert Coordinator will maintain a file of all reports, and related dispositions, for cases in which a Drug Recognition Expert responded to a request for assistance.



Chapel Hill Police Department



Subject: Vehicle Checkpoints	Number: 3-14
Issued: 2-23-2007	Pages: 1 of 1

Policy 3-14 Vehicle Checkpoints has been merged with [Policy 2-17 Traffic Stops](#).



Chapel Hill Police Department



Subject: Fixed Shift Bid Process

Number: 3-15

Issued: 05-12-2009

Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department that assignments of officers to fixed shifts be fair and equitable. The following criteria will be utilized for the purpose of such assignments.

I. Definitions

- A. **Non-Preferred Schedule:** Schedule to which an officer or supervisor is assigned to work that was not their first choice during the most recent bid process.
- B. **Seniority:** For officers below the rank of sergeant, seniority will be determined by their sworn date with the Chapel Hill Police Department. In determining seniority, consecutive full time years of service for CHPD, will be used. Officers with a break in service will use the most recent hire/sworn date to determine seniority. (Exception: Officers with a break in service prior to implementation of the Fixed Schedule Process in November, 2007, will use their total years of full time sworn service with CHPD to determine seniority.)
- C. **Tie Breaker:** When the officers' sworn dates with CHPD are the same, their employee identification number will be used to break the tie.
- D. **Bid Process:** Annually conducted process whereby officers submit in writing their preference for work schedule.

II. Guidelines and Procedures

The chief will designate a command level officer to complete the schedule assignments annually utilizing the following criteria:

- 1. Bid Process
 - a. A bid process will be conducted annually in the month of ~~October~~ May.
 - b. Officer assignments will be published in June.
- 2. Seniority
 - a. Patrol officer will use sworn date with CHPD
 - 1. The deciding tie breaker will be the employee number.
 - 2. Officers determined to have the same sworn date will be ranked according to employee number from lowest to highest

- b. Supervisors will be determined by department need.
- c. Two year maximum applied to officers and supervisors who receive a non-preferred schedule.
 - 1. If an officer works two consecutive years on a non-preferred schedule, the officer will receive their preferred schedule for the next two years.
 - 2. If the preferred schedule is not available during the next bid process, the officer with the least seniority on the preferred schedule, who worked a preferred schedule the previous year, will be moved to fill the non-preferred schedule.

Example: Officer A has worked a non-preferred schedule for two consecutive years. During the next bid process, once again, they do not receive their preferred schedule of fixed days. Since they are guaranteed to receive the preferred schedule, the officer with the least seniority receiving fixed days under the current bid process, who worked their preferred schedule the previous year, will be required to work the non-preferred schedule.

- 3. A vacancy in a position on the schedule may be filled by an officer on the preferred schedule with the least seniority who worked it the previous year.
- 4. For the purpose of this policy, all specialty positions will be considered a preferred schedule.
- d. Department Need Exception
 - 1. When necessary, the department can require an officer to work their non-preferred schedule to meet departmental needs.
 - 2. Officers may be required to work the schedule until next bid process.
- e. Mid-year patrol assignment or vacancy
 - 1. Chief's designee will distribute notification to patrol officers "advertising the vacancy." Seniority will be used based on responses to fill the position. Department need exception

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may still apply. (If there is no interest the officer will be required to fill the vacancy on patrol despite seniority until the next bid process).

2. Officers working fixed nights will be an assigned court date that corresponds with their rotation.



Chapel Hill Police Department



Subject: Attendance Policy		Number: 3-16
Issued: 3-25-2009	Revised: 5-10-2012	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to provide guidelines for the appropriate usage of accrued leave in compliance with the guidelines established in the Town of Chapel Hill Employee Handbook.

I. Definitions:

- A. **Tardy:** Reporting to any work assignment after the scheduled start time. This includes the scheduled return time after any breaks in your assignment(i.e. class breaks, meal breaks or workouts).
- B. **Sick Leave:** Leave that may be used for personal illness or injury and for medical or dental appointments. You may also use sick leave if a family member, including a domestic partner, is ill.
- C. **Excessive Absenteeism:** Absence from work for more than five days (usually 40 hours) in a 12 month period, in excess of paid or authorized leave.

II. Tardiness

All employees are required to report at the time indicated for duty, in-service training, or assignments that constitute that employee's duty for that day. This includes any court, training class or similar mandatory appointments that may occur during or outside of the employee's normal scheduled work hours.

- A. If tardiness is inevitable, an employee should attempt to notify an on-duty supervisor as to the length and reason for the tardiness. This will not necessarily excuse the tardiness, but will allow supervisors an opportunity to minimize the inconvenience.
- B. The supervisor will verbally counsel the employee with each occurrence of tardiness and document it on the Employee Consultation Report.
- C. The supervisor will initiate a written reprimand with the Division Commander after three (3) incidents of tardiness within a 12 month period. Any additional levels of progressive discipline will be through the Chief of Police up to and including termination.

III. Sick Leave

- A. All Employees are required to notify the police department as soon as practical, but no later than one hour prior to the time they are scheduled to work that they will be absent due to an illness. The person receiving the notification will forward

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it to the caller's supervisor(s). If it is a patrol officer, then the information must also be given immediately to the on-duty supervisor to ensure proper staffing levels.

- B. If an employee is at a location other than their residence, they are required to indicate their location and a phone number where they can be reached.
- C. An employee who claims sick leave due to personal illness/injury for three or more consecutive work days may be required to present a doctor's certificate to their supervisor certifying that the employee is physically able to return to work.
- D. Claiming or taking sick leave under false pretense shall be grounds for disciplinary action up to and including termination of employment.
- E. Supervisors will document any developing pattern of any employee's abuse of sick leave. Factors to consider when a pattern of abuse is suspected include, but are not limited to: frequency, day of week, days off sequence or the shift during which the potential violation occurs.
- F. Employees who may need to be absent from work due to a personal or family illness or have chronic health problems which require intermittent absences may be eligible for leave under the Family and Medical Leave Act (FMLA). Employees should contact the Human Services Department for more information concerning FMLA or refer to the Town of Chapel Hill Employee Handbook.

IV. Leave Request

- A. All requests for any pre-approved use of leave, including education leave, should be submitted via e-mail to the employee's supervisor as early as possible. The supervisor will respond to the request via e-mail within 2 working days.
- B. Supervisors may deny requested leave based on division criteria. The Department may block requested days off for all employees for events such as UNC special events, street closures, weather, ect. The Department will provide as much advanced notice as feasible.
- C. Any leave request for a period in excess of two consecutive calendar weeks must be approved by the Division Commander.
- D. Employees that accrue compensatory time must submit the designated form to their supervisor within 24 hours of the accrual.
- E. Employees must notify their supervisor as soon as feasible when they are notified of an event that would affect scheduling (e.g. court subpoenas, meetings, etc).

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- F. Employees should refer to the Town of Chapel Hill Policy Manual for information concerning any other leave.



Chapel Hill Police Department



Subject: Light Duty Policy		Number: 3-17
Issued: 3-25-2009	Revised: 6-29-2015	Pages: 1 of 2

Policy: It is the policy of the Chapel Hill Police Department to provide a procedure regarding light duty due to an illness or injury when it is mutually beneficial to the employee and the Department.

I. Definitions

A. Work related injury or illness

Any injury or illness that occurred while employed by the Chapel Hill Police Department which is subject to worker's compensation.

B. Non-work related injury or illness

Any injury, illness that occurred off-duty, or pregnancy which limits the employee's ability to perform his/her assigned job duties.

C. Light Duty or Administrative Duty Assignments

Positions where employees may be assigned to light duty or administrative duty assignments include those involving clerical, administrative, telephone or alternative call taking, desk operations or any other non-enforcement duty.

II. Procedures

A. Employees who cannot return to normal duties because of a work related injury or illness will provide their supervisor with written documentation from the Town of Chapel Hill's designated physician approving light duty. This will include details of the restrictions and an estimation of how long the employee will be restricted to light duty.

B. Employees who cannot return to normal duties because of a non-work related injury or illness will provide their supervisor with written documentation from his/her physician. This will include details of the restrictions and an estimation of how long the employee will be restricted to light duty. The employee must submit a request in writing to their Division Commander for a light duty assignment.

C. Light duty work assignments will be approved based on the availability of such positions. The Department may also factor the employee's attendance and work record prior to approving a light duty assignment. Employees who sustain work related injuries will have priority over non-work related injuries for available light duty assignments. Light duty is a privilege extended to

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employees during periods of short-term disability. The Department may revoke that privilege at any time without notice.

- D. Employees assigned to light duty will coordinate work assignments through their Division Commander. When assigned to the Patrol Division as an alternative call taker, the employee will report to the on-duty supervisor and check on via the radio with Orange Central Communications as a call taker.

III. Restrictions

- A. Light Duty personnel will follow the guidelines for Non-Uniform Apparel in Policy 4-4. The Division Commander may approve exceptions based on the nature of the injury or illness.
- B. Light Duty personnel will not perform any law enforcement duties that require a physical arrest or detention of a subject.
- C. The following restrictions will be reviewed by the Chief of Police on a case by case basis, based on the nature of a sworn employee's light duty restrictions.
 - 1. The employee's authorization to openly display a handgun and/or badge while inside the police headquarters.
 - 2. The employee's authorization to openly display a handgun and/or badge while outside of the police headquarters.
- D. The Division Commander must approve the operation of any Town owned vehicle.
- E. Light Duty personnel will not engage in any secondary employment that provides law enforcement services. Any secondary employment that is not law enforcement related must be approved by the Chief of Police.

IV. Return from Light Duty

- A. Officers returning from a work related injury must provide documentation from the Town of Chapel Hill's designated physician approving the return to full duty, without any restrictions.
- B. Officers returning from a non-work related injury must provide documentation from his/her physician approving the return to full duty, without any restrictions.
- C. Officers returning to full duty from an extended injury or illness must contact the Training Lieutenant to determine if all of the state mandated training is complete.



Chapel Hill Police Department



Subject: Crime Scene Processing and Responsibilities

Number 3-18

Issued: 6-5-2012

Revised:

Pages: 1 of 8

Policy: It is the policy of the Chapel Hill Police Department to thoroughly process crime scenes in an attempt to identify and take into custody the perpetrator(s) of criminal acts through the location, documentation, preservation, processing, and court presentation of evidence. In addition to this policy, all Evidentiary Property shall be handled in accordance with Collection, Submission and disposal of Evidence and Property Policy 3-11.

I. Definitions:

A. **Evidence** – all documentation, verbal statements and material objects admissible as testimony in a court of law, to include:

1. Anything that tends to assist in ascertaining the truth of a matter or furnishes a fact.
2. Anything which a suspect leaves at a crime scene or takes from the scene which may connect the suspect to the commission of a crime.

II. Procedures:

A. Training:

1. Basic instruction on crime scene processing, including practical exercises, evaluation of crime scenes, organizational procedures and the roles of the responding Officer, Investigator, Crime Scene Processor and Forensic ID Technician, shall be provided during the Field Training Program (FTP).
2. Personnel assigned as Shift Evidence Specialists shall receive specialized training similar to guidelines of the U.S. Department of Justice: Crime Scene Investigation – A Guide for Law Enforcement or by a person knowledgeable of forensics and evidence collection procedures that conform to NC General Statutes. This training shall include:
 - i. The collection methods and procedures for recovery of latent and patent fingerprints, palm prints, footprints, footwear impressions, tool marks, tire impressions and trace evidence.
 - ii. Crime scene photography.
 - iii. Crime scene sketches.
 - iv. Preservation methods for various forms of evidence.
 - v. Requirements for the collection of known sources of comparison.
 - vi. Collecting, preserving, packaging and transmitting physical evidence.

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B. Equipment:

1. Shift Evidence Specialists will be issued equipment and supplies necessary for processing crime scenes.
 - i. Supplies for recovery of latent and patent prints.
 - ii. Photographic supplies and equipment.
 - iii. Supplies and equipment necessary for taking measurements and making crime scene sketches.
 - iv. Supplies and equipment for the collection, marking and preservation of physical evidence.
2. Shift Evidence Specialists will be responsible for ensuring that their kits are stocked with adequate supplies and equipment. Each Shift Evidence Specialist and on-call Investigator will be issued kits that will enable them to process crime scenes for additional evidence beyond latent prints.
3. Each front-line patrol vehicle will have a kit for the recovery of latent prints. Personnel assigned to those vehicles are responsible for maintaining these kits in a serviceable condition. Same will be expected as part of routine shift vehicle inspections.

C. Responsibilities of First Officer on the Crime Scene:

1. Safety and Welfare of Persons – the first officer to arrive at any crime scene has the responsibility to control, secure and preserve the scene after the basic duties of protecting the safety and welfare of all persons are accomplished. Employees are required to render aid to prevent potential or further injury or loss of life and to summon medical assistance if needed.
2. If a victim or suspect is treated and/or transported for treatment, the employee will identify the person(s) administering the aid and the nature of the treatment.
3. If the victim or suspect is transported to a medical facility with a life threatening injury, the officer with the victim/suspect at the hospital shall ensure that the victim or suspect's personal clothing and effects are secured for evidence or safekeeping and also ensure that any other evidence (e.g. bullets removed during surgery) is properly secured. If no officers are available to accompany the victim/suspect, stay at the scene and request medical personnel to preserve evidence and document any comments made by the victim or suspect.

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4. Identify, secure and separate suspects at the scene, then identify witnesses and separate these individuals to prevent discussion of events with each other or with potential suspects.
 5. The following crime scene checklists are available on Shared Files under Forms in the Crime Scene folder and on CHPD Intranet Forms folder: Shooting, Robbery, Stabbing, Sexual Assault, Suicide, Battery, Death Investigation, and Burglary.
- D. Procedure to Protect the Crime Scene from Contamination:
1. The responding officers must initiate immediate measures to protect the scene from contamination by establishing a clearly defined perimeter. Immediate protective measures include, but are not limited to, placing crime scene barrier tape in designated areas, critical exits or openings and posting officers to control spectators in areas expected to have a high potential for yielding evidence.
 2. Control the scene to prevent individuals from altering or destroying physical evidence by restricting movement, location, and activity while ensuring and maintaining safety. Unauthorized persons shall not be permitted to enter or to remain at the scene. First responders performing emergency services are authorized personnel.
 3. Officers shall ensure the critical area remains under constant protection until all processing is completed.
 4. The first arriving officer will initiate a Crime Scene Log, which will list all persons in or thereafter entering the scene and contain the following information:
 - i. Name
 - ii. Rank
 - iii. Time entered scene
 - iv. Unit assignment
 - v. Reason for entering.

This list will be maintained by the initiating officer until relieved of that duty by a responding Investigator or by a supervisor.
 5. When a Shift Evidence Specialist arrives on the scene of a major crime, he/she must ensure that a Crime Scene Log has been initiated.
- E. Platoon Shift Evidence Specialists

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1. Shift Evidence Specialists may assist any platoon member with the processing of a scene. These individuals are available to assist with processing and do not relieve other officers of the basic responsibility of processing crime scenes. Any officer should be able to perform basic crime scene processing. Failure to do so may be considered unsatisfactory duty performance.
2. Supervisors may use Shift Evidence Specialists at any crime scene in which they believe exceeds the capability of the first responding officer.

F. Call-out of a Forensic/ID Technician:

1. A Forensic/ID Technician will be requested whenever the expertise required for collecting and preserving evidence exceeds that of the Patrol Officer, Investigator or Shift Evidence Specialist, or additional assistance is required. The on-call investigator or patrol supervisor will contact an Investigations supervisor to make the request for a Forensic/ID Technician to respond to a crime scene.
2. A Forensic/ID Technician will respond only after an on-scene evaluation has been made by the requesting supervisor or investigator. The Forensic/ID Technician shall handle all processing and collection of evidence. Shift Evidence Specialists and officers are encouraged to assist the Forensic/ID Technician with scene processing.
3. Personnel will not disturb, touch, or handle physical evidence unless there is a danger of the evidence being lost or destroyed before the arrival of the Forensic/ID Technician. In such cases, the officer shall mark, tag, collect and/or process the evidence until relieved by the Forensic/ID Technician.
4. An officer or investigator shall remain at the scene at all times until processing is completed or released by the Forensic/ID Technician.

G. Preservation of the Scene:

1. All scenes should be entered by the route least likely to disturb any evidence. Any other personnel who respond should be directed to take the same route. Only personnel necessary to conduct the investigation will be permitted access to the scene.
2. Evidence which is likely to be lost or contaminated prior to processing should be protected or preserved. For example, if a bloodstain is located on the ground and rain is imminent, the officer shall cover the area until such evidence can be evaluated and collected.

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3. **All** evidence shall be protected. Examples of this include: tire tracks, footprints, foot wear impressions, bloodstains and items dropped by fleeing perpetrator(s). Personnel should not assume items are not evidentiary as subsequent investigation may prove otherwise.
- H. Crime Scene Responsibility at Major Scenes (such as homicide, homicide-suicide, etc.):
1. Forensic/ID Technicians are available for call-back twenty-four (24) hours daily.
 2. Once called to a crime scene at which an investigator is not present, the Forensic/ID Technician or Shift Evidence Specialist will exercise control over processing the scene.
 3. The Forensic/ID Technician is responsible for requesting any necessary laboratory test or further processing of evidence.
 4. The Forensic/ID Technician will be responsible for collecting, marking, packaging and preserving evidence according to established procedures set forth by the N.C. State Bureau of Investigation.
- I. Responsibility of Other Scenes:
1. Other Scenes:
 - i. Attempts shall be made at **all** property crime scenes to process the scene for latent prints.
 - ii. A responding officer or investigator shall attempt to develop and lift latent prints and/or take digital photographs if that is the only processing required at a scene. If other processing is required, including digital photography, a Shift Evidence Specialist may be requested through an on-duty supervisor.
 - iii. If a Shift Evidence Specialist is requested, the Shift Evidence Specialist shall assist the officer or investigator with all processing, including developing and lifting of latent prints. It is the officer or investigator's responsibility to protect the scene.
 2. If a Forensic/ID Technician is not required at a crime scene, all evidence will be collected, packaged and submitted by the responding officer or Shift Evidence Specialist.

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3. At scenes of burglaries, larcenies and other property crimes, photographs shall be taken unless otherwise determined by a supervisor on the scene and should be documented in the incident or supplemental report. This may extend beyond photographing a point of entry, exit or damage.

J. Evidence Processing:

1. All evidence will be packaged, stored and submitted in accordance with the Collection, Submission and Disposal of Evidence and Property Policy 3-11.
2. All evidence will be submitted the same day it was collected. Any delay in doing so must be **specifically approved** by a supervisor and documented in the incident and/or supplemental reports and an e-mail sent to First-line Supervisors, Forensic/ID Technicians, Investigation Supervisors and Division Commander. Investigators will submit evidence and check it back out from the Evidence Room if needed as part of an on-going investigation.
3. Firearms collected for latent print evidence shall be properly cleared/made safe and packaged in boxes. The box shall be marked indicating the firearm is safe in accordance with Collection, Submission and Disposal of Evidence Property Policy 3-11, Section III.
4. Vehicles towed for processing shall be placed in a secured area. Vehicles shall be locked if a key is available. All doors and the trunk lid shall be sealed with evidence tape.
5. Items to be submitted to a laboratory shall be handled by the Forensic/ID Technician(s) and submitted according to the policy or procedure of the laboratory. The assigned investigator will be responsible for securing special letters of authorization from the District Attorney's Office, if applicable.

6. Photographic Evidence:

When photographs are taken of a crime scene, the photographer shall have sufficient skills for the task. All aspects of the crime scene shall be photographed, including those at the direction of the investigator. The following procedures shall be followed when photographing crime scenes:

- i. Document in the incident report the number of photographs taken.

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- ii. Use a size comparison instrument (scale) when feasible while photographing objects. When no scale is used document the reason why in the incident report.

7. Written Documentation:

- i. Investigative activities and chain-of-custody of evidence at crime scenes shall be documented by an incident report, plus any necessary supplemental reports.
- ii. Personnel in charge of processing a crime scene shall document all activities related to processing as follows:
 - a. Date and time of arrival.
 - b. Location of the crime and related scene.
 - c. Names of victim(s), if known.
 - d. Description of the item(s).
 - e. Location, or from whom the item(s) were obtained.
 - f. Name of suspect(s), if known.
 - g. Actions taken at the scene, including photography, information on measurements taken, evidence collected and disposition of collected materiel.
- iii. In all serious crimes against persons or property, the officer or investigator shall document in the report the reason(s) if no photographs or evidence were taken,.

K. Crime Scene Sketches:

- 1. The crime scene sketch shall include the following:
 - i. Date and time of preparation.
 - ii. Name of person preparing sketch.
 - iii. Direction of north.
 - iv. Location of significant features of the scenes.
 - v. The victim position/location will be included in all death investigations.
 - vi. Case number.
 - vii. Location of items of physical evidence recovered.
 - viii. Relation of the crime scene to other buildings, roads, etc.
 - ix. Address, floor or room number, if appropriate.
 - x. Dimensions.
 - xi. Legend – a system of symbols used to identify various objects. The symbols are explained in the legend.

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2. All measurements in a sketch should be consistent. All measurements should be in the same unit of measure, e.g. inches, feet, and yards, when possible.
 3. A rough sketch is an initial diagram of the scene and shall be drawn at the scene.
- L. Notifications of Biological Hazards and Chemical Hazards:
1. All Shift Evidence Specialists or Forensic/ID Technicians shall place a biohazard/chemical hazard sign/sticker on any vehicle or home that is processed in which there is sufficient evidence to assume that a biohazard or chemical hazard is present. Verbal notifications should be made if possible.
 2. At any time a chemical is used for processing inside a home or vehicle by a Shift Evidence Specialist or Forensic/ID Technician, a chemical hazard sign/sticker shall be placed in a prominent location on the exterior of the home or vehicle. Verbal notifications should be made if possible.



Chapel Hill Police Department



Subject: Escorts	Number 3-19
Issued: 7-3-2012	Revised:
	Pages: 1 of 3

Policy: This policy provides guidance to Chapel Hill Police Department employees conducting escorts approved by the Police Chief or his designee.

I. Definitions:

- A. Funeral Escort- Escorts of deceased family members from a residence in CHPD jurisdiction or from beginning of Town limits to service location or from service location to cemetery or to edge of CHPD jurisdiction
- B. Special Escorts- Oversized vehicles or vehicles with hazardous cargo.
- C. Civilian Vehicle Escorts –Vehicles driven by civilians.
- D. Emergency Escorts- vehicle authorized by NCGS to overtake traffic intersections or control devices and non-emergency vehicles are required to yield the right of way.

II. Procedures:

A. Funeral Escort

- 1. Funeral Directors within our jurisdiction will be required to complete an Escort Request Form as a condition of performing the escort. All requests must be submitted for Police Chief or his designee's approval a minimum of 24 hours prior to the projected start time of the escort. Requests for Sunday escorts must be received by 1200 p.m. on Friday.
- 2. We will continue to assist with requests for escorts from funeral directors from other jurisdictions. Upon receipt of a request, the Watch Commander will contact the funeral director to explain our escort procedure pursuant to this policy.
- 3. Supervisors will notify the Patrol Captain immediately of any issues that prohibit them from performing an escort.
- 4. All escorts will terminate at town limits unless specifically authorized by Police Chief or his designee. If the adjacent jurisdiction is unable to provide escort due to a priority of calls for service, the on-duty supervisor may authorize escorts into adjacent jurisdictions.

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5. Officers assigned escort duty will verify the funeral director has instructed all vehicle drivers to turn on headlights and emergency flashers and are to remain illuminated during the procession.
6. Officers leading escorts will obey all traffic control devices. Blue lights and flashing headlights will be utilized while the procession is moving. Sirens will be used only on rare occasions. Once the lead vehicle has progressed through the intersection in accordance with the traffic control device, all other vehicles in the procession may precede through the intersection without stopping.
7. Vehicles in a funeral procession shall drive on the right hand side of the roadway and shall follow the vehicle in front as closely as reasonable and prudent having due regard for speed and existing conditions.
8. Vehicles in a funeral procession shall yield right of way to emergency vehicles giving appropriate warning by lights or sirens.
9. Vehicles in a funeral procession shall not exceed posted speed limits.

B. Special Escorts

1. Special escorts shall be provided
 - i. When the vehicle requires a state or local permit and the permit requires a police escort; or
2. When the movement of equipment poses an unreasonable hazard to other vehicular traffic if not escorted by law enforcement vehicle(s).
 - i. Requests for special escorts will be coordinated through the department's Off-Duty Coordinator. The Off-Duty Coordinator will brief the Chief or the Chief's designee with details of the request, including the number of personnel and equipment required to complete the escort.
 - ii. Escorting officers will follow the route specified on the permit and stay far enough in front of the lead unit to give adequate warning to approaching motorist.
3. All officers will utilize blue lights and flashing headlights when performing this escort.

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C. Civilian Vehicles

1. Officers will not provide emergency escorts of civilian vehicles unless specifically authorized by the Police Chief.
2. If a medical emergency exists, the officer will request the assistance of Emergency Medical Services to transport the subject with the medical need.

D. Emergency Escorts

1. Officers will not escort emergency vehicles, particularly ambulances, except under special circumstances. This type of escort may be necessary if an emergency vehicle has lost the use of its emergency equipment or if its personnel is unfamiliar with directions.
2. Emergency escorts will be conducted in a safe and reasonable manner. (Use Police Vehicle Operations Policy 1-3 as guideline for what would be unsafe).
3. Officers will terminate the emergency escort and resume normal vehicle operations when, in their opinion, or upon supervisory command, that there is an unacceptable risk to the public or involved officers.



Chapel Hill Police Department



Attachment One

Policy 3-19 Escort Procedures

When a Funeral Escort Request is received by Record's Division or Base 3, Records or Base 3 will obtain an OCA from Orange Central for the escort and place the OCA number, date, and time at the top of the request form. Records or Base 3 will scan and send the request as an e-mail attachment to all of the patrol supervisors working the day of the escort.

Patrol supervisor(s) will contact the requesting funeral home for any particulars and acknowledge receipt of the escort request. During the discussion the supervisor should coordinate the pickup or mailing of the signed original escort request (**Note:** Escorts may be conducted upon receipt of a signed facsimile or scanned/copy of the request, provided that the original of the request is obtained as soon as practical after the completion of the escort.) Patrol supervisor(s) will sign as the approving authority and will assign an officer or officers to complete the escort. When no request is received in accordance with the policy, the escort will be conducted and the supervisor(s) will send an e-mail to Community Services Division with enough information to conduct appropriate follow-up and/or education. Subsequent failures to comply with policy will result in denial of escorts until the funeral home complies with submitting the Request for Escort form in a timely manner.

The assigned officer will complete an incident report, attaching a copy of the request. The original signed escort request will be submitted to records by placing it in the "To be Approved Reports" box in the Squad Room area.

Record's Division will maintain all signed original requests in accordance with established record laws or requirements.

Escort requests for building or house moving will be coordinated through the Special Events Coordinator.



Chapel Hill Police Department



Subject: Special Emergency Response Team	Number: 3-20
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Policy: The mission of the CHPD Special Emergency Response Team (SERT) is the prevention of injury to persons or property through the use of specialized training, equipment, and tactics conducted in a professional manner. The Chapel Hill Police Department believes that the presence of a highly trained and skilled police tactical unit can substantially reduce the risk of injury to persons or property and, when necessary, a coordinated “team” response to incidents increases the likelihood of successful resolution.

I. Definitions

- A. **Hostage Situation** the holding of any person(s) against their will by an armed or potentially armed suspect.
- B. **Barricade Situation** the standoff created by an armed or potentially armed suspect(s) in any location, whether fortified or not, who is behaving unlawfully and is refusing to comply with Police demands for surrender.
- C. **Sniper Situation** the firing upon citizens and/or police by an armed suspect whether stationary or mobile.
- D. **Apprehension** the taking into custody of armed or potentially armed suspect(s) where there is the likelihood of armed resistance.
- E. **Warrant Service** the service of search or arrest warrants where there is a possibility of armed or potentially armed suspect(s) and there is the potential for armed resistance.
- F. **Personal Protection** the security of special persons, such as VIP’s, witnesses, or suspects, based on threat or potential threat to their well-being.
- G. **Special Assignment** any assignment, approved by the Chief of Police or SERT Commander, based upon the level of threat or the need for special expertise.

II. Values and Standards

- A. SERT operations will be conducted with the highest regard for the preservation of life and the rights of citizens, the ultimate goal being the safe resolution of any operation.

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- B. SERT expects the safe resolution of all high-risk situations and will approach each situation in a professional and controlled manner, with an emphasis on a negotiated resolution.
- C. SERT will use the appropriate and best available specialized training and equipment to accomplish its mission and will develop the specialized skills of each team member.
- D. SERT is committed to a controlled, rapid response to high risk situations in order to secure the incident site, gain control of any suspect(s) and minimize the risk of death or injury to any person.
- E. SERT members will approach their duties with a high level of confidence, motivation, flexibility, and patience. SERT members acknowledge their dependence upon one another and work as a team in an atmosphere of trust, confidence, and open communication.

III. Command and Control Structure

A. SERT Organization

1. *SERT Leadership*- The Special Emergency Response Team (SERT) is the responsibility of the Assistant Chief of Police-Operations.
 - i. With the approval of the Assistant Chief of Police and the Chief of Police, a Captain is selected as Special Emergency Response Team Commander to supervise team activities and operations. Team Leaders are selected to be responsible for team operations during an entry or other deployment of the team.
2. *SERT Members*- SERT consists of members who are assigned other full-time duties, but serve in the SERT capacity on a part-time basis. The number of members is determined by the Chief of Police based on Departmental staffing levels and other organizational interests. SERT members will be classified according to the following titles and duties.
 - i. Operator
 - a. Minimum of 2 years sworn service with the department
 - b. Primary duties would include activities that are higher risk than those of provisional operators, such as building entries, open air take-downs and vehicle assaults.
 - c. Expected to attend 16 hours of training per month, unless excused by the SERT Commander.
 - ii. Marksmen/Observer

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- a. Minimum of 2 years sworn service with the department.
 - b. Primary duties include providing cover and intelligence during SERT operations.
 - c. Expected to complete 16 hours of training per month, unless excused by the SERT Commander.
3. Excessive absences from training could result in the member's dismissal from the team
4. *SERT Supervision*– SERT is under the direct supervision of the Special Emergency Response Team Commander. The SERT Commander's primary responsibilities are to supervise the operations of the team, including:
 - i. Supervision during any SERT deployment
 - ii. Development, oversight, and coordination of comprehensive training
 - iii. Ensure the ongoing competence, fitness, and proficiency of team personnel
 - iv. Identify, assess, and maintain SERT equipment and procure new and/or replace old equipment
 - v. Provide the Chief of Police and the Assistant Chief of Police with a quarterly report of all SERT activities
- B. When activated for an operation, the SERT Commander (or the acting Commander when the SERT Commander is absent) reports directly to the Incident Commander or to the on-scene supervisor. The SERT Commander is responsible for deployment of SERT, tactical decision making, and tactical resolution of the incident, where appropriate, and the supervision of all post-deployment documentation.

IV. Activation Process

A. Call-Out Procedures

1. The Watch Commander has the authority to request activation of the team for any critical incident within Chapel Hill's jurisdictional boundaries and the activation will commence when he/she contacts the SERT Commander or designee and briefs him/her on the incident. The SERT Commander will then take responsibility for the conduct of the activation.
2. Any Division within the Chapel Hill Police Department may request the assistance of SERT in planning or conducting operations. The Division Commander or his representative will contact the SERT Commander with the request which will be forwarded up the chain of command. The Chief of Police or designee must approve any request for SERT activation. If approved, the SERT Commander, will follow the above-

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described procedures for team activation. Divisions that request SERT assistance in service of high risk search/arrest warrants will be asked to provide as much lead time as possible in order to allow SERT sufficient time for planning and preparation.

B. SERT Operations

1. SERT may be utilized in a variety of situations. Generally, SERT should be deployed in any situation where its' use could enhance the Chapel Hill Police Department's ability to prevent injury to persons or property. The circumstances of the incident will determine the nature and scale of the police response. Any decision to activate and any tactics used must take into account the need to minimize disruption and reduce general alarm in the broader community
2. Although not all inclusive, the following situations may necessitate the deployment of SERT:
 - i. Hostage Incident: Any situation where a suspect is holding a person(s) against his or her will by bodily force or the threat of bodily injury or death.
 - ii. Barricaded Suspect: An armed suspect is wanted on criminal charges or for mental commitment proceedings and has assumed a position that provides him/her with significant tactical advantage over officers attempting to make an apprehension.
 - iii. Suicidal Suspect: An armed subject who appears to be an imminent threat to himself/herself or others and has assumed a position which provides him/her with a significant tactical advantage over officers attempting to make an apprehension.
 - iv. Search Warrants/Arrest Warrants: Where armed resistance is likely during the service of such warrants or where the service of such warrants requires the use of specialized tactics and equipment not available to other officers.
 - v. Surveillance/Stake-Outs/Building Searches: Where the crime is a felony or a crime of violence and information exists that the suspect(s) may be armed and the use of specialized tactics or equipment is required.
 - vi. Woodland Search: Where an armed or potentially armed suspect is wanted on criminal charges or for mental commitment proceedings and has taken refuge in a wooded or rural area and has been contained by police officers.
 - vii. Spontaneous Demonstrations-Where either the staffing demands for managing such an event cannot be met by the available uniformed

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patrol resources or the skills or equipment of SERT can assist in maintaining or restoring peace and order.

- viii. Dignitary Protection: Whenever a visiting dignitary may require specialized security while in our jurisdiction.
- ix. Assistance to Other Law Enforcement Agencies: Where any of the above mentioned conditions exist and any law enforcement agency requests assistance in accordance with state law, or where any federal or state agency requests assistance within the jurisdiction of the CHPD. The Chief of Police or designee will approve any request for assistance outside the territorial jurisdiction of the department. The SERT Commander is responsible for insuring any required MOU's are valid prior to any agreement to assist.
- x. Any other situation where use of SERT could enhance the Chapel Hill Police Department's prevention of injury to persons or property.

- 3. While underway, SERT activations take precedence over all other assignments within the Chapel Hill Police Department. Officers assigned to SERT become subordinate to the SERT Commander until he/she determines that the activation has ended.

V. Mission Planning and Deployment

- A. Once the decision is made to deploy SERT, the SERT Commander or designee will notify all SERT members.
- B. Once on an incident scene, the ranking SERT member will serve as the Tactical Supervisor until relieved by a higher ranking Team member. If immediate action is required, the on-scene Tactical Supervisor or Officer will initiate the appropriate response. If immediate action is not required, the SERT supervisor will stabilize the situation pending the arrival of the SERT Commander.
- C. The Watch Commander will act as the Incident Commander unless or until relieved by a member of the Command Staff. The Incident Command System (ICS) will be initiated by the Watch Commander or Patrol Commander and applied accordingly based on the scope of the incident.
- D. Tactical decisions are the primary responsibility of the highest ranking SERT member on the scene and will be made jointly with the Incident Commander unless circumstances prevent such coordination.
- E. Crisis Negotiators **shall** be contacted whenever SERT is deployed for hostage, suicide, or barricaded subject. Incident and SERT Commanders

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are encouraged to contact Negotiators in other situations as deemed appropriate. Negotiators will not deploy without tactical support.

- F. Tactical Medics will be notified in every situation in which SERT is deployed and deployed with the team unless availability prohibits them from doing so.
- G. A supervisor will not assign a team member to a task for which the Team member has not been trained or for which the Team member has not demonstrated proficiency.
- H. The SERT Commander will inform the team of the level of deployment. The level of deployment will be determined by the Incident Commander and is dictated by the circumstances of the incident. In each SERT deployment, the SERT Commander will report up to and receive directions from the Incident Commander. The entire team may not be needed in every case, or SERT officers might be appropriate because of their training but without shoulder weapons and helmets. Either case would represent a separate level of SERT response. Again, the nature of the incident should determine the nature of the response.
 - 1. Level "A" Deployment-SERT members respond with all available equipment and are dressed in full tactical gear.
 - 2. Level "B" Deployment-SERT members respond in uniform of the day with equipment readily available.
 - 3. Level "C" Deployment-SERT members respond in patrol uniforms and without specialized tactical equipment.
- I. A written plan will be submitted to and approved by the Chief of Police or designee prior to the deployment of SERT, unless the exigencies of the situation make this impractical. This plan will address the needs of each specific situation and will include a minimum of the following, when applicable to the mission:
 - 1. The operational objective of the deployment
 - 2. Level of action and deployment, dress, equipment, etc.
 - 3. An analysis of the particular crime, victim, and suspects
 - 4. Any intelligence that has been collected and deemed reliable and relevant to the operation
 - 5. A determination of the legal ramifications of the deployment. This must include the input of the Police Legal Advisor(s)
 - 6. A familiarization of the involved officers with the objective and details of the operation and the geographic area of the operation

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7. Pre-determined operational procedures for securing the incident site, observation, arrests, surveillance, and high-risk entries, to include plans regarding “runners” and passers-by
8. Established means of routine and emergency communication
9. Selection of all necessary and appropriate equipment and vehicles
10. Provisions for providing relief, backup security, and perimeter security/control
11. The designation of a single person as supervisor and coordinator
12. Specific personnel assignments for the search and seizure of evidence and/or contraband, if applicable
13. Plans for requesting medical assistance
14. Plans for requesting additional staffing resources
15. Traffic control
16. Evacuation plans for citizens and employees, as needed

During all SERT operations, the SERT Commander will ensure that an operational journal is maintained that records all relevant decisions and activity from the initial call- out through conclusion of the operation. All operational plans, journals and other related documents will be stored and maintained for seven years.

J. Operational Support

1. During the initial deployment phase, notification of relevant support services may include, but are not limited to CHFD, police canine, Investigations, and neighboring tactical teams.
2. During a tactical team deployment, communication with other departments and/or agencies will be handled by the Orange County Emergency Services or directly by the Incident Commander via cellular telephone or radio. Radio communications should be handled on a frequency other than the one selected as the primary talk group for the tactical operations.

K. Establishment of Scene Perimeters

1. During incidents that are not planned by SERT personnel, the responding patrol units will be responsible for the initial containment of the structure or incident location.
2. Upon the arrival of SERT personnel, the patrol units/officers will be relieved of their duties relevant to the actual containment of the incident scene or structure as quickly as is reasonably possible; however, patrol

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will remain responsible for securing the inner and outer perimeters to include traffic and pedestrian control.

3. Decisions pertaining to the inner and outer perimeters of an incident location will be made by the Incident Commander, in consultation with the SERT Commander.

L. Evacuation of Bystanders and Injured Persons

1. The evacuation of bystanders, residents adjacent to an incident location, and injured persons will be based upon such criteria as the general nature of the incident, type of weapons involved, the population density surrounding the incident location, any indication of a chemical or biological agent, prior actions on the part of the suspect(s) that would necessitate the movement of people from the area, and the nature and extent of injuries involved.
2. Prior to the arrival of SERT, the Incident Commander will be responsible for ensuring all individuals who can be safely evacuated are removed from the area. Individuals who cannot be safely evacuated should be advised to remain in place until SERT arrives with the equipment necessary to effect the safe movement of the individual.
3. Officers should quickly evacuate those citizens whose safety is at risk if not relocated. If evacuations are conducted, the patrol supervisor will document all locations and citizens evacuated and will provide that information to the SERT Commander when the transition occurs. A person should only be moved if it can be accomplished without additional risk to the safety of any responding officers or any bystanders.

VI. Documentation of Activation

The SERT Commander will be responsible for ensuring that an incident report is generated detailing the activation and use of SERT. This will be done in the form of a standard police report detailing the operation and pertinent information required for follow-up by investigators, prosecutors, etc.

VII. After-Action Review and Debrief

- A. As soon as practical, following the termination of a SERT-involved operation or large-scale training event, an incident debriefing and critique will be held. If necessary, all persons involved in the incident should be present; including, but not limited to, participating members of the following groups:

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SERT, CHPD Command Staff, support services, patrol, investigations unit, legal staff and Crisis Unit .

- B. The purpose of this review will be to create a forum for team members to offer information for the improvement of the team and for application in future incidents. The after action review will be formatted to develop the following information:
 - 1. Operational Successes
 - 2. Areas for Improvement
 - 3. Strategies for Improvement
- C. In addition to the review, a SERT supervisor who was involved in the operation will be designated to complete the written Tactical Action Plan (TAP) which will include such information as the details leading up to the incident, SERT deployment, operational commands and actions while on the scene and should include a copy of all relevant incident/arrest reports and related materials. The TAP along with all SERT Officer's supplements / statements will be attached to all case files.
- D. A SERT Supervisor will coordinate the completion of all necessary administrative paperwork related to the direct actions of SERT members, such as incident narrative supplements and Use of Force documentation. Paperwork relevant to other officers on the scene will be handled by the appropriate Division Chain of Command.

VIII. Selection Process

- A. Team members must exemplify the highest standards and traditions of CHPD and the law enforcement profession in the selection, training and equipping of their officers as well as the execution of each assignment.
- B. A process to identify and select additional members for SERT will be conducted by the SERT Commander upon authorization by the Chief of Police. It will be the responsibility of the SERT Commander to develop an assessment process that ensures new members have successfully demonstrated a high level of proficiency and competency across a series of dimensions, including:
 - 1. Communication
 - 2. Decision Making
 - 3. Problem Solving
 - 4. Physical Fitness
 - 5. Firearms proficiency

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- C. Testing will consist of a task-specific and validated test.
- D. Once selected and assigned to SERT, all operational team members must maintain minimum standards of performance. Failure to meet the minimum standards will result in the team member being placed in a temporary, non-deployable status until the deficiency is corrected. Being placed in a non-deployable status twice within three years will result in immediate removal from the team.
- E. Once selected, SERT members are subject to the *Specialty Assignments policy 4-9*. Members in good standing may request a leave of absence from the team, to be reviewed by the SERT Commander and authorized by the Chief of Police. If approved, the team member would be eligible to rejoin the team subsequent to their approved leave of absence, provided they still meet the minimum standards.

IX. Training Standards

- A. Unless excused by the SERT Commander, SERT Operators and Marksmen/Observers will average sixteen hours of training per month and provisional Operators will average 8 hours per month on appropriate subjects related to the mission of the team. All training will be documented and training records for each team member will be maintained in the employee's personnel file.
- B. All training will be performance-oriented and task-specific. SERT will maintain a current task manual that lists the standards of performance for each task, individual and team level. Individual team members will be re-certified once per year on all individual skills, and the team will be re-certified once per year on all team level skills. Failure to re-certify, at either level, will result in an immediate focus on remedial training of basic skills. Continued failure to re-certify, after appropriate remedial training, will be dealt with as a failure to meet minimum standards.
- C. The training program will also include regular updates on legal issues facing SERT operations, such as warrant service, knock and announce requirements, and issues related to the hours of service. The use of force policy, to include the use of deadly force and corresponding legal issues, will also be a regular part of firearms training.

X. Equipment Standards

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- A. The Chapel Hill Police Department Special Emergency Response Team will supply their team members with at least the following safety equipment:
 - 1. Ballistic Helmet
 - 2. Safety glasses and goggles
 - 3. Hearing protection
 - 4. Complete coverage ballistic entry vest with Threat Level III inserts.
 - 5. Load-bearing vest and duty belt for tactical equipment
 - 6. Special weapons as authorized
 - 7. Appropriate amount of ammunition for weapons training and qualification.
 - 8. Gas Mask

- B. SERT members will utilize appropriate utility-type uniforms and footwear of an approved color and pattern. Uniforms will utilize clearly visible and identifiable placards, patches, badges, or lettering that identifies the wearer of the uniform as a law enforcement officer. The SERT Commander must approve all other items of personal wear or equipment.

- C. SERT members are responsible for the care and maintenance of any issued equipment. Failure to appropriately care for or maintain the equipment in full mission readiness will be grounds for removal from the team.

XI. Special Equipment

- A. It shall be the intent of the Special Emergency Response Team to utilize special equipment, as listed below, in an attempt to lessen the risk of injury or death to all involved during the performance of a SERT operation.
 - 1. Primary Entry Weapons: (Examples: entry shotguns, carbines and submachine guns) Short-barreled weapons which enable rapid target acquisition, enhance accuracy, and provide maneuverability, reliability, stopping power, and sustained fire capability.

 - 2. High caliber rifles or counter-sniper rifles: These weapons allow the accurate placement of rounds where needed to help resolve life threatening incidents.

 - 3. Less Lethal Weapons or Ammunition: Weapons or ammunition which propel a round or device that is not normally lethal in nature and which offers an alternative to the use of deadly force.

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4. Noise/Flash Diversionary Devices: Designed to produce a diversion for the entry of SERT officers into a hazardous area. Utilizes a bright flash of light followed immediately by a loud noise.
 5. Armored Vehicle: An armor plated vehicle that provides increased protection in potentially lethal incidents. This type vehicle allows officers to enter a hostile area to perform actions such as rescuing a citizen or apprehending an armed suspect.
- B. Breaching Tools and Ammunition: (Examples: rams, pry bars, hydraulic or electronic machines, frangible shotgun rounds) Implements which are designed to force entry into barricaded or secured areas.
- C. The SERT Commander will insure that special equipment will only be deployed by those team members properly trained and certified. The SERT Commander will be responsible for establishing the certification standards and criteria for the team.

XII. Policy Review

The SERT Commander will conduct an annual review of all policies related to the Special Emergency Response Team and make updates where necessary. The SERT Commander will then submit the policy for annual review and approval, by signature, to the Chief of Police.



Chapel Hill Police Department



Subject: Recognition and Awards

Number: 4-1

Issued: 9-1-2003

Revised: (3)5-3-2010 (4)4-25-2016

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Policy: It is the policy of the Chapel Hill Police Department to annually recognize outstanding service of its employees in a public forum. Two types of outstanding service will be recognized, Distinguished Service and Achievement.

I. Types of Recognition

A. Distinguished Service Awards

1. Distinguished Service Awards are awarded for outstanding service, where exceptional valor is displayed or the employee is seriously injured in the line of duty.
2. Recognition will not be given for actions which unnecessarily place employees or others at risk. This includes behaviors that violate training or policy. In determining eligibility for these awards, service that is expected of employees that may include danger and risk to self will be distinguished from those actions which are truly beyond the call of duty.
3. Nominations for Distinguished Service Awards can be made by supervisors or co-workers. Nominations are submitted in writing to the Chief of Police or his designee in as close proximity to the event as possible. The Chief of Police or his designee will present the nominations to the Awards Committee for review and determination of which awards and recipients are appropriate. The committee will then submit their recommendations to the Chief of Police for final approval.
4. Distinguished Service Awards will be presented to recipients in a public ceremony scheduled in close proximity to the act or at an annual ceremony.
5. Description of Distinguished Service Awards:
 - i. **Medal of Honor:** Awarded to an employee who, while serving in an official capacity, distinguishes themselves while defending others from armed and/or extremely dangerous suspect(s). The act must be such that without it, there would have been officer(s) killed in the line of duty and/or innocent loss of life. This award is presented with a plaque and commendation bar.
 - ii. **Medal of Valor:** Awarded to an employee who, while serving in an official capacity, distinguishes themselves by acts of bravery in the face of danger. The act must be of such a nature that the employee was fully aware of the imminent threat to their personal safety and their actions were not justifying of the Medal of Honor. This award is presented with a plaque and commendation bar.

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- iii. **Purple Heart:** Awarded to an employee who is seriously injured and while in the line of duty. This award is presented with a plaque and commendation bar.
- iv. **Life Saving Medal:** Awarded to any employee who rescues or endeavors to rescue another person from any potentially fatal situation, or to any employee who renders emergency, life-saving first aid. This award is presented with a plaque and commendation bar.

B. Achievement Awards

1. Achievement Awards recognize employees for outstanding achievements and service contributions during the course of the preceding year.
2. Description of Achievement Awards:
 - i. **Employee of the Year Award:** Awarded to an employee recognized by other employees for overall accomplishment, service and dedication as well as relationships with co-workers and the public. Recognition will also be made during the Town's annual Employee Appreciation Day. This award is presented with a plaque and commendation bar.
 - ii. **Advanced Law Enforcement Certificate Award:** Awarded to those who have earned their Advanced Law Enforcement Certificate from the State of North Carolina. This award is presented with a commendation bar and certificate.
 - iii. **Meritorious Conduct Award:** Awarded to those who perform outstanding and exemplary service in the performance of difficult and or dangerous police operations. The performance must have been such as to merit recognition of key individuals for service rendered in a clearly exceptional manner. This award is presented with a commendation bar and certificate.
 - iv. **Special Achievement Award:** Awarded to those who display outstanding and/or unprecedented initiative and effort in the development and implementation of special department projects and programs. This award is presented with a commendation bar and certificate.
 - v. **Academic Achievement Award:** Awarded to those who have obtained any college degree. This award is presented with a commendation bar and certificate.
 - vi. **Specialty Units:** Recognizes the specialized training received and extra time given by those employees who are members of special teams or who hold specialized positions. Those special awards are: Community Services, DRE, Field Training Officers, Instructors,

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Investigators/Narcotics, K-9 Officers, Crisis/Hostage Negotiators, Crash Reconstructionists, School Resource Officers, ALERT, CITE, DVRT, Gang Unit, Honor Guard, SART and SERT. It is the responsibility of the person in charge of each unit, if applicable, to inform the Quartermaster of those who are eligible for such recognition. These recognitions are presented with a commendation bar. A certificate may be issued either by the appropriate designee or by the person in charge of the unit.

vii. Retiree Award: Awarded to anyone who has retired in the past calendar year.

viii. Civilian Service Award: Awarded to any employee, volunteer, or citizen who has displayed exceptional volunteer commitment and effort in any capacity for the police department. This award is presented as a plaque.

II. Documentation Procedures

The Quartermaster or other designee appointed by the Chief of Police will keep records of those who have received awards and those due to receive awards during recognition ceremonies. The Quartermaster or other designee appointed by the Chief of Police will also keep and issue all uniform award devices.

III. Uniform Award Devices and Other Recognition Instruments

Plaques or certificates and uniform award devices will be awarded to recipients of Distinguished Service Awards and Achievement Awards.

IV. Order of Precedence for Uniform Award Devices

A. While Distinguished Service Awards and some Achievement Awards are given seniority over others due to their inherent prestige, respect for the recipients and their actions, Specialty Unit Commendation Bars are arranged alphabetically and no exclusiveness or seniority of any one position or team over another is implied.

1. The order of precedence for Distinguished Service Awards and Achievement Awards is as follows:

- i. Medal of Honor
- ii. Medal of Valor
- iii. Purple Heart
- iv. Life Saving Medal
- v. Officer of the Year

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- vi. Advanced Certificate
- vii. Meritorious Conduct
- viii. Meritorious Conduct 2 (inactive but current ones still honored)
- ix. Academic Achievement Award
- x. ALERT
- xi. CITE
- xii. Community Services
- xiii. DRE
- xiv. DVRT
- xv. Field Training Officer
- xvi. Gang Unit
- xvii. Honor Guard
- xviii. Instructor
- xix. Investigator/Narcotics
- xx. K-9 Officer
- xxi. Negotiator
- xxii. Reconstructionist
- xxiii. SART
- xxiv. SERT
- xxv. School Resource Officer
- xxvi. Retiree Award
- xxvii. Civilian Service Award



Chapel Hill Police Department



Subject: Remembrance Procedures		Number: 4-2
Issued: 9-1-2003	Revised: (1)1-1-2006 (2)6-26-2013	Pages: 1 of 2

Policy: It is the policy of the department to remember police officers and other public safety officials who have dedicated their lives to their communities or country.

I. Mourning Bands

- A. Each law enforcement officer will be issued a mourning band by the Commander of the Honor Guard.
- B. Mourning bands may be worn upon the authority of the Chief of Police for the following reasons:
 - 1. Death of a North Carolina law enforcement officer in the line of duty
 - 2. National Police Week
 - 3. Other occasions as determined by the Chief of Police
- C. The time period for which mourning bands will be worn will be determined by the Chief of Police in consultation with the Commander of the Honor Guard.

II. Flagpole

- A. The Honor Guard will be responsible for the raising and lowering of the flag at all ceremonial occasions and when the flag is lowered to or raised from half-staff.
- B. The United States flag will be lowered to half staff for the following reasons:
 - 1. Death of a North Carolina law enforcement officer in the line of duty
 - 2. Law Enforcement Memorial Day
 - 3. Other times as determined by the Chief of Police
 - 4. Upon proclamation by the Governor of North Carolina or the President of the United States

III. Memorials

In recognition of the passing of a Police Department employee (current or retired) or an immediate family member* of same, the Department shall send memorial recognition on behalf of the Department. The administrative secretary shall be responsible for this recognition, which will not exceed \$75 in value. (Immediate

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family includes parents, step-parents, parents-in-law, grandparents, children, domestic partners, siblings (when employee is the sole caregiver), and spouses.

IV. Retirement Recognitions

Upon retirement from the Police Department, employees shall be recognized in the following manner:

A. Non-Sworn Employees:

1. Plaque
2. Department reception/Ceremony held during normal business hours with light refreshments, provided by the Department

B. Sworn employees:

1. Shadow box
2. Department reception/Ceremony held during normal business hours with light refreshments, provided by the Department
3. CHPD Retired badge
4. CHPD Retired ID card
5. Radio sign-off (coordinated with OCES)



Chapel Hill Police Department



Subject: Development, Distribution, Training, and Review of Policies		Number: 4-3
Issued: 10-1-2003	Revised: 3-1-2009, 2-9-2011	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to ensure that all employees have access to department policies and are knowledgeable about policies.

I. Development

- A. The Chief of Police will designate a person to serve as policy coordinator.
- B. The Chief of Police will decide that a policy shall be developed and assign a person to write it. The draft will be submitted to the coordinator.
- C. The coordinator will re-draft the policy into the standard format and distribute it to the command staff for review. Staff comments will be considered and possibly incorporated into the draft and reviewed again by command staff.
- D. The policy coordinator may distribute the draft policy to all employees for review. Policies requiring only technical or legal modifications may not be forwarded for comment.
- E. Employee comments will be forwarded to the policy author for consideration and possible incorporation. A final draft will be prepared by the coordinator.
- F. The Chief will have the final review of the draft policy and assign a level to the policy. (See Section III-C)

II. Distribution

- A. The Training Division is responsible for record keeping.
- B. All policies will be electronically maintained in a central location available to all employees. Each officer will sign a form acknowledging the review of any new or updated policy.
- C. Each supervisor will maintain a hard copy in their office, readily available for review.

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III. Training and Review

- A. The Training Division is responsible for the training of the policy manual for all new employees.
- B. Levels of Policies
 - 1. **Level One** These policies require immediate recall. Employees should know these policies without having to refer to them. They include the basic mission of the department, expectation of employee behavior, and high-risk policies.
 - 2. **Level Two** Employees must have a working knowledge of these policies, but may have time to refer to them before or during the response to an incident. For many of these policies an “action checklist” will be available for a quick review.
 - 3. **Level Three** These policies include operating procedures that do not require immediate recall.
 - 4. **Level Four** These policies are administrative.
- C. Division supervisors, with approval of the Chief of Police, may determine that their employees do not need to meet the prescribed level of training and review. In such cases a different level will be assigned for these employees.
- D. All new employees will sign an acknowledgement form stating that they have read and understand the policy manual. Each employee will also sign an acknowledgement form for all updates to the policy manual.
- E. Each employee is responsible for the contents in the policy manual and will be held accountable for the contents.

IV. Effective Date of Policies

Policies will become effective after the distribution and applicable training is completed.

V. Review

- A. All policies will be reviewed by the Chief of Police and the policy coordinator annually.

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- B. Should changes need to be made in a previously approved policy, the changes will be made in accordance with the procedures in Sections I and II.

- C. Training and testing procedures on revised policies will be determined by the Chief of Police.



Chapel Hill Police Department



Subject: Apparel and Equipment

Number: 4-4

Issued: 10-1-2003

Revised: (2)9-13-2012 (3)4-25-2016

Pages: 1 of 5

Policy: It is the policy of the Chapel Hill Police Department that employees will dress in a neat and professional manner appropriate for their assignments. This policy applies to all business days.

I. Uniformed Personnel

A. Only uniform and accessory items issued by the department or authorized by the Chief of Police will be worn.

B. Authorized Uniforms

1. The Dress Uniform consists of the following:

- i. Long sleeve dress shirt
- ii. Tie with department issued tie pin
- iii. Dress pants
- iv. Dress uniform hat
- v. Non-athletic shoes

2. The Class A Uniform consists of the following:

- i. Long or short sleeve dress shirt
- ii. Dress pants
- iii. Non-athletic shoes
- iv. Hats and ties are optional.

3. The Class B Uniform consists of the following:

- i. Short or long sleeve Propper Tactical style shirt
- ii. Propper Tactical style pants
- iii. Caps are optional.
- iv. The Class B uniform also includes authorized uniforms for specialty positions which operate as part of the patrol division (e.g. CBD and K-9).

4. The Training Uniform consists of the following:

- i. Short or long sleeve CHPD polo shirt
- ii. 5.11 or similar tactical pants (including Class B uniform pants)
- iii. Boots or appropriate non-athletic footwear

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- C. Employees will not wear a combination of Class A, Class B, or Training Uniform apparel.
- D. A badge, either cloth or metal, will be displayed on outer garments.
- E. Shoes will be all-black with laces, without a visible design or logo.
- F. Black socks will be worn with tactical pants. Socks that are worn with boots and not visible may be white. Black socks will be worn with bicycle uniform shorts.
- G. Any visible undershirt will be black.
- H. The officer's name will be visible on all uniform shirts.
- I. Officers on specialty assignments may wear uniforms appropriate for their assignments, as authorized by the Chief of Police.

II. Decorations and Insignia

A. Awards and Commendations

1. Manner of Wear

- i. Award devices will only be worn on Dress and Class A uniforms.
- ii. Award devices will be worn in rows of three across, centered ¼-inch above the officer's name tag (see attachment).
- iii. Incomplete rows of one or two award devices will be centered either by themselves or above complete rows of three as appropriate (see attachment).
- iv. The most senior award device awarded to a recipient will be worn on the topmost row to the left of any other awards on that row as viewed by a third person (closest to the wearer's right shoulder). The next most senior award device will be to the right of that, and so on (see attachment). See CHPD Police 4-01 Recognitions and Awards.

B. Rank Insignia

1. Manner of Wear (Class A and Dress Uniforms)

- i. Sergeants wear gold chevron pins centered on each shirt collar so that the bottom points are ¼-inch from the outside edges of the collar (see attachment).

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- ii. Lieutenants wear a gold bar pin parallel to the front of each collar. The front of the bar should be ½ inch from front edge of the collar while the bottom of the bar should be ½ inch from the bottom edge of the collar (see attachment).
- iii. Captains shall wear a double gold bar pin parallel to the front of each collar. The front of the bar should be ½ inch from front edge of the collar while the bottom of the bar should be ½ inch from the bottom edge of the collar (see attachment).
- iv. Assistant Chiefs shall wear a gold oak leaf pin centered 1 inch from the outside edges of each collar. Oak leaf stems should point toward the collar tip (see attachment).
- v. The Chief of Police shall wear a gold eagle pin centered 1 inch from the outside edges of each collar. The eagle's head should face forward (see attachment).

III. Non-Uniformed Administrative, Investigative, and Non-Sworn Personnel

- A. Employees who do not wear uniforms will dress in “business” or “business casual” attire.
- B. Sworn employees who do not normally wear a uniform, will dress in “business” attire, “business casual” attire or one of the uniforms defined in section I(B).
 - 1. “Business” attire is defined as suit and tie, slacks, button-down shirts (with a tie), sports coats, pant-suits, and skirt-suits.
 - 2. “Business Casual” is defined as khaki pants, slacks, chinos, skirts, blouses, polo shirts, button-down shirts (without a tie).
 - 3. The following items are inappropriate dress at all times, unless authorized by the chief of police or your supervisor due to special assignment:
 - i. Jeans
 - ii. Faded or tattered clothing items
 - iii. Shorts (except for bicycle patrol or training which necessitates wearing shorts)
 - iv. Tank tops or Sleeveless Attire
 - v. T-shirts
- C. Sworn employees must display a Chapel Hill Police Department badge when their guns are visible to the public.
- D. Class A Uniform, Class B Uniform, or business attire will be worn to all court proceedings.

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E. Other Law Enforcement Agency Apparel

1. Employees, while on duty, will not wear any apparel or display any item that includes print or a logo that could cause another person to believe that the employee is representing any law enforcement agency other than Chapel Hill Police Department.
2. Employees may wear apparel identifying their association with another law enforcement agency when:
 - i. They are authorized by the Chief to work with another law enforcement agency, and
 - ii. The apparel is issued by that agency, and
 - iii. The employee is on duty with that agency, and
 - iv. The employee is working outside the Chapel Hill jurisdiction.

F. Non-sworn employees will not wear any clothing or accessories that would indicate or cause another person to believe that the employee is a law enforcement officer.

G. Employees will not wear or display any clothing, jewelry, or accessories that promote a political cause or which could be offensive to others.

H. The Chief of Police may establish less restrictive policies modifying clothing regulations at his discretion.

IV. Training Attire

The Chapel Hill Police Department is focused on creating an environment that promotes respect, comfort and professionalism. To that end, we have developed these guidelines to clarify the expectations of our employees while they are attending work related training.

A. Dress for training should be casual but not recreational. For classroom settings, business casual or the Training Uniform is appropriate. For practical/hands-on training, department related t-shirts/sweatshirts and tactical style pants are appropriate.

B. Hats or sunglasses worn inside the classroom are not appropriate.

V. Equipment

A. Only equipment issued by the department or authorized by the Chief of Police can be carried.

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- B. Property belonging to the Chapel Hill Police Department is subject to inspection at any time. Property includes, but is not limited to vehicles, desks, file cabinets, lockers, weapons and computers.

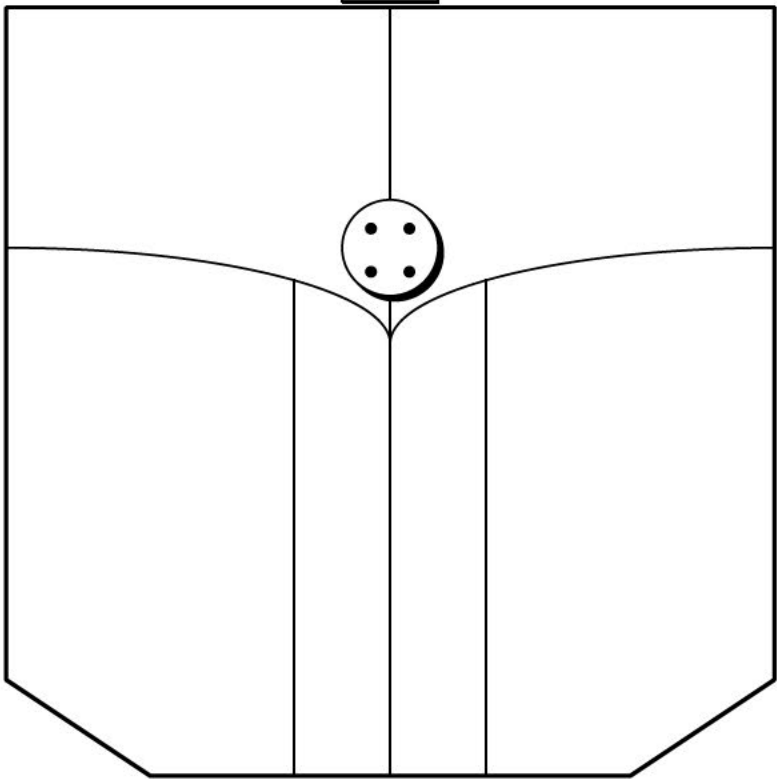
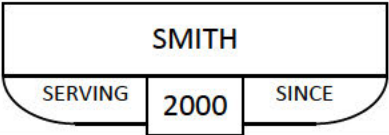
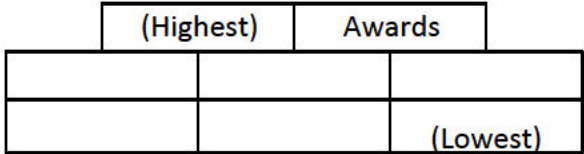
VI. Care and Condition of Uniform and Equipment

- A. Employees will be responsible for the proper care and maintenance of all issued uniforms, apparel, and equipment.
 - 1. Employees will report any damage (except for normal wear and tear) or loss to the immediate supervisor as soon as such damage or loss is evident.
 - 2. In situations when damage or loss is intentional or due to negligence, the responsible employee may be required to reimburse the Town for replacement.
- B. Upon leaving the department, all uniforms and issued equipment will be returned.

VII. Replacement of Personal Property that is Damaged or Lost While on Duty

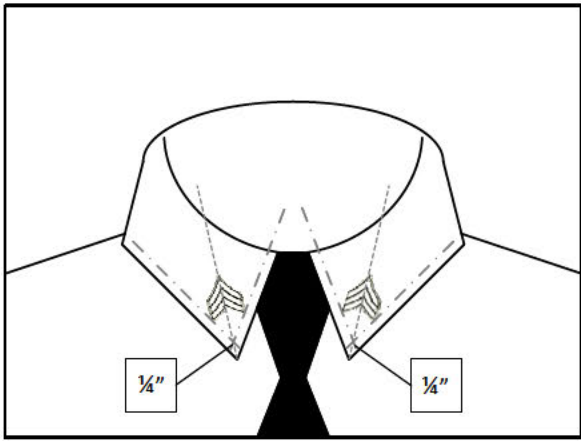
- A. If the damage or loss results from an interaction with a person who is arrested the following steps will be taken:
 - 1. Attempts will be made for the Court to order the arrested person to reimburse the employee for the value of the item.
 - 2. If the arrested person does not reimburse the employee, the Chief of Police may authorize reimbursement, at a normal rate, from the department.
- B. If the damage or loss is not related to an arrest, the Chief of Police may authorize reimbursement from the department.

Awards and Commendations
Order of Precedence

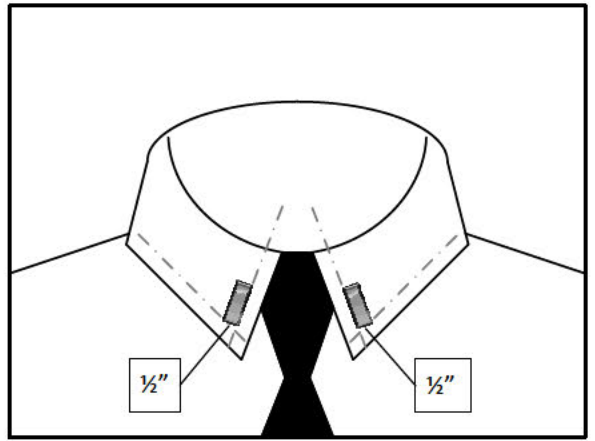


Right Breast Pocket

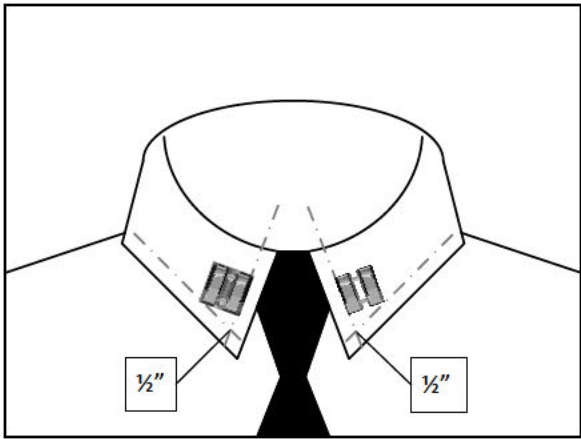
- Medal of Honor
- Medal of Valor
- Purple Heart
- Life Saving
- Officer of the Year
- Advanced Certificate
- Meritorious Conduct
- Meritorious Conduct 2
- Achievement Award
- C.I.T.E
- Community Services
- Investigations/Narcs
- K9
- SRO
- ALERT
- CIT
- DRE
- DVRT
- FTO
- Gang
- Honor Guard
- Instructor
- Negotiator
- Reconstructionist
- SART
- SERT



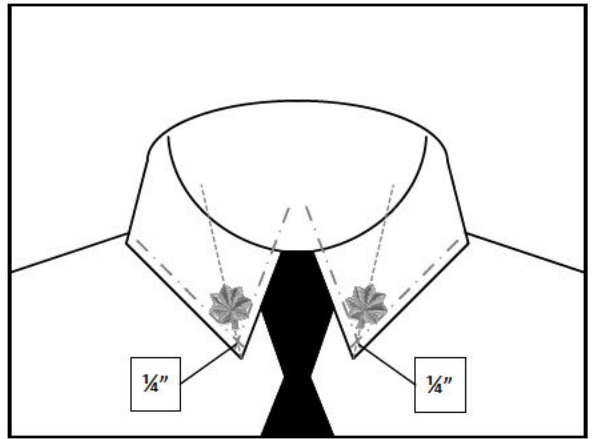
Sergeant



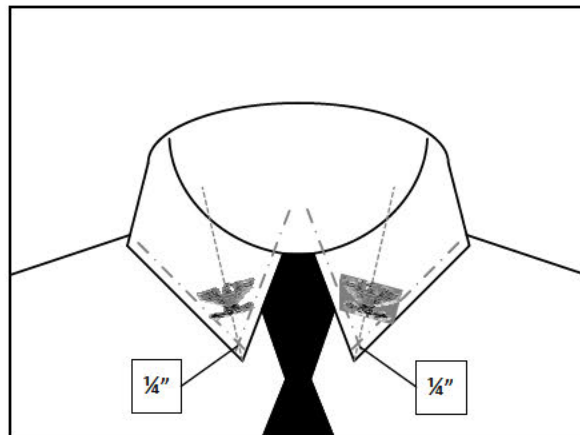
Lieutenant



Captain



Asst. Chief



Chief of Police



Chapel Hill Police Department



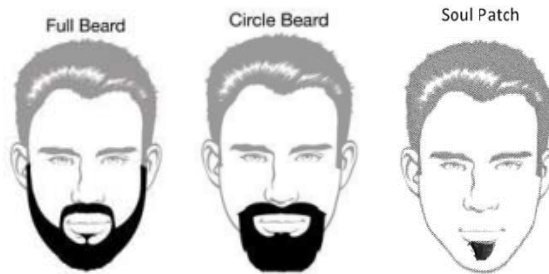
Subject: Grooming	Number: 4-5
	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department that all employees shall have a neat, clean personal appearance, which reflects positively upon the individual's competency, efficiency, and pride as an employee of the department and upon the ability of the Town and Department to foster and enhance a professional, efficient, and effective image and posture.

I. Uniformed Officers

A. Male Officers- All uniformed male employees shall conform to the following standards of appearance:

1. Hair will be kept neat and clean to present a well-groomed appearance. Hair shall be well-groomed, neatly trimmed, and not extend below the bottom of the shirt collar. If an Afro style is worn, it shall be no more than one and one half inches thick at any point on the head. When wearing a uniformed cap, the hair will not show on the forehead. In all cases, the bulk or length of hair shall not interfere with the normal wearing of a uniform hat.
2. Sideburns shall not extend below the bottom of the ear lobe. They will not be bushy but worn straight and will not be flared.
3. Well-groomed and maintained facial hair will be allowed subject to the following provisions:
 - a) Officers who wish to grow facial hair must notify their supervisor prior to doing so and must have 2 days of off-duty growth before returning to work.
 - b) A mustache worn alone must be neatly trimmed and will not extend more than $\frac{1}{4}$ inch below the corners of the mouth.
 - c) Hair worn below the lip alone, commonly referred to as a soul patch, may not be more than $\frac{3}{4}$ inch wide, and no more than $\frac{3}{4}$ inch in length.
 - d) Beards and circle beards must be uniform in appearance, contain no lines or designs, have clearly defined edges, and be no longer than $\frac{3}{4}$ inch in length. Beards shall not extend below the upper portion of the Adam's apple.



- e) Beards shall be of a natural color or closely resembling the officer's natural hair color.
 - f) The Chief of Police may allow exceptions for special events.
 - g) Police cadets shall not wear facial hair until the completion of BLET and field training. Lateral hires shall not wear facial hair until the completion of field training.
 - h) Employees may be directed to shave if they appear unprofessional, regardless of the length of the employee's facial hair.
 - i) Respirators
 - a. Officers may be required to work events for which a properly fitting respirator must be donned. Such events may be planned or unplanned.
 - b. Per the Occupational Health and Safety Administration (OSHA) Respiratory Standard, facial hair shall not come between the sealing surface of the facepiece and the face, or interfere with the valve function.
 - i. If an officer's facial hair prevents them from successfully completing a fit test with the respirator, they will be required to shave the portion of their face that comes into contact with the respirator seal and interferes with the valve function in order to pass the fit test.
 - ii. Since officers may be required to wear a properly fitting respirator at any time, they must have shaving supplies immediately available in order to comply with the above directives.
4. The only visible jewelry allowed shall be watches, rings, a single necklace, a single bracelet, and medical alert tags.

Subject: Grooming	Number: 4-5
	Pages: 3 of 3

5. Fingernails will be neatly trimmed in a manner that will not interfere with the firing of a sidearm, other weapon or the performance of duty.

B. Female Officers- All uniformed female employees shall conform to the following standards of appearance:

1. Hair shall be neatly styled and not extend below the bottom of the shirt collar. Long hair can be worn pinned up as long as it is neat. In all cases, the bulk or length of hair will not interfere with the normal wearing of a uniform hat.
2. The only jewelry allowed shall be watches, rings, a single necklace, a single bracelet, earrings, and medical alert tags. Only one earring may be worn on each ear.
3. Fingernails shall not extend beyond the fingertip in a manner that interferes with the firing of a sidearm, other weapon or the performance of duty.

II. Civilian Personnel

A. All hair, to include any facial hair, will be neatly styled and/or trimmed.

B. The wearing of jewelry in a neat, appropriate fashion is allowed. No facial jewelry is permitted.

III. Exceptions- Officers on special assignment, where their dress and hairstyle must conform to the nature of their assignment are exempt from this order for the duration of the assignment.



Chapel Hill Police Department



Subject: Collisions Involving Police Department Vehicles	Number: 4-6
Issued: 10-22-2004	Revised: (2)6-5-2012 (3)12-15-2015
Pages: 1 of 3	

Policy: It is the policy of the Chapel Hill Police Department to thoroughly investigate all motor vehicle collisions involving department vehicles.

I. Reporting a Collision

- A. Any employee involved in a collision while driving a department vehicle will immediately report the collision to the law enforcement agency of the jurisdiction where it occurred and to either the employee's supervisor or the on-duty patrol supervisor.
- B. If needed, and if the employee is trained to do so, he will render aid to any injured party.
- C. The employee will not move the vehicle until authorized to do so by an investigating officer.
- D. The Division Commander of the employee involved in the collision will be notified immediately. The Division Commander will notify the Chief immediately if any injuries are involved; otherwise the Chief will be contacted within a reasonable time following the collision.

II. Investigation of a Collision that Occurs in Chapel Hill

- A. The on-duty supervisor will directly supervise the investigation of all collisions involving Department vehicles. A subordinate officer will not investigate a superior officer's collision without direct permission from the Chief of Police.
- B. The Investigating officer will take photos of all vehicles involved and attach those to the report electronically.
- C. The investigating officer will forward to the employee's Division Commander the North Carolina Crash Report Form DMV-349, supporting documentation, and a Town Notice of Accident/Incident/Other Loss Report as soon as they are completed.
- D. The investigating officer will supply other parties in the collision contact information for the Town's insurance representative in the Finance Department.
- E. Should serious injuries or fatalities result from a collision, the Chief will assign an officer or agency of his choosing to conduct the

Subject: Collisions Involving Police Department Vehicles	Number: 4-6	
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investigation. In this case, the on-duty supervisor will secure the scene, insure that the injured are treated, collect all necessary personal data, and assist the assigned investigating officer.

III. Investigation of a Collision that Occurs in Another Jurisdiction

- A. The on-duty patrol supervisor will report to the scene of the collision if practicable. If there is significant property damage or any injury, the on-duty supervisor will make every reasonable effort to go to the scene.
- B. The involved employee's Division Commander will obtain a copy of the North Carolina Crash Report Form DMV-349 and any supporting documentation from the investigating law enforcement agency.

IV. Subsequent Action

- A. As soon as completed, a copy of the North Carolina Crash Report Form DMV-349 and the Town of Chapel Hill Notice of Loss Report will be sent to the Finance Department.
- B. Within five working days of the collision, the Division Commander will submit all available documentation, including the Collision Involving Department Vehicle Report, to the Chief of Police utilizing BlueTeam. The *Collision Involving Department Vehicles Report* **will not** be signed by the employee until the Chief of Police has reviewed the documentation.
- C. An officer involved crash that is determined to be any category other than "Category A" will result in an evaluation to be completed by a driving instructor within 7 working days of the crash. The evaluation will be documented by the driving instructor using the *Vehicle Operations Evaluation for Law Enforcement* form and will be submitted to OPS.
- D. Chief of Police will determine whether a separate, internal review of the crash will be conducted.
- E. Any interview or written statement required by a supervisor as part of the investigation of the collision will be done in compliance with the Internal Affairs Policy.
- F. The Chief will determine what disciplinary sanctions, if any, will be applied.

Subject: Collisions Involving Police Department Vehicles		Number: 4-6
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- G. The determination of sanctions will be made independently of any other actions that may later be deemed necessary. An employee could face further penalties related to the collision under the Town's policies on unsatisfactory job performance or misuse of Town property, etc.



Chapel Hill Police Department



Subject: Reserve Officer Program		Number: 4-7
Issued: 10-22-2004	Revised: 3-09-2009	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill Police Department to maintain a Reserve Officer Program to supplement police staffing.

I. Qualifications

- A. Reserve officers must be certified law enforcement officers by the State of North Carolina Criminal Justice Training and Standards Commission and be sworn Chapel Hill police officers.
- B. Applicants for the Reserve Officer Program will be evaluated according to the same criteria as applicants for full-time police officer positions.
- C. The Chief of Police may give priority to reserve officer applicants having special skills, experiences, or aptitudes.
- D. Appointment to the Reserve Officer Program shall not be for the purpose of political, financial, or business advantage.

II. Application and Appointment

- A. Persons desiring to be reserve officers will apply to the Police Department.
- B. The application will be processed in the same manner as applications for full-time positions.
- C. A former or retired Chapel Hill police officer with no more than six months lapse in service may be exempt from the application process. Such an officer may receive a reserve position at the discretion of the Chief.

III. Training

- A. Reserve officers must satisfactorily complete, within one year of appointment, the Chapel Hill Police Field Training Program before being allowed to work independently. Former Chapel Hill police officers may be exempt from this requirement.
- B. Reserve officers will be notified of in-service training and any other mandatory qualification/training and are expected to attend. It is the responsibility of the reserve officer to schedule time to complete mandatory training. Failure to attend and successfully complete required training/qualification will result in dismissal.

Subject: Reserve Officer Program	Number: 4-7
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- C. Department mandated training time will count towards mandatory reserve work hours.

IV. Reserve Work Requirements

- A. Reserve officers must work an average of sixteen (16) hours per quarter.
- B. Reserve officers are expected to work all Special Events for which there are mandatory call-backs. Any exceptions must be approved by the Reserve Lieutenant and the Division Commander.
- C. Failure to meet the minimum work requirements may result in dismissal from the Reserve Officer Program.

V. Operations

- A. The Support Services Division Commander supervises the Reserve Officer Program.
- B. Reserve officers are subject to all policies, rules, and regulations of the Department.
- C. All reserve officers are subordinate to regular sworn officers generally and to Police Department supervisors specifically.
- D. Reserve officers not meeting the requirements of the program will receive written notice from the Division Commander. Deficiency in hours can be made up in the next quarter. Reserve officers who do not work the required hours for two quarters will be dismissed from the Reserve Program. Exceptions to this must be approved by the Chief of Police.
- E. Reserve officers are subject to disciplinary actions and/or dismissal on the recommendation of the Chief of Police and Town Manager without due process afforded full-time employees of the Town of Chapel Hill.
- F. Coordinator
 - 1. The Chief of Police may assign a reserve officer to serve as a Reserve Lieutenant who will wear insignia designating the rank.
 - 2. When specifically directed by a Command Officer, the Reserve Lieutenant will have authority over lower ranking full-time officers.
 - 3. The Reserve Lieutenant will:
 - a. Serve as the manager/coordinator of the Reserve Officer Program, reporting to the Division Commander.

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- b. Be responsible for tracking issued equipment, recording hours worked, and maintaining other records as needed.
- c. Provide quarterly reports to the Division Commander.

VI. Benefits and Compensation

- A. Reserve officers will be covered under the Town of Chapel Hill's Workers Compensation Plan and general liability insurance when performing authorized duties.
- B. After successful completion of field training, reserve officers may receive pay in certain situations such as call-backs, special events, or special assignments. Starting pay is at the job rate, hourly rate for a Police Officer I position. After two years of satisfactory service (not including field training), a reserve officer may qualify for Police Officer II job-rate, hourly pay rate. Reserve officers are not compensated for department mandated training time. Any reserve officer can choose not to be compensated.
- C. The Reserve Lieutenant is afforded up to eight hours per month of paid time at lieutenant hourly job-rate to accomplish administrative duties.

VII. Reserve Officer Duties and Obligations

- A. Reserve officers will contact the Reserve Lieutenant one week in advance of the planned work time to schedule a duty time that most benefits the Department.
- B. When scheduled to work a regular patrol shift, reserve officers will attend patrol briefings.
- C. Reserve officers will attend Reserve Officer Program meetings as scheduled by the Reserve Officer Lieutenant.
- D. Reserve officers can work limited off-duty opportunities as long as the job is arranged by the off-duty coordinator and the job is one that is offered to, but not filled by, full-time officers.
- E. Within ten days of resigning from the Reserve Officer Program, all issued equipment must be returned to the Department.



Chapel Hill Police Department



Subject: Management of Officer Involved Shooting	Number: 4-8
Issued: 10-22-2004	Revised: 1-1-2006
Pages: 1 of 4	

Policy: It is the policy of the Chapel Hill Police Department to investigate officers' discharge of their firearms in order to ensure that the law, department policy, and safety procedures are followed.

I. Definitions

A. Officer Involved Shooting

1. An officer involved shooting is:
 - a. The discharge of a firearm by an officer while on duty, or
 - b. The discharge of a firearm while off duty and using the authority granted to the officer by the Town of Chapel Hill, or
 - c. The discharge of the officer's department issued firearm, on or off duty.
2. Exemptions
 - a. Supervised training or qualification, or
 - b. The discharge of an authorized firearm, with supervisory approval, for the purpose of killing a wounded animal, or
 - c. Recreational shooting of a personal firearm.
 - d. Discharge of a department issued firearm for the purpose of training or practice.

B. **Authorized Firearms**, as described in the Firearms Policy (1-2), are firearms and accessories authorized by the Chief of Police and carried only after such training as required by law and department policy is completed.

C. **Involved Officer** is any Chapel Hill officer who discharges his firearm as described in Section I.A above.

D. **Employee Witness** is any Chapel Hill Police Department employee who witnesses an officer involved shooting.

E. **Subject** is the person(s) at whom the officer discharged his firearm.

II. On-Duty Incident

A. The officer who discharges a firearm shall notify the on-duty supervisor immediately.

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Issued: 10-22-2004	Revised: 1-1-2006
	Pages: 2 of 4

- B. The on-duty supervisor will manage the police shooting scene as any other shooting scene, with the addition of the following:
 - 1. Secure and label involved officer's firearm and ammunition as evidence.
 - 2. Provide transportation for the involved officer(s) and employee witnesses to the police headquarters.
 - 3. Ensure that involved officer(s) and employee witnesses are separated and that they make no statements other than necessary at the scene.
 - 4. Ensure that an officer and a Crisis Unit member are assigned to the involved officer(s) and employee witnesses, if needed.
 - 5. Ensure that the involved officer(s) and employee witnesses are escorted to their residences by an officer at the conclusion of the necessary proceedings, if needed.
 - 6. Coordinate notification of the following:
 - a. Internal Affairs Officer
 - b. Operations Commander
 - c. Crisis Intervention Unit Supervisor
 - d. Police Attorney

III. Off-Duty Incident

- A. An officer, not on duty, who discharges a firearm using the authority granted to the officer by the Town of Chapel Hill or discharges the officer's department issued firearm (Section I.A.1.b and c) shall notify the on-duty supervisor immediately.
- B. The supervisor will notify:
 - 1. Internal Affairs Officer
 - 2. Operations Commander
 - 3. Crisis Intervention Unit Supervisor
 - 4. Police Attorney
- C. The Internal Affairs Officer will coordinate the investigation with the responsible outside agency.

IV. Response to an Officer Involved Shooting, On or Off Duty

- A. Operations Commander will:
 - 1. Notify the Chief of Police.
 - 2. Provide oversight for incident management and investigation.
 - 3. Coordinate the issuance of a press release, if needed.

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4. Assign appropriate resources for a criminal investigation and/or crime scene security.

B. Crisis Intervention Unit Supervisor will:

1. In coordination with the Chief of Police, contact the injured person(s) and/or family members and provide resources as needed.
2. If requested by any involved officer, provide resources to the officer and/or family members.

C. Police Attorney will:

1. Provide legal advice to staff members
2. Provide legal oversight as to the action of department members

V. Investigation

A. Internal Affairs Investigation

1. At the direction of the Chief of Police, the Internal Affairs Officer will conduct an administrative investigation of the shooting, following procedures in the Internal Affairs and Complaints Policy 4-10. The purpose of the investigation is to determine:
 - a. whether department policy was followed, and/or
 - b. whether any training needs exist.
2. If instructed by the Chief of Police, the Internal Affairs Investigator will request the services of the SBI and serve as a liaison with the Supervisory Agent in Charge,
 - a. providing agents with requested information, and
 - b. coordinating logistic needs (i.e. office space, arrange interviews) of the investigating agents.
3. Submit a complete report to the Chief of Police for review and possible action.

B. State Bureau of Investigation (SBI)

1. The investigation of any on-duty, officer-involved shooting that results in injury will be referred to the SBI.
2. The SBI will be responsible for investigating the officer's actions to determine if they were justified and in compliance with federal and state law.
3. Upon completion of the investigation, the SBI will submit a report to the District Attorney for review and possible action.

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VI. Follow-up Procedures

A. The Crisis Unit Supervisor will:

1. Arrange for a critical incident debriefing 24 to 72 hours after the incident for any involved personnel.
2. Maintain contact with involved employees and advise the Chief of Police concerning referrals for services, back to duty considerations, and necessary supports.
3. Manage intervention services for officers involved.
4. Manage intervention services for the subject and/or the subject's family.

B. Duty Status of Involved Officers

1. Any officer directly involved in a shooting incident will be granted an administrative leave of absence. The Chief of Police will determine the onset and duration of this leave.
2. The Chief of Police will determine the need for a psychological evaluation of the involved officer(s). Psychological evaluation is mandatory if the subject is shot.
3. Any officer involved in a shooting incident who requests a psychological evaluation will be granted one.
4. The Chief of Police will determine if and when duty firearms may be issued to involved officer(s).
5. The Chief of Police will review the Internal Affairs Officer's report and will make a decision as to the appropriateness of the officer's actions.



Chapel Hill Police Department



Subject: Specialty Assignments	Number: 4-9
	Pages: 1 of 8

Policy: It is the policy of the Chapel Hill Police Department to provide career development opportunities for officers by providing opportunities for regular rotation through specialty units.

I. Specialty Assignments Procedures

A. Specialty positions include, but are not be limited to:

1. Alcohol Law Enforcement Investigator
2. Canine Officer
3. Recruitment-Career Progression Officer
4. Court Liaison/Special Events Coordinator
5. Investigator
6. School Resource Officer
7. Traffic Officer
8. United States Federal Task Force Officer (TFO)

B. Specialty assignments include, but are not limited to:

1. SERT
2. Instructor
3. Honor Guard
4. Crisis Negotiator

C. Selection Process

1. When a vacancy occurs in a specialty assignment or when a specialized position is scheduled for rotation, the Training Division Staff will send out a memorandum to all employees outlining the minimum requirements for the position.
2. Interested officers will submit a letter of interest along with a professional résumé.
3. An officer currently in the assignment that is scheduled to rotate and is eligible to re-apply may submit their name to compete in the process. They will be required to follow the same procedure as new applicants.
4. Division Commanders are responsible for developing an assessment for process for each specialty position in their division.
5. Candidates may be required to participate in a practical exercise, interview, and/or an oral presentation that is relevant to the position. The Division Commander may appoint a three person committee to administer the exercises, and to evaluate the applicants. Whenever possible one member of the committee will have served in the position.

6. The Division Commander will make recommendations to the Chief of Police.
7. The Chief of Police will decide who will fill the assignment. The Chief will consider the Division Commander's recommendation, the candidate's personnel background, including, but not limited to, awards, commendations, previous disciplinary actions, work history, supervisory recommendations, and any other factors relevant to the position.
8. If a viable candidate is not available, the Chief may choose to re-open the process, appoint someone not in the process, or not fill the position.
9. A list of the top three candidates for each specialty assignment will be maintained for a period of one year from the date of selection. If a vacancy occurs prior to the position's rotation date, the Chief of Police may choose to fill the vacancy from the list or may initiate a new selection process. If the incumbent for a specialty position is the only applicant, they may be re-appointed by the Chief following a review and recommendation from the Division Commander.

D. General Rules Pertaining to Specialty Assignment

1. Specialty assignments are not considered a promotion; therefore, the Chief of Police may at any time replace, appoint, remove, or transfer an employee from a specialty position to another assignment.
2. For the purpose of calculating years of service, three complete years of sworn service with another agency will count as one year with this department.
3. Applicants for all assignments must have served at least one complete year as a sworn officer at the Chapel Hill Police Department.
4. If chosen for a specialty assignment, officers are expected to honor the respective time commitment. If an officer requests a transfer prior to completing the allotted time and the request is granted, they will not be allowed to request any other specialty assignment during the remainder of the timeframe, plus an additional year. An example would be if an officer requested a transfer after working an assignment for one year and the assignment was scheduled for four years. The officer could not apply for any other specialty assignment for four years. The Chief may also deny any request and require the officer to fulfill the commitment.
5. The Chief will review any hardship requests for an early transfer or extension that meets an organizational need. If a hardship request for an early transfer is approved, the officer will be able to apply for any future positions without restriction.
6. The Training Lieutenant will maintain all records pertaining to the selection processes and the rotation timelines.
7. Applicants for all assignments must have no disciplinary actions in the 18 months prior to their application.
8. Officers rotating out of a specialty position meeting term limits must wait one year before reapplying.

9. Specialty positions that are up for rotation will be announced in early April with assessment processes completed and selections made to coincide with the annual Shift Bid process.
10. All specialty positions require continuing education in that discipline to be eligible for re-appointment and include specific required courses, as further described below. These courses are subject to change based on availability and department need. If the required course(s) is not available, a basic equivalent may be substituted, subject to the approval of the respective supervisors and training division. In-service training and career progression hours will not count toward the required training listed for each position under section II. Minimum Requirements and Rotational Guidelines.
11. All specialty positions may be expected to work nights and weekends as well as making public appearances and presentations on behalf of the department.

II. Minimum Requirements and Rotational Guidelines

A. Alcohol Law Enforcement Investigator

1. Rotation: Two (2) year assignment in each Investigator Tract (I, II, III), must complete educational requirement to proceed to next tract (see attachment A)
2. Minimum Requirements
 - i. Three years sworn service with the department
 - ii. Basic Criminal Investigations Class
 - iii. Department approved public speaking course or Instructor Certification
 - iv. Expected to work on call rotation
3. Limit of one (1) term per Investigator Track (I, II, III)(see attachment A)

B. Canine Officer

1. Rotation: The length of the assignment is based on the working life of the patrol dog. Upon retirement of the dog a selection process will be conducted.
2. Minimum Requirements:
 - i. Three years sworn service with the department
 - ii. A residence capable of housing the patrol dog with adequate space for a kennel or written permission from the candidate's landlord/property owner allowing construction of a kennel on the property
 - iii. Able to attend up to fourteen weeks of Basic Canine Training
 - iv. Complete 16 hours of canine training each month

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- v. Department approved public speaking course or Instructor Certification
- vi. May be required to change shifts and/or rotate shifts
- vii. Minimum commitment of five years
- 3. Must complete 120 hours of continuing education during the assignment including the following courses:
 - K9 Decoy and Aggression
 - K9 Urban and Rural Tracking
 - K9 Legal Issues
- 4. Selected officers limited to two dogs. A dog unable to successfully complete basic K9 School and become certified will not count against the handler's two dog limit. If an assigned canine is retired prior to five years of service, the Chief of Police will have the option of granting an additional term to the affected handler.

C. Recruitment/Career Progression Officer

- 1. Rotation: Two (2) year assignment
- 2. Minimum Requirements
 - i. Two years sworn service with the department
 - ii. Completion of department approved public speaking course
 - iii. Commitment to remain on recruitment committee for 1 year post assignment
- 3. Must complete 50 hours of continuing education during the assignment including the following course:
 - FTO School
- 4. Limit of one (1) term

D. Court Liaison/Special Events/Off-Duty Coordinator

- 1. Rotation: Four (4) year assignment
- 2. Minimum Requirements
 - i. Three years of sworn service with the department
 - ii. Police Law Institute or obtained within one year of assignment
- 3. Must complete 120 hours of continuing education during the assignment including the following courses:
 - Crowd Management
 - Terrorism Awareness for LEO
 - NIMS 300 and 400
 - Special Events Seminar
 - Basic Excel
- 4. Limit of two consecutive terms
- 5. Appointment to the position will include a six month transition period to receive training from the outgoing officer.

E. Investigator

1. Rotation: Two (2) year assignment in each Investigator Tract (I, II, III) with four (4) year assignment in Investigator IV, must completed educational requirements to proceed to next tract (see attachment A)
2. Minimum Requirements
 - i. Three years of sworn service with the department
 - ii. Police Law Institute or obtained within one year of appointment
3. Expected to work an on-call rotation with, some nights and weekends
4. Must complete continuing education tracks during the assignment, see attached for mandated classes/hours for Investigator I through IV
5. Limit of one term per Investigator track I, II, III and four years as Investigator IV (see attachment A)

F. School Resource Officer

1. Rotation: Serve at the discretion of the Chief of Police
2. Minimum Requirements
 - i. Three years of sworn service with the department
 - ii. Expected to work school events that are held in the evenings and weekends
 - iii. Expected to attend annual district trainings and meetings as outlined in the CHCCS / CHPD Memorandum of Understanding
 - iv. Successfully complete School Resource Officer Training within one year of appointment
 - v. Successfully apply and meet criteria of the School Resource Officer Certification within 5 years of appointment.
3. Must complete 120 hours of continuing education during the assignment. Training must meet the CHCCS School Resource Office memorandum of Understanding Training Objectives

G. Traffic Officer

1. Rotation: Four (4) year assignment
2. Minimum Requirements
 - i. Three years of sworn service with the department
 - ii. Intoximeter Certification
 - iii. RADAR Certification
 - iv. At Scene Crash Investigation Certification
 - v. Department approved public speaking course or Instructor Certification.
3. Expected to instruct various traffic safety courses and participate in public speaking engagements, upon request
4. Must complete 120 hours of continuing education during the assignment including the following courses:
 - Advanced Traffic Crash Investigation

- Lidar Operator
5. Limit of two consecutive terms, must obtain Traffic Crash Reconstructionist certification, if selected for a second term.

H. United States Marshals (TFO)

1. Rotation: Four-year assignment
2. Minimum Requirements:
 - i. Minimum of 2 year commitment
 - ii. Three years of sworn service with the department
 - iii. SWAT or OSII completion
 - iv. Pass the POPAT within the state standard
 - v. Must be currently qualified to carry a rifle, shotgun and Taser. These qualifications must be held prior to turning in an interest letter and kept the entire time of service in this assignment.
 - vi. Must be able to pass all security clearance and background checks required by the U.S. Government.
 - vii. Any other requirement deemed necessary by the Chief of Police.
3. Must complete 120 hours of continuing education during the assignment, including the following course:
 - High Risk Warrant Service
4. Limit of two (2) terms

I. Special Emergency Response Team (SERT)

1. Provisional Operator – Minimum Requirements
 - i. Minimum of 1 year sworn service with the department
 - ii. Expected to respond to call-backs and attend all required training.
 - iii. Eligible for full operator status with 2 years sworn service with the department, pending a supervisor recommendation and review by the SERT Commander.
 - iv. Minimum commitment of one year
2. Operator - Minimum Requirements
 - i. Two years of sworn service with the department
 - ii. Expected to respond to call-backs and attend all required training
 - iii. May be required to change shifts based on the number of SERT
 - iv. officers per shift
 - v. Minimum commitment of three years
3. Marksmen/Observer – Minimum Requirements
 - i. Minimum of 3 years sworn service with the department and 1 year as an Operator
 - ii. Expected respond to call-backs and complete all required training.
 - iii. Minimum commitment of two years

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J. General Instructor

1. Minimum Requirements

- i. Minimum of four years as a Law Enforcement Officer
- ii. Minimum of three years of sworn service with the Department
- iii. Demonstrate proficiency in verbal and written communication skills
- iv. Specific requirements for Specialty Instructors will be detailed when a position becomes available consistent with the requirements from the Criminal Justice Training and Standards Division
- v. Minimum commitment of five years after training is completed

K. Honor Guard

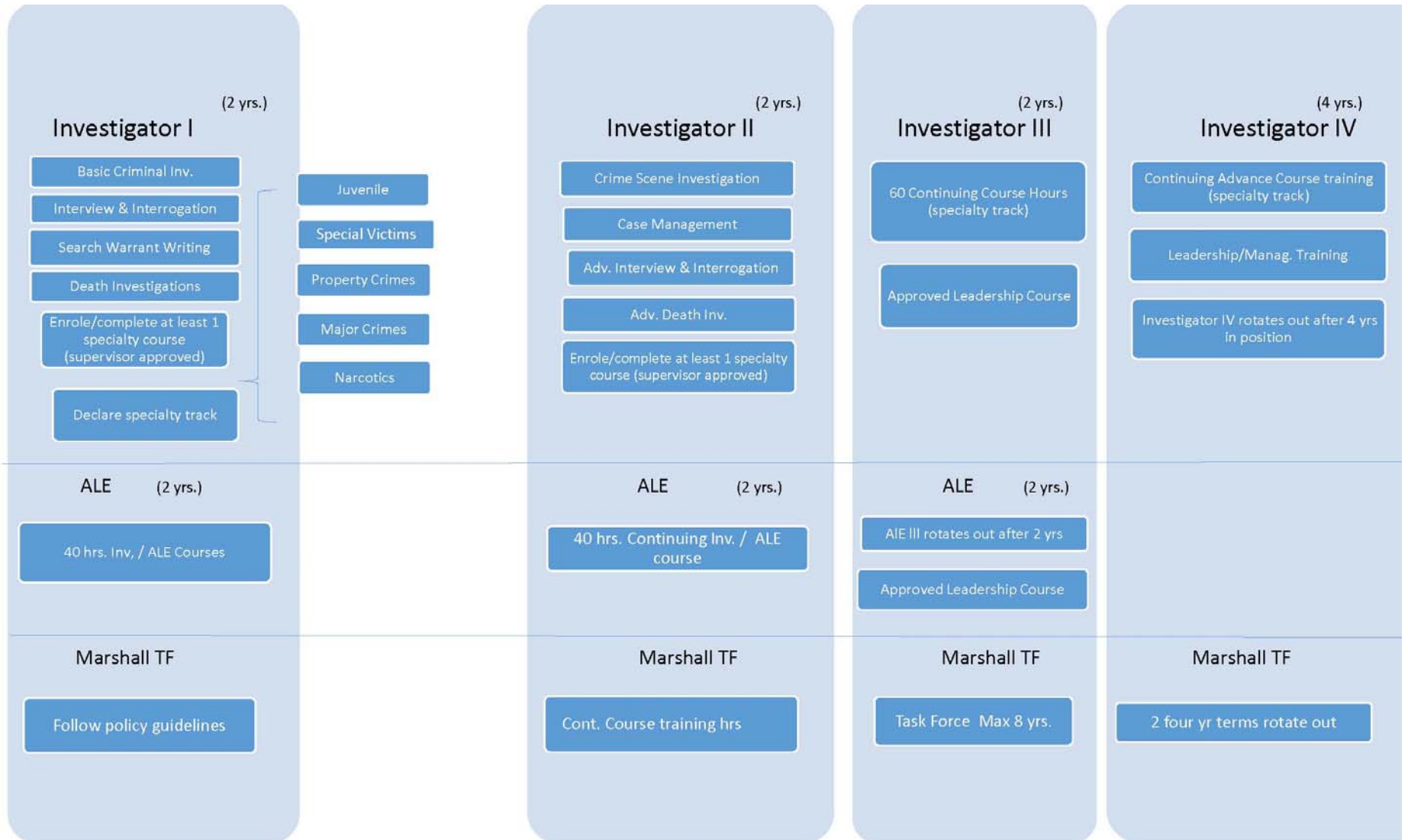
1. Minimum Requirements

- i. Minimum of two years of sworn service with the Department
- ii. Expected to travel to and/or attend any services requiring the Honor Guard
- iii. Complete Basic Drill and Ceremony School within 12 months of assignment
- iv. Minimum commitment of three years
- v. Participate in at least 50% of honor guard scheduled events and call-backs
 - a. Members who participate in 50% of events will be eligible to attend National Police Week Event. Members who fail to participate in 50% of events will not be eligible
 - b. Members who fail to participate in at least 50% of events for two years will be ineligible to remain on the Honor Guard

L. Crisis Negotiation Position

1. Minimum Requirements

- i. Sworn Officer - Two years of sworn service with the Department
- ii. Civilian – Master’s level clinician assigned to the CHPD Crisis Unit for a minimum of one year
- iii. Expected to respond to call-backs and attend all required training
- iv. Successfully complete Basic Negotiations School within 6 months of assignment
- v. Minimum commitment of three years





Chapel Hill Police Department



Subject: Internal Affairs and Complaints	Number: 4-10
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Policy: It is the policy of the Chapel Hill Police Department to receive, document, investigate, and promptly resolve all complaints against the department and its employees, in compliance with Town Policy.

Internal investigations are conducted on complaints received from both internal and external sources and are logged by the Office of Professional Standards (OPS) to indicate the manner in which they are received whether, departmental, Citizen or Use of Force.

Internal investigations will be conducted in a manner that is consistent throughout the department regardless of whether the investigation is conducted by OPS or supervisory personnel.

The investigator is responsible for searching out and gathering all available facts. It is paramount that the investigator maintains an open mind. Seemingly ridiculous allegations have been found to be true; other times, initial physical evidence, which may seem to overwhelmingly support an allegation, later is shown to be incorrect.

I. Definitions

A. Misconduct:

1. Commission of a crime; or
2. Violation of Department or Town rules and regulations, policies, and/or procedures; or
3. Conduct that adversely reflects upon the employee or the department.

B. **Complaint:** An accusation of employee misconduct from any person, or information about alleged misconduct by an employee or directed at an employee.

C. **Professional Standards Officer:** An officer appointed by the Chief of Police to manage the Professional Standards Process and investigate Type 1 Complaints as directed. This officer reports directly to the Chief of Police.

II. Investigative Responsibilities

A. Administrative Investigations

1. Office of Professional Standards

OPS is responsible for conducting investigations regarding allegations of criminal misconduct, serious allegations of misconduct, complex and time consuming investigations, use of force investigations where the force results in serious injury or death and those investigations directed by the Chief of Police. OPS will serve as a fact finder when conducting internal investigations and will forward complete investigations for review and recommendations through the involved employee's chain of command.

2. Supervisors

Supervisors in the employee's direct chain of command will conduct internal investigations when the following occurs:

- i. Serious infraction of the rules: To include, disrespectful conduct toward a superior, sleeping on duty, neglect of duty, false statements to superiors and malingering.
- ii. Less serious infractions of the rules: To include, untidiness, improper vehicle operation, failure to conform to policies and procedures, failure to perform and failure to submit a required report.
- iii. Infractions not directly related to duty: To include, off-duty traffic offenses, public drunkenness, failure to pay debts, engaging in outside non-sanctioned employment and any actions that could reflect unfavorably on the department.
- iv. Police Vehicle Accidents: (See Level Four Policy No. 4-6 entitled Collisions Involving Police Department Vehicles.)

B. Criminal Investigations

1. Any supervisor, who in the course of an internal investigation discovers evidence of criminal misconduct, will discontinue the investigation and notify their chain of command and OPS. Supervisors who are conducting investigations where Miranda and Garrity issues might exist should contact OPS or the legal department for guidance.

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2. The appropriate agency, according to jurisdiction, function and the type of investigation, will be requested to investigate allegations of criminal misconduct. (i.e. CHPD, OCSD, SBI, FBI.)
3. Generally OPS will conduct a parallel internal investigation while the criminal investigation is taking place. Occasionally, OPS will work concurrently with criminal detectives until the time that the employee under investigation needs to be interviewed.

III. Internal Administrative Investigative Process

Any misconduct by department personnel must be thoroughly investigated and properly reviewed to assure the maintenance of efficient, fair and impartial law enforcement. The Department also recognizes the need to protect employees from false allegations of misconduct and from arbitrary or unequal treatment through the investigative and/or disciplinary process. This can only be accomplished by consistently following a thorough investigative process. Therefore, the Department has established the following process and protocol for conducting internal administrative investigations in an effort to balance the integrity of each investigation with the needs and rights of each employee.

A. Receipt of Complaint

1. All complaints, regardless of the manner in which they are presented, will be received and documented immediately on a Citizen Contact Form with the following exceptions:
 - i. Third party complaints will not be accepted unless the complainant was a witness to the actual incident or files a complaint as a parent or legal guardian on behalf of their child being less than 18 years of age.
 - ii. Should a complaining party be under the influence of impairing substance and their behavior is irrational and/or unreasonable, the supervisor will take their information and forward the information to the Professional Standards Officer. The Professional Standards Officer will ensure the complainant is contacted within two working days to receive the complaint if applicable.
2. Employee Duty to Report- Any employee contacted, in any manner, regarding a complaint against an employee or the department, or who

is aware or made aware of any misconduct as defined in Section I. A of this policy, will immediately report the same to an on-duty supervisor. Failure to report a complaint to a supervisor will subject the employee to disciplinary action, up to, and including, dismissal.

B. Evaluating a Complaint

The supervisor will evaluate the specific allegations/misconduct and determine what issues to address. It is important to translate a complainant's allegations into department terminology so that if an allegation is substantiated it is clear what the violation(s) would be. As the supervisor proceeds, additional violations may be identified and they should be addressed during the course of the investigation. OPS will immediately be notified if, at any point during an investigation it is determined that an allegation is a criminal violation.

C. Mediating a Complaint

Some complaints are less serious in nature. By taking the time to listen and resolve the complaint at the initial contact, it may be possible to clear up an issue to the satisfaction of the complainant.

1. Supervisors are encouraged to mediate a minor complaint that can be resolved at the initial contact with the complainant when both parties can be satisfied with the outcome. Documentation of the mediation should be submitted on a Citizen Complaint Form to the Professional Standards Officer.
2. If the complaint is minor and cannot be resolved, the supervisor will formally receive the complaint and sign a written statement. The form should then be forwarded to the Professional Standards Officer.

D. Documenting a Complaint

1. Citizen Contact Sheets

All Citizen Complaints and Citizen Contacts will be documented on the Citizen Contact Sheet. Completed sheets are used to enter the information into BlueTeam as either a contact or complaint. Once entered in BlueTeam, the completed form is dropped in the locked, metal OPS

mailbox in Administration. The BlueTeam entry will be forwarded to OPS for review and assignment. Citizen Contact Sheets will not be used to record allegations of excessive force.

- i. OPS will assign an investigator and send the BlueTeam entry or an investigative packet out to the investigator for follow-up.
- ii. Once the investigation is completed, it is forward through the chain of command for review by each person in the chain.
- iii. The Division Commander will review the contact sheet and sign to indicate that he agrees with the supervisor's actions.
- iv. If the Division Commander disagrees, the contact sheet will be forwarded back to the Unit Supervisor for further investigation or upgraded to an internal investigation.
- v. The Division Commander will forward all original completed citizen contact sheets to OPS for data entry and file maintenance.
- vi. Citizen Contact Sheets on file in OPS will be available for review by supervisors during the applicable evaluation cycle. Contact sheets will be maintained by year and if there is a pattern of poor performance or similar complaints, they may be reviewed for performance documentation purposes.
- vii. Citizen Contact Sheets will be entered in IA Pro and maintained for the most recent two years, purging previous years from IA Pro, unless an alert has been activated during that time period. If an alert has been activated based upon citizen complaints or a combination of citizen complaints and other investigative categories, then Citizen Contact Sheets will not be purged for two years following the most recent alert.

2. Administrative Investigations:

The following will serve as a guideline to supervisors conducting internal administrative investigations. Items with an asterisk are required to be included in all internal administrative investigative files. Other items may become essential to the investigative file based on the nature of the investigation.

- i. Investigative Contact Sheet - Used to establish a timeline, log investigative activities and document contacts in the investigative process.

- ii. Personnel Incident Report (PIR)
 - a. One Copy - Forwarded through the chain of command to OPS.
 - b. One Copy - For the investigative file.
 - c. One Copy - To be given to the employee to serve as notification of the investigation.

Each employee who is the subject of an internal administrative investigation or who becomes the subject of an internal administrative investigation at some time during the investigative process will be given a copy of the PIR. This will require completing a second PIR when an employee becomes a co-subject in an ongoing internal administrative investigation. The additional PIR will be forwarded through the chain of command with a notation that it is part of an ongoing investigation.

- iii. Notice of Allegations/Rights of Employee's as it relates to an Internal Administrative Investigation
 - a. One Copy-Forwarded through the chain of command to OPS attached to PIR
 - b. One Copy-to be given to employee
- iv. Investigation Review Sheet
- v. Post Internal Investigation Conference Form
- vi. Supervisory summary of investigation
- vii. Employee/Employee Statements - Where there is no police report on file regarding the circumstances of the complaint, statement forms will be used. Otherwise, employee statements will be written on a Supplemental Report Form.
- viii. Complainant/Witness Statements
- ix. Any police reports
- x. Photographs. *Required for Use of Force investigations
- xi. Polygraph/CVSA results
- xii. Intoximeter, medical laboratory or other diagnostic results
- xiii. Financial disclosure statements
- xiv. Garrity Warnings
- xv. Any required Town of Chapel Hill forms
- xvi. Any required Police Department formats, e.g. police pursuits

- xvii. CAD (Computer Aided Dispatch) Call Summary or associated 911 recordings, if applicable.
- xviii. Police vehicle accidents must include DMV-349, Exchange Slip Internal or Town Accident Report, Vehicle Accident Summary Form, Statements and Recommendations for Case Disposition.
- xix. Any video or audio recordings

E. Investigative Tools

Upon approval of the Chief of Police or his designee, certain investigative methods may be used during internal investigations. When they are specifically and narrowly related to a particular internal investigation, employees may be compelled to submit to certain examinations that will be conducted at the Department's expense. The results of any examination are for administrative purposes only and cannot be used as part of a criminal investigation.

The examinations include, but are not limited to, the following:

1. Voice Stress Analyzer or polygraph
2. Medical or laboratory examinations to include breath or blood chemical analysis, urine analysis, and/or psychological evaluation.
3. Photographs and participation in a photographic and/or physical line up.
4. Submission of financial disclosure statements when they are material to the investigation
5. Submission of personal cell phone records, e-mails, texts, or social network communications when they are material to the investigation
6. Any other non-testimonial procedure deemed appropriate by the Chief of Police

F. Supervisory Summary

The supervisor who conducts the investigation will submit a summary of the investigation. When applicable, the supervisor's summary should include:

1. Original allegation and any other violations that became apparent through the course of the investigation.
2. Facts that support the findings of the investigation.

3. Findings of the investigation.
4. Determination of any rule violations by citing the specific rule violation and a brief description of how the violation occurred.
5. Recommendation for disciplinary action or corrective action. If corrective action, the type of corrective action should be stated.

G. Review of the Investigative File and Recommendations

In order to facilitate an efficient review of the investigative file, OPS will use a secured electronic viewing location to share the investigative file. This electronic location should include the relevant audio and video recordings, photographs, a digital scan of any paper documents, and a complete scan of the investigative file.

The investigative materials will be forwarded to the subject employee's supervisory chain of command for review. Depending upon the nature of the allegations, the Chief of Police may also designate relevant subject matter experts to assist with the investigative review. The review of the file will be completed within 10 business days.

Upon completion of the investigative review, OPS will establish a meeting date and time for a consensus meeting. The scope consensus decision meeting should include:

- i. Ensuring the investigation captured all relevant areas
- ii. Which, if any, violations were identified
- iii. Evaluation of existing policies and practices to determine if changes are required
- iv. A review of previous actions taken to prevent the issue with the respective employee
- v. If disciplinary action is required, a unanimous decision to determine if the violation(s) meet the threshold for severe disciplinary action.

Employees under investigation will receive a letter from the Chief of Police or OPS to inform them whether the complaint was unsubstantiated, unfounded or that they have been exonerated.

If the complaint is substantiated, the employee will be notified in accordance with Town policy and procedure regarding what disciplinary action has been taken.

H. Disposition Classifications

The burden of proof in internal investigations is “preponderance of evidence” rather than the criminal standard of “beyond a reasonable doubt”. Preponderance of the evidence has been described as a “slight tipping of the scales of justice” or “more than 50 percent”. “No Violation” is not an option. Reviewers must select one of the following disposition classifications at the conclusion of an investigation:

1. **Substantiated:** The evidence is sufficient to prove that the alleged incident occurred and that actions taken by the employee constitute misconduct as described in Section I.A.
2. **Unsubstantiated:** The evidence is insufficient to either prove or disprove the facts of the allegation.
3. **Exonerated:** The evidence proves that the incident occurred, but the employee’s conduct legal, justified, proper and in conformance with the department policy and procedure.
4. **Unfounded:** The evidence proves that the allegation is false and not factual or that the conduct did not occur.

I. Disposition of Internal Investigations

Once OPS receives a completed file from the Chief of Police, the file is recorded in the complaint classification log indicating the final disposition and completion date. The file is then logged in a database tracking system. Internal investigations can be tracked by an employee’s name and can assist in identifying poor work performance patterns. Likewise, a citizen’s name can be retrieved to see if a pattern of complaining exists. A letter is sent from OPS to all citizen complainants at the conclusion of the investigation and when relevant, to inform them that appropriate action has been taken.

J. Time Guidelines

There will be a thirty day maximum turnaround on all internal investigations. When circumstances exist that cause the investigation to exceed thirty days, the Division Commander and/or the Professional Standards Officer will notify the citizen complainant or employee, in writing, that the matter is still under investigation.

IV. Employee Rights and Responsibilities

- A. The employee under investigation will be notified in writing of the complaint against him. The Chief of Police may choose not to inform an employee that he is under investigation if that notice is likely to jeopardize the investigation.
- B. Prior to being interviewed about alleged criminal misconduct, the employee will be advised of the Miranda warnings. The provisions of Miranda, if applicable, will be followed throughout the interview.
- C. Prior to being interviewed or to submitting a written statement about alleged misconduct for the purposes of an administrative investigation, the employee will be given a Garrity Rights Form and advised of his administrative investigation rights and responsibilities. (Garrity Rights do not apply to written statements provided by an employee as part of a police report during the employee's tour of duty.)
- D. An employee being investigated may contact the Professional Standards Officer or his immediate supervisor to check the status of the investigation.
- E. All interviews concerning serious infractions of the rules, including but not limited to, detrimental conduct, allegations of serious misconduct or excessive force will be recorded.
- F. Interviews may be done while the employee is on duty, unless the seriousness of the accusation requires an interview when the employee is off-duty. If the employee is interviewed when not regularly scheduled to work, he will be compensated for that time.
- G. Employees being investigated are not permitted to have counsel or other representatives present during administrative interviews or special examinations.
- H. Employees being investigated are prohibited from contacting the complainant or any witness in a criminal or administrative investigation.
- I. An employee may appeal the investigation findings and/or disciplinary actions by following the guidelines for grievances in the Town Code of Ordinances (Article XII, Chapter 14).

NOTE: Employees should refer to the Town Code of Ordinances and the Chapel Hill Employee Handbook for Human Resources Rules and Regulations.

V. Record Keeping

- A. The Professional Standards Officer will maintain records on all complaints.
- B. Monthly, the Professional Standards Officer will present to the Chief of Police, a summary of all complaints-contacts for dissemination to the Town Manager.
- C. Quarterly, the Professional Standards Officer will prepare a summary report to the Chief of Police of all complaints and dispositions submitted to the Department.

All records will be kept in a secure area under the care of the Professional Standards Officer. No employee, will access these files without the permission of the Chief of Police. All access to investigative files will be governed by G.S. 160A-168, North Carolina's State Personnel Privacy Act, as it may be modified from time to time.

VI. Temporary Removal From Duty

Any sworn supervisor is authorized to remove an officer from duty when the officer, in the judgment of the supervisor, is unfit for duty as a result of:

- A. Impairment
- B. Psychological or physical instability affecting, or that may affect, duty performance.
- C. Severe misconduct

This removal is temporary and with pay. The employee's chain of command, OPS and the Chief of Police will be notified when removal from duty occurs. More formalized procedures will follow this action the next day. If the officer is not within the supervisor's chain of command, the supervisor will make every attempt to consult with the on-duty supervisor prior to removing the officer from duty. Any supervisor who removes an officer from duty will comply with the following:

- A. Provide the employee with support services.
- B. Advise the employee that he/she may not engage in any law enforcement activities.
- C. Order the employee to relinquish his/her service weapon, badge and police credentials.

- D. Order the employee to remain at his/her residence during normal duty hours.
- E. Prepare a report describing the circumstances of the action and distribute to the chain of command, OPS and the Chief of Police.
- F. Make all necessary notifications pursuant to Town Policy and Procedures.
- G. Report incident to Human Resources

VII. Compensation

Personnel required to participate in an internal investigation beyond their normal assigned schedule will be compensated as established by current Town personnel rules and policies. Personnel will not be compensated for time accrued during a criminal investigation because participation in criminal investigative interviews are voluntary and are not compelled by the department.

VIII. Administrative Duty Assignment

When an allegation is serious in nature, the Division Commander in charge of the employee or the Chief of Police may place the employee on Administrative Duty Assignment pending the outcome of the investigation. This is a judgment call in which the totality of the circumstances of the investigation and the impact that continued regular duty could have on the operating efficiency of the department will be taken into consideration. An employee on administrative duty assignment will be assigned to an area of operation that best serves the needs of the department.

IX. Access to Internal Investigative Files

Employees will have the right to review an internal investigative file where they are the subject of the investigation upon completion of the investigation. They do not have the authority to review any information pertaining to other employees who may also be a subject of the investigation. Employees who appeal a disciplinary recommendation, or file a civil claim against a complainant, may request and are entitled to a copy of the internal investigative file with the exception of items that are covered under the Personnel Privacy Act.

X. Protective Goals

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

Personnel who engage in continuous or serious acts of misconduct demonstrate that they are unfit for law enforcement work and must be removed for the protection of the public, the Police Department and the department's employees.

The department continually seeks to improve the efficiency of its operations and personnel. Internal investigations sometimes reveal faulty procedures that would have otherwise gone undetected as well as practices that are not consistent with current policy. This is a positive byproduct of the process and encourages policy review for policies that may be inconsistent and outdated. Supervisors conducting internal investigations should identify inconsistencies and make recommendations in the course of their investigative process. The Chief of Police or his designee will have the authority to improve or correct policies and procedures when a deficiency is found.



Chapel Hill Police Department



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I. AUTHORITY

The Office of Professional Standards (OPS) is a fact finding internal investigative unit. OPS also disseminates information to the media, maintains internal employee files.

OPS is under the direct supervision of the Chief of Police. OPS will have the authority and responsibility to initiate an investigation into employee misconduct or citizen complaints involving anyone under the employ of the Chief of Police.

OPS personnel will have the authority to access all department records, reports, equipment and areas under control of the Police Department for the purpose of making a complete investigation of alleged misconduct.

II. RESPONSIBILITIES

▪ Citizen Complaints

OPS will take complaints, including anonymous complaints, during normal working hours. If the complaint is regarding an employee who is on duty, then the complaint will be referred to the appropriate on duty supervisor. OPS will immediately brief the Chief of Police on all serious complaints of misconduct against the Department or its employees. Minor complaints and infractions of rules do not require immediate notification.

▪ Internal Administrative Investigations

OPS will conduct internal administrative investigations into serious allegations of misconduct and investigate other complaints as directed by the Chief of Police or his designee. Internal investigations involving criminal allegations will be conducted in accordance with Policy 4-10, Internal Affairs and Complaints



Chapel Hill Police Department



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III. REPORTING REQUIREMENTS

Annual statistical data is compiled by OPS based on administrative investigative data. Administrative investigations are classified into three categories:

- a. Departmental Investigations
- b. Citizen Complaints and
- c. Use of Force

Statistical summaries are made available to the public and agency personnel upon request.

The OPS annual report will include a documented administrative review of employee vehicle accidents, vehicle pursuits and agency practices including citizen concerns.

Monthly and annual reports are prepared by OPS and submitted to the Chief of Police summarizing the nature and disposition of pending and completed internal investigations. These reports will also reflect any trends, patterns or areas of concern that may be useful to supervisors when handling personnel matters and to the Training and Legal Department in the preparation of training topics.

IV. DISCIPLINARY ACTIONS

OPS is responsible for completing a "Notice of Disciplinary Action" form for final disciplinary recommendations of a final written warning or greater. Completed notices for a final written warning or suspension will be forwarded to the respective Commander for notification and service on the employee, with the completed form returned to OPS.



Chapel Hill Police Department



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Supervisors are responsible for completing a “Written Counseling” (WC) once a final recommendation has been made. When notified, supervisors will submit a completed WC to OPS for review and Chief’s signature, to be returned to the supervisor for service on the employee.

V. PERSONNEL FILES

OPS maintains a secured employee file for each employee that works for the Police Department. These files include background information, performance history, disciplinary history, commendations, letters of appreciation and training and education certificates.

Pursuant to federal guidelines, a separate filing system is maintained to secure all medical information regarding employees.

Internal investigative files where an employee receives disciplinary action are a part of the employee’s personnel file and are secured separately.

The employee’s personnel file is maintained by Human Resources. However, it is not a duplicate of the entire personnel file maintained by OPS.

VI. MEDIA

OPS is responsible for coordinating the release of information pertaining to crime incidents and operational activities of the department during normal business hours. OPS also responds to call outs for events generating a significant amount of media attention.



Chapel Hill Police Department



Subject: Employee Compensation		Number: 4-11
Issued: 4-8-2005	Revised: 3-5-2011	Pages: 1 of 4

Policy: It is the policy of the Chapel Hill Police Department to compensate employees for all approved duty time in accordance with the policies and ordinances of the Town of Chapel Hill, and State and Federal laws.

I. Category of Workers

According to the federal Fair Labor Standards Act there are two categories of workers.

- A. Non-exempt employees are eligible for overtime pay or compensatory time off if they work more than their required work time. Under Town policy, compensatory time may be carried over to the next pay cycle up to a balance of 40 hours.
- B. Exempt employees are not eligible for overtime pay, but are eligible for compensatory time for approved extra work time on an hour per hour basis. Under Town policy, a balance of no more than 20 work days may be maintained.

Police Department positions and exemption status are listed in Attachment One.

II. Types of Work Time

A. Regular Time

Time that an employee is scheduled to work to attain his base work week.
Examples: A 12-hour per day, regularly scheduled shift for patrol officers; a 7.5 or 8-hour per day regularly scheduled shift for a non-sworn employee.

B. On-Call Time

Time, scheduled in advance, when an employee is required to remain in contact with the department via pager, telephone, e-mail, or other device, during a period that he/she would otherwise be off-duty. The employee's movement and private pursuits are restricted to ensure that he/she is available for immediate response to calls for assistance.

C. Work beyond Duty Time

Time worked outside the normal duty assignment that meets the following requirements:

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1. the time is pre-approved by a supervisor;
2. the work is considered an integral part of the employee's assignment; and the employee is performing the work as a representative of the department. *Examples: Preparing for a court case, cleaning a weapon or caring for other equipment, participating in special activities (summer camps, Special Olympics, etc).*
3. This would include any work done away from the employee's duty station and/or during regularly scheduled off-duty time.

D. Training/Special Event Time

1. Definition: Time related to department sponsored/mandated events and approved training. (This includes any time that the employee is representing the Town of Chapel Hill at a conference or sponsored event.) *Examples: training, association business meeting, banquet, or reception. This would not include recreational activities which the Town does not pay for, such as a golf tournament or organized tourist activity.*
2. Accrual: Employees will be compensated for all training time that occurs during an employee's regular shift, or if it is required by the employer. Supervisors are responsible, however, to help their employees manage their schedules so that individual training does not impede the operations of the shift or result in unnecessary overtime accrual.
 - a. If an employee works night shift and has training scheduled on the following day, the employee is expected to either work the requisite number of hours the night prior to training to make his scheduled total, or use leave time, if staffing permits. Employees may flex their schedules on any regularly scheduled duty day (up to their scheduled duty hours for that day) to allow for special events or training opportunities. (Supervisors must approve any such schedule changes and they should ensure that employees are released in time to ensure adequate rest in such instances.)
 - b. If an employee attends mandated or department-sponsored training, he will receive credit for:
 - a. **all hours spent in class**, training sessions, and/or on assignments required/supervised by the instructor, and;
 - b. transit time to and from the training.
 - c. Transit time is compensable for employees attending training, but only for time above and beyond that time normally spent by the employee in transit on a regular duty day. If the employee travels

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the day before the training begins, he is compensated only for the time spent traveling.

- d. Employees are not compensated for homework or study time for non-mandated training courses.
- e. Training is not intended to result in the accrual of overtime or compensatory time. Supervisors will work with their employees to minimize any such accruals.

Payment practices are described in Attachment Two.

III. Reporting Time

1. Any time for which an employee expects compensation (payment or compensatory time) must be reported to the supervisor as soon as possible after accrual and prior to the end of the payroll period during which it occurred. Except as approved by the Chief, no compensation requests submitted after the end of the payroll period in which it occurred will be honored.
2. Non-exempt employees may carry a compensatory balance of up to 40 hours as described in Town Personnel Policy 3-1. For sworn employees, compensatory time is accrued at straight time up to 171 hours **worked**, after which any hours worked in the cycle will accrue at time and a half (for non-sworn employees, this applies to anything over 40 hours per week.)
3. Non-exempt employees may not manipulate their schedules in order to reduce the amount of leave taken in a cycle due to training, vacation, sickness, or other absence except as otherwise indicated in Sect II.D.2.a of this policy.
4. Employees **must** document the time on the ***Time Worked Beyond Duty*** form and supervisors must attach the form to the timesheet. It is the privilege and responsibility of the supervisors to "control the work" of their employees. It will be the responsibility of the supervisors to ensure that their employees' time is managed so as to minimize the accrual of time worked beyond duty hours. It is the responsibility of the supervisors **and** the employees to make sure that individual comp time balances do not exceed 40 hours.

IV. Substitution Time

1. With supervisor approval, employees may exchange work shifts with other employees in the same classification.

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2. Such exchanges must be in the same cycle and must be reflected on the employee's time sheet.
3. Shift exchanges that create overtime for either party in the swap will not be approved.



Chapel Hill Police Department



Attachment One Policy 4-11 Employee Compensation

Exempt and Non-Exempt Positions

		Cycle Length (days)	Hours per Cycle	Intermediate Period
E X E M P T	Alternative Sentencing Coordinator	14	75	N/A
	Captain	28	160	N/A
	Chief	28	160	N/A
	Crisis Counselor	14	75 & 80	N/A
	Crisis Unit Supervisor	14	75	N/A
	Human Services Coordinator	14	75	N/A
	Information Technology Analyst	14	75	N/A
	Lieutenant	28	168	N/A
	Asst Chief	28	160	N/A
	Police Crime Analyst	14	75	N/A
	Police Attorney	14	80	N/A
N O N - E X E M P T	Administrative Assistant	14	75	over 37.5 to 40
	Administrative Secretary	14	75	over 37.5 to 40
	Alternative Sentencing Assistant	14	75	over 75 to 80
	Customer Services Technician	14	38.5	over 77 to 80
	Forensic and Evidence Specialist	28/14	168/80	over 168 to 171
	Information Services Technician	14	37.5	over 37.5 to 40
	Uniformed Patrol Lieutenant	28	168	over 168 to 171
	Police Officer	28	168	over 168 to 171
	Police Sergeant	28	168	over 168 to 171
	Records Supervisor	14	37.5	over 37.5 to 40
	Records Technician	14	37.5	over 37.5 to 40
	Resident Service Coordinator	14	75	over 75 to 80



Chapel Hill Police Department



Attachment Two Policy 4-11 Employee Compensation

Explanation of Time

	Exempt	Non-Exempt
Regular Time	Hourly Rate	Hourly Rate
Work Beyond Duty Time	Hour for hour compensatory time. Extended time hours may be used to reduce the amount of vacation or sick time used during the pay period.	Hour for hour compensatory time or pay for the intermediate period, then 1½ hourly rate. Compensatory time may be carried up to 40 hours at a time and will be used to reduce the amount of vacation or sick time used during the pay period.
Scheduled Assignment	Same as Work Beyond Duty Time	Same as Work Beyond Duty Time
On-Call Time	\$.90 per hour \$1.80 per hour on Town holidays	\$.90 per hour \$1.80 per hour on Town holidays
Special Event Time & Training Time	See Section II.D of the Policy	See Section II.D of the Policy
Call-Back Time	Employees who respond to a call-back will be compensated for a minimum of two hours. Time spent on the telephone will be accrued in 15 minute intervals. Compensation is the same as Extended Time.	Employees who respond to a call-back will be compensated for a minimum of two hours. Time spent on the telephone will be accrued in 15 minute intervals. Compensation is the same as Extended Time.



Chapel Hill Police Department



Subject: Firearms		Number: 4-12
Issued: 9-14-2000	Replaced: 1-2-2014	Pages: 1 of 1

Policy 4-12 Firearms has been merged into Policy 3-8 Weapons.



Chapel Hill Police Department



Subject: Disciplinary Procedures

Number: 4-13

Issued: 11-08-2010

Pages: 1 of 3

Policy: To establish guidelines to ensure that the departmental disciplinary system is fair and procedures for administering discipline are clearly established. Corrective action and disciplinary action should serve to encourage the employee to perform at an acceptable level in the future and to correct any conduct that is not in keeping with the standards of this police department or the Town of Chapel Hill.

I. DEFINITIONS

- A. Corrective Action** - tools or process used to correct a deficiency or infraction; includes mentoring, coaching or advisement to better develop an employee
- B. Disciplinary Action** - action designed to correct deficient performance and to encourage the employee to perform at an acceptable level
- C. Progressive Discipline** – supervisor disciplinary recommendation based upon a continuing pattern of rule violations or unacceptable performance
- D. Work Probation** – recommended when the employee demonstrates an inability to conform to departmental policies and procedures or applicable rules of law. When appropriate, this step may be used as a final attempt by the department to salvage an employee who is marginal in behavior, conduct and/or work performance.

II. PROGRESSIVE DISCIPLINE

Discipline of department employees is progressive in nature. A violation of any rule may result in further disciplinary action based on the punishment imposed for previous infractions. It is not necessary that an employee violate the same rule before the next level of discipline is taken. It is not required that employees be progressed to the next level of discipline solely because they have already received a prior level of discipline. It is not the intent of the above statements to contradict each other but to add discretionary value to the supervisory recommendation after consideration of the employee's past performance record. If a supervisor recognizes a continuing pattern of rule violations, the supervisor will clearly indicate the recurring problem as part of the disciplinary recommendation.

III. CONSIDERATION OF PRIOR DISCIPLINE

Supervisors must review the total work history of the employee in consideration of correcting an employee's misconduct. The review process serves to accomplish the following:

- a. To determine if there is a past history or practice of related misconduct.
- b. To consider relevant employee history of misconduct in consideration of any type of corrective action or disciplinary recommendation.



Chapel Hill Police Department



Subject: Disciplinary Procedures	Number: 4-13
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- c. To ensure that the intent of any recommendation for action is to adequately correct an employee's performance in order for the employee to continue to be productive member of the department.

IV. CORRECTIVE ACTION

Corrective actions are tools that can be used to correct a deficiency or infraction of a rule by an employee or as a process that provides mentoring, coaching or advisement to an employee who needs that extra assistance to better develop as an employee. Corrective actions may occur as the result of an internal investigation. Likewise, a situation requiring corrective action may not necessarily require an internal investigation. Supervisors have several options available for corrective actions that can be used jointly or separately based on what will best serve in improving employee performance. Whichever method is taken, the corrective action should be documented in accordance with Policy 4-10, entitled Internal Affairs.

- a. Remedial training
- b. Supervisory counseling
- c. Supervised field observation for a designated period
- d. Professional counseling
- e. Referral to E.A.P
- f. Fitness for duty evaluation
- g. Reassignment

V. SUPERVISORY COUNSELING

A written counseling serves as a formal notice to an employee regarding a specific violation and is recognized internally within the police department as a form of discipline. A written counseling, however, does not become a permanent record in an employee's Personnel File, but rather it is maintained in the employee's immediate supervisor's file. The Counseling will be maintained in the immediate supervisor's file for a period of twelve months, provided that no similar instances occur during that twelve month period. If similar instances occur during the initial six month period, the Counseling may be maintained in the supervisor's file for as long as the supervisor deems it necessary, but no longer than three years.

VI. DISCIPLINARY ACTION

Disciplinary action is designed to correct deficient performance and to encourage the employee to perform at an acceptable level in the future. Recommendations for disciplinary action should not be stacked but should reflect the most severe level of discipline recommended, and be inclusive of other violations. When appropriate, the following disciplinary action recommendations may include any of the above corrective action options in an effort to improve the employee's performance.

Written Warning - A written warning serves as a formal counseling to an employee regarding a specific violation and is recognized internally within the police department as a form of



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discipline. A written warning does not become a permanent record in an employee's Personnel File maintained at Town Hall.

Final Written Warning - A final written warning will be issued for repeated violations or serious violations of department rules, regulations, policies and procedures.

Suspension - An employee may be suspended by the Chief of Police when the employee continues to violate department policies and procedures, has received prior discipline or commits a serious or flagrant violation. A suspension can range from eight (8) to one hundred sixty (160) hours. Regardless of shift assignment (8, 10 or 12 hours), each day of a suspension is equivalent to (8) eight hours. The total number of days recommended will be multiplied by eight hours to determine the total number of hours to be served.

Dismissal – The Chief of Police may dismiss an employee for:

- a. Continued violations of the Town's or Department's Policies and Procedures or Departmental Rules of Conduct after having been suspended for a previous violation, provided that the violation upon which the dismissal is based does not have to be for the same type of violation upon which the previous suspension was based.
- b. Flagrant violation(s) of the Town's or Department's Policies and Procedures or Departmental Rules of Conduct.
- c. Medical problems which render an employee unable to perform required duties via medical retirement.

VII. APPEALS OF DISCIPLINARY ACTIONS

An employee may appeal a disciplinary action. Employees should review Town Policy 5-2, entitled Grievance and Conflict Resolution Policy.

VIII. WORK PROBATION

Work probation can be used in the disciplinary process (in conjunction with a specific disciplinary recommendation) as a condition of continued employment. When an employee has established a history or pattern of behavior and sustained disciplinary actions, a supervisor, prior to recommending termination, may recommend a suspension with the condition that the employee be placed on work probation. When appropriate, this step may be used as a final attempt by the department to salvage an employee who is marginal in behavior, conduct and/or work performance. Supervisors will submit a monthly update for the duration of the employee's work probation through the chain of command to OPS. Supervisors must have sufficient documentation to substantiate that the employee has received corrective and disciplinary actions in the past that would support this recommendation.



Chapel Hill Police Department



Subject: Performance Evaluations	Number: 4-14
Issued: 8-1-2000	Replaced: 9-1-2013
	Pages: 1 of 1

Department policy 4-14 has been replaced by Town policy 4-3: Employee Performance Management and Development Policy.



Chapel Hill Police Department



Subject: Body Armor-Bullet Resistant Vests		Number:4-15
Issued: 1-26-2012	Revised:	Pages: 1 of 3

Policy: It is the policy of the Chapel Hill police Department to issue body armor-bullet resistant vests to sworn officers and to specify the requirements for the wearing, maintenance, and disposal of said vests.

I. **Wearing and Maintenance of Body Armor (Bullet Resistant Vest)**

A. All officers are issued body armor. Officers will wear body armor in accordance with the following guidelines:

1. Officers designated as “first responders” are required to wear their issued body armor whenever they are in uniform and working their normal job assignment. The following officers are designated as “first responders” for the purpose of this policy:

- i. Patrol Officers
- ii. Patrol Sergeants
- iii. Patrol Lieutenants
- iv. School Resource Officers
- v. Traffic Sergeant
- vi. Traffic Officers

2. Officers not designated as “first responders” are not required to wear their issued body armor, but are strongly encouraged to do so when in uniform. The following officers are not required to wear body armor when in uniform and working their normal job assignment

- i. Chief of Police
- ii. Assistant Chiefs of Police
- iii. Captains
- iv. Administrative Lieutenants or Sergeants
- v. Investigators (Including Narcotics investigators)
- vi. Training Division Officers
- vii. Community Service Officers
- viii. Quartermaster

3. All officers working an off-duty assignment or a Town special event (regardless of assignment or rank) are required to wear their issued body armor.

Subject: Body Armor-Bullet Resistant Vests		Number:4-15
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4. All officers responding to a critical incident or other high-risk situation that involves or could involve the threat of a firearm or other weapons are required to wear their issued body armor.
 5. All officers participating in live-fire firearms instruction as an instructor, observer or student will wear their issued body armor.
 6. Officers defined above as first responders who are temporarily in a non-first responder role are not required to wear their issued body armor when in uniform. This will include, but not be limited to, first responders who serve on an oral review board, light-duty assignments, or attendance at an all-day meeting or training session in uniform.
 7. Body armor will be worn by recruits during live fire exercise and at other times at the direction of training supervisors.
 8. Officers who meet the criteria outlined in sections "2" and "6" above and elect not to wear body armor are required to have their issued body armor immediately accessible to them; this normally will mean having the body armor in their assigned department vehicle or workspace.
- B. Exceptions to Wearing Body Armor
1. When an agency- approved physician determines that an officer has a medical condition that would preclude wearing body armor.
 2. When the officer is involved in undercover or plain-clothes work that his/her supervisor determines could be compromised by wearing body armor; or
 3. When the department determines that circumstances make it inappropriate to mandate wearing body armor.
- C. Care and Maintenance of Body Armor
1. Officers are to inspect their body armor panels and carriers on a regular basis for holes, rips, or tears in the material. The officer should immediately notify their supervisor of any damages or if the panels are within six months of or beyond the expiration date (five years from date of manufacture).

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2. Do not dry clean or machine wash/dry your body armor panels. They should be hand washed with mild detergent and allowed to air dry indoors. The carriers may be machine washed and dried.
3. The body armor shall be replaced as soon as possible if it is involved in a shooting or stabbing or is significantly damaged in any other way.



Chapel Hill Police Department



Subject: U Visa		Number: 4-16
Issued: 4-10-2012	Revised:	Pages: 1 of 2

Policy: This policy will explain the procedure by which the Chapel Hill Police Department will evaluate and certify applications for a U Visa.

I. Definitions

- A. **U Visa** (Federal Immigration Form I-918B) allows a non-citizen subject to deportation to obtain temporary legal status in order to assist law enforcement in the detection, investigation, or prosecution of a qualifying crime.

II. Procedures

- A. Upon receipt of a U Visa application, it will be forwarded to the Police Legal Advisor for a case review.
- B. A case review will be conducted to verify that the U Visa application information is consistent with the police department's records of the case and that the U Visa application meets the U Visa requirements. The original U Visa application will be kept on file by the Police Legal Advisor pending the review. This review will be guided by the Department of Homeland Security's "U Visa Law Enforcement Certification Resource Guide."
- C. The case review will seek to:
1. Determine that the petitioner was a victim of a crime that occurred in the jurisdiction of the Chapel Hill Police Department; and
 2. Determine that the crime committed is a qualifying crime under U Visa regulations; and
 3. Determine if the victim has specific knowledge and details of the crime, and has been, is being, or is likely to be helpful to law enforcement in the detection, investigation or prosecution of the qualifying crime.
- D. The Police Legal Advisor will forward U Visa application with a summary of the findings to 1-3 under C to the Chief of Police for review.
- E. The Police Legal Advisor may, as appropriate, confer with the District Attorney's Office, or any other relevant government or non-governmental agency, about the incident details during the case review.
- F. After completing the review, the Chief of Police will render a decision on certifying the U Visa application. U Visa applications that meet the aforementioned criterion may be recommended for certification.

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G. The Police Legal Advisor will then notify the U Visa applicant of the decision and, if appropriate, forward the completed paperwork back to the applicant.

III. Record Keeping Requirements

A. It shall be the responsibility of the Police Legal Advisor to maintain a file of U Visa applications and the resulting decisions. Each file will contain the following information: U Visa applicant's name, Chapel Hill Police Department OCA, date of application to the Chapel Hill Police Department, date of decision, and outcome of the case review.



Chapel Hill Police Department



Subject: Emergency Notification		Number: 4-17
Issued: 7-10-2012	Revised:	Pages: 1 of 5

Policy: The Chapel Hill Police Department shall notify, in the most immediate and humane manner, an employee's next-of-kin if the employee becomes seriously ill, injured or deceased while in the line of duty.

I. Definitions

- A. **Emergency Notification Form (ENF)** - shall include emergency contact information for next of kin – spouse/partner, parents and children. Also supplied shall be employee's specific requests or instructions for notification in case of an emergency.
 - B. **Family Readiness Group (FRG)** –a group of trained and equipped employees to staff an Emergency Management Team to respond to emergencies involving departmental employees.
 - C. **Liaison** – in the event of an employee death, a member of the FRG will be assigned to have regular contact with the family throughout the crisis period, the funeral, and for transition period of the first six months. The Liaison will assist survivors with knowing and accessing all benefits to which they are entitled
 - D. **Employee Benefits Checklist** – a comprehensive list of employee benefits to ensure that employee's and their families receive every benefit to which they are entitled
- II. **Emergency Notification Form** – Emergency contact information shall be maintained on the ENF in the Administrative Module in RMS. This information is accessible only to the employee and Command Staff. It shall be the responsibility of each supervisor to ensure that an accurate, updated copy of each employee's Emergency Notification Form is maintained.

III. Family Readiness Group

- A. **Make-up** shall consist of a minimum of:
 - 1. Chief or Command level officer
 - 2. Crisis Counselor
 - 3. Immediate Supervisor
- B. **Services** provided by FRG shall include:

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1. Notification

- i. Anytime an employee on-duty or serving in an official off-duty capacity becomes seriously ill or injured, the employee's supervisor will immediately contact the Chief or a member of the Command Staff to designate an **Family Readiness Group** for managing the emergency
- ii. If the involved employee is conscious and capable of notifying his emergency contact person, the employee shall be encouraged and given the resources and opportunity to make the emergency notification contact. An employee's wishes shall be respected at all times.
- iii. If the employee is unable to be involved in the notification process, the FRG will immediately follow the employee's emergency instructions designated on the employee's Emergency Notification Form
- iv. Annually, supervisors will review their employees Emergency Notification Form and ensure the information is current.

2. Notification Process in the Event of Death

- i. Notification will be made in person and by at least two departmental members. Whenever possible, a command-level officer will be present to meet with the family.
- ii. Crisis Unit personnel should be included in the notification unless specifically denied in the employee's ENF.
- iii. If a person to be notified has a known medical condition, arrangements will be made to have medical personnel present or immediately accessible.
- iv. Assist with other notifications as needed.

3. Transportation

- i. Ensure emergency contact designee and immediate family provided transportation to the hospital, if applicable.
- ii. In the event of a death, FRG will assist family in making

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arrangements for transportation for immediate family and out-of-town family to the wake and funeral.

4. **Media Assistance**

- i. Ensure name of an injured or deceased employee shall not be released to the media before ensuring that all family members have been contacted and understand the plan for information release.
- ii. Any details of the incident will be released to the media only when authorized by the Chief or designee

5. **Liaison** – When an employee is seriously injured or dies in the line of duty, the FRG will assign a Liaison to provide and coordinate emotional support, resources, information, and a link to CHPD and HRD. All official departmental contacts with the family will be coordinated through the Liaison.

i. **Liaison**

- a. Be available for the family at all times by pager or cell phone
- b. Respond to questions presented by the family
- c. Assist the family in the coordination of visitors, phone calls, and media contacts, when applicable.
- d. Ensure that appropriate waiting facilities will be set up for the family, separate, but not isolated from co-workers at the hospital
- e. Coordinate relay of medical information/status of employee to family
- f. Assist the family, as needed, in learning of visitation information for the employee
- g. Every effort should be made to find a private place for the notification. Liaison will share the details and next steps as they are able to hear them. NEVER give the family a false sense of hope. If the condition of their loved one is serious or fatal, the family needs to be informed. When the person is ready for the specifics of the incident, the information needs to be communicated directly and in person by the Department to the family. It is best that the information about the incident come

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directly and officially from the department and the FRG.

- h. Be prepared to answer questions the family may have about the incident

ii. **Benefit Assistance**

- a. In the event of a death of an employee, the Liaison will assist the family in obtaining and understanding all benefits to which they are entitled. This shall be coordinated in concert with HRD.
- b. A prepared printout of all survivor benefits, time line when they are scheduled to be received, and contact persons and numbers will be provided to the family, including:
 - A. "Worker's Compensation: The Department will file a claim to Worker's Compensation for all injuries. The Department will provide contact information for the Worker's Comp case manager and assist with any questions during the claim's process.
 - B. Health benefits to survivors
 - C. Funeral benefits, expenses and payments
 - D. Benefits for surviving children from all relationships
 - E. Legal expenses related to accident/injury/death
- c. Liaison will assist family with filing paperwork and will follow-up with the family on a regular basis to ensure that all bills related to the death and funeral are paid and all benefits are received. Liaison will serve as the link between the family and the Town's HRD. Once all benefits have been received Liaison will sign and submit to Administration the completed Employee Benefits Checklist.

iii. **Logistics:**

- a. **Childcare:** Liaison must be prepared to assist with arranging childcare if needed.

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b. Funeral:

- A. Ensure that the needs of the family for funeral services are identified and honored; provide family with options available to them (“line-of-duty” funeral – honor guard, gun salute, presentation, taps, etc.)
 - B. Assist family in identifying a facility to accommodate any funeral/memorial services, as needed
 - C. Ensure that departmental vehicles and drivers are made available to family for transportation to and from funeral, as needed
 - D. Assist family in making arrangements for transportation for immediate family and out-of-town family to the wake and funeral.
- c. **RESOURCES** – provide the family with a list of resources for counseling and assist them in making appointments, as needed. Examples of resources will include:
- A. EAP
 - B. Mental Health services covered under Town’s Health Insurance provider
 - C. Private mental health services not covered
 - D. Community of faith
- d. **FOLLOW-UP** – ensure:
- A. Department keeps in touch with family through monthly phone calls the first year, tapering to a minimum of quarterly contacts after the first year
 - B. Department encourages co-workers of deceased employee to keep in contact with family
 - C. Department observes anniversary of employee’s death with a note to the family and flowers on the grave



Chapel Hill Police Department



Attachment One

Policy 4-17 Benefit Information for Emergency Notifications

Employee Benefits: Contact HRD Partner for assistance

DISABILITY: In case of serious injury

All Employees (Sworn/Non-Sworn):

1. FMLA- up to 12 weeks (if qualify under Federal guidelines)-
 - a. Protects job and benefits
 - b. Can be with pay or without pay
2. AETNA- Town paid Short term/Long term Disability
 - a. Must be out of work 31 consecutive days
 - b. Will pay 50% of salary
 - c. Can only code 10 hours of leave per week
 - d. Lasts 22 weeks, then Long Term can kick in if necessary
3. NC Local Government Retirement System (LGERS)
 - a. Employee vested in the system less than 5 years- No Benefits
 - b. Employee vested in the system 5 or more years- Disability retirement is an option
4. Social Security Disability - contact local SSA office – 541-5443 3004 Tower Blvd, Durham 27707
5. Worker's Compensation- only if on Duty and work-related

Voluntary:

1. Symetra- Voluntary Short term Disability
 - a. Employee must be enrolled
 - b. Receives a designated benefit amount weekly
 - c. Can still use leave and receive this
2. AFLAC- voluntary policies
 - a. Contact Nancy Cox from AFLAC (919) 848-4527
 - b. Accident, Cancer policies

Sworn Personnel Only:

1. Hartford Disability plan
 - a. Only for LEO
 - b. If hospitalized, \$140 per week for up to 13 weeks
 - c. If home, \$60 per week up to 13 weeks
 - d. If enter hospital due to sickness, then will pay \$140 per week as week

Retirees:

1. Non-Sworn: None
2. Sworn: Hartford Disability
 - a. Eligible if Retired after 20 years or 5 years and receiving Disability Retirement
 - b. \$140 per week for up to 13 weeks if hospitalized; (under 65 if accident)
 - c. If an accident and over 65, then \$105 per week

DEATH BENEFITS:

All Active Personnel:

Life Insurance - AETNA:

1. Town pays for \$20,000 Life Insurance coverage for the employee
2. Employee could purchase an additional \$20,000
3. Employees have option to purchase Dependent policies as well
4. Check with HRD partner for forms and verification of what level

Retirement System:

1. Active personnel after 1 year of service are eligible for a one time death benefit paid out to their Beneficiary of an amount determined by their current base salary. If their salary is less than \$25,000, then the Beneficiary receives \$25,000. If their salary falls between \$25,000 and \$50,000, then they receive their actual salary. If their salary exceeds \$50,000, then they receive \$50,000.
2. If the employee had less than 20 years in the Retirement System vested, then their beneficiary(ies) would be eligible for the entire amount of the employees contributions to the Retirement System, and if have over 5 years the 4% interest compounded as well, in a one-time payment.
3. If the employee has greater than 20 years in the system at any age or 5 years and at least age 60, then the beneficiary may be eligible for a Survivor's Alternate Benefit. This would allow the Survivor to receive monthly retirement payments for the rest of their life. Note this only available if the employee had more than 20 years vested and there was only one beneficiary designated.
4. Family should meet with HRD Partner to work through this process.

Worker's Comp: (see HR partner)

Final Pay:

1. Last paycheck will be issued based on way your normal pay is handled. (i.e. paper check if employee receives paper check normally).

2. If any unused vacation is left, then up to 240 hours will be paid out. Again this will be paid in same way as above. It may be with final check or another check two weeks later.
3. See Department payroll & Benefits Rep about the pay

Social Security:

1. Beneficiary will need to go to SSA office with Death Certificate, Marriage certificate (if applicable)
2. Might be eligible for one time Death Benefit (approx.. \$250)
3. Beneficiary should coordinate other benefits with SSA office. (Durham is closest)

Sworn Personnel:

CH Police Officer's Association: (Do they offer anything for members?)

Retirement System:

1. Survivor's Alternate Benefit for LEO's is slightly different in eligibility.
 - a. Reaching age 50 with 15 years of creditable service as a law enforcement officer
 - b. reaching age 55 with five years of creditable service as a law enforcement officer
 - c. completing 15 years of creditable service as a law enforcement officer if killed in the line of duty
2. All other Retirement system benefits are the same.

Hartford:

1. There is a Separate Insurance Benefits Plan available also.
2. Death benefit of \$5000 for active duty LEO
3. Accidental Death in line of duty \$2100 benefit in addition

NC Industrial Commission (NCIC):

1. Line of duty death benefit of \$50,000
2. Jointly ran through NCIC and State Treasurer
3. Notify Retirement System

Bureau of Justice Assistance:

1. Line of duty death benefit from Public Safety Officer's Benefits Program, US DOJ - \$318,111
2. Contact HRD Partner for contact information

Retirees:

Retirement System:

1. If retiree chose the Contributory Death Benefit option (of \$10,000) at their Retirement, then their Beneficiary would be eligible for that amount.
2. Depending on how the Retiree set up their Survivor's Alternate Benefit at retirement will determine what if anything the beneficiary(ies) will receive.
3. Contact HRD Partner for assistance.

Hartford: (Sworn retirees only)

1. \$4,000 benefit paid to surviving spouse or designated beneficiary.
2. Contact Retirement System through HRD Partner

Separation Allowance: (Sworn Retirees under 62): stops at time of death.



Chapel Hill Police Department



Subject: Employee Separation Policy		Number: 4-18
Issued: 3-20-2015	Revised:	Pages: 1 of 2

Policy: It is the policy of the Chapel Hill Police Department to seek constructive feedback from employees to identify the agency's strengths and opportunities for improvement, and to provide consistent procedures for exiting employees.

I. Separation Procedures

The purpose of this policy is to establish procedures for collecting valuable information and controlling access for exiting employees. Employees leaving the organization will be asked to participate in an exit interview. This information will be analyzed and used to enhance our commitment to providing a professional and nurturing work environment through the fair and consistent treatment of all employees.

II. Duties and Responsibilities

A. Assistant Chief of Support Services

After receiving notification, the Assistant Chief of Support Services will conduct an exit interview with the employee before the employee's last working day. The Assistant Chief of Support Services will compile this information to a quarterly report, which will be presented to the Chief's Staff. Staff members will use any trend information to improve recruiting, identify training needs, evaluate working conditions and make organizational changes as needed. The Assistant Chief of Support Services must ensure that the following actions are followed:

1. Conduct an exit interview
2. Refer employee to Human Resources for benefits consultation
3. Complete PTF
4. Complete/Submit Criminal Justice Education & Training Standards Commission Form F-5B
5. Disseminate an email, informing staff that the employee has separated from the department.

B. Training Staff

1. A member of the Training Staff will collect the duty issued firearm from sworn employees who are separating from the agency.
2. Complete Form F-5B if the separating employee is a recruit.
3. If the employee is changing his/her status from full time to reserve, a member of the Training Division will complete a change of status form.

Subject: Employee Separation Policy		Number: 4-18
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This form will be submitted to the Criminal Justice Education & Training Standards Commission. The employee will contact a member of the Training Division and ascertain what training he/she must complete to obtain active reserve status.

C. Quartermaster/Property Custodian:

1. Once command staff is made aware of the employee's separation, he/she will immediately return all equipment to the Quartermaster/Property Custodian.
2. The Property Custodian will ensure that all Town property issued to the employee is retrieved. Once the Custodian collects all property and equipment, he/she will notify the Assistant Chief of Support Services.

D. Technical Services:

1. Terminate department email.
2. Disable the proximity card for building access.
3. Once the separating employee's access is terminated, a member from Technical Services will notify the Assistant Chief of Support Services.

E. Terminal Agency Coordinator (TAC)

When applicable, the Terminal Agency Coordinator will terminate DCI rights.

III. Confidentiality

Information derived from the exit interview will be presented to the Chief's Staff in aggregate form. Maintaining the anonymity of former employees who provide feedback will be a top priority.



Chapel Hill Police Department



Subject: Respiratory Protection Program	Number: 4-19
Issued: 1-1-2016	Revised:
	Pages: 1 of 5

Policy: The purpose of this policy is to provide a comprehensive plan and guidelines for the respiratory protection of employees from potential hazardous atmospheres.

A comprehensive respiratory protection policy and standard guidelines must include the selection of respiratory protection equipment, training, usage, testing, and inspection and must adhere to regulatory standards. These standards are the American National Standards Institute Z88.2, Practices For Respiratory Protection, Z88.6 Respiratory Protection, Respirator use, and Physical Qualifications for Personnel, and the North Carolina Occupational Safety and Health Administration Code of Federal Regulations 1910.134; Respiratory Protection.

I. Definitions

- A. **Air-purifying Respirator** – Respirator with an air purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air purifying element.
- B. **Atmosphere Supplying Respirator** – A respirator that supplies the user with breathing air from a source independent of the ambient atmosphere and includes supplied air respirators (SARS) and self-contained breathing apparatus (SCBA).
- C. **Employee Exposure** – Exposure to a concentration of an airborne contaminate that would occur if the employee were not using respiratory protection.
- D. **Escape Only Respirator** – Respirator intended only for emergency exit.
- E. **Filtering Face Piece (Dust Mask)** – A negative pressure particulate respirator with a filter as an integral part of the face piece or with the entire face piece composed of the filtering material.
- F. **Fit Factor** – A quantitative estimate of the fit of a particular respirator to a specific individual, and typically estimates the ratio of the concentration of a substance in ambient air to its concentration inside the respirator.
- G. **Fit Test** – The use of a protocol is to qualitatively or quantitatively evaluate the fit of a respirator on an individual.

Subject: Respiratory Protection Program		Number: 4-19
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- H. **High Efficiency Particulate Air (HEPA) Filter** – A filter that is at least 99.97% efficient in removing mono-disperse particles of 0.3 micrometers in diameter.
- I. **Immediately Dangerous to Life or Health (IDLH)** – Atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.
- J. **Oxygen Deficient Atmosphere** – Oxygen content below 19.5% by volume.
- K. **Physician or Other Licensed Health Care Professional (PLHCP)** – An individual whose legally permitted scope of practice allows him/her to independently provide, or be delegated the responsibility to provide, some or all of the health care services required by paragraph (e) of 1910.134.
- L. **Positive Pressure Respirator** – A respirator in which the pressure inside the inlet covering exceeds the ambient air pressure outside the respirator.
- M. **Qualitative Fit Test (QLFT)** – A pass or fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.
- N. **Quantitative Fit Test (QNFT)** – An assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.
- O. **Service Life** – The period of time that a respirator, filter, or sorbent or other respiratory equipment provides adequate protection to the wearer.
- P. **Supplied Air Respirator (SAR) or Airline Respirator** – An atmosphere-supplying respirator for which the source of breathing air is not designed to be carried by the user.
- Q. **Tight Fitting Face Piece** – A respiratory inlet covering that forms a complete seal with the face.
- R. **User Seal Check** – An action conducted by the respirator user to determine if the respirator is properly seated / sealed to the face.

II. Medical Evaluation

- A. The Police Department shall identify a physician or other licensed health care professional (PLHCP) to perform medical evaluations using a medical questionnaire or an initial medical examination that obtains the same information as the medical questionnaire. All employees assigned to wear respirators will complete the questionnaire or examination before wearing

Subject: Respiratory Protection Program		Number: 4-19
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- respirators. The Department shall ensure that a follow-up medical examination is provided for an employee who gives a positive response to any question among questions 1 through 8 in Section 2, Part A of Appendix C of OSHA 1910.134 or whose initial medical examination demonstrates the need for a follow-up medical examination.
- B. The follow-up medical examination shall include any medical tests, consultations, or diagnostic procedures that the PLHCP deems necessary to make a final determination.
- C. The medical questionnaire and examinations shall be administered confidentially during the employee's normal working hours or at a time and place convenient to the employee. The medical questionnaire shall be administered in a manner that ensures that the employee understands its content.
- D. The Police Department shall provide the employee with an opportunity to discuss the questionnaire and examination results with the PLHCP.
- E. The following information must be provided to the PLHCP before the PLHCP makes a recommendation concerning an employee's ability to use a respirator:
1. The type and weight of the respirator to be used by the employee;
 2. The duration and frequency of respirator use (including use for rescue and escape);
 3. The expected physical work effort;
 4. Additional protective clothing and equipment to be worn; and
 5. Temperature and humidity extremes that may be encountered.
 6. Any supplemental information provided previously to the PLHCP regarding an employee need not be provided for a subsequent medical evaluation if the information and the PLHCP remain the same.
 7. The Police Department shall provide the PLHCP with a copy of the written respiratory protection program and a copy of this section.
- F. In determining the employee's ability to use a respirator, the Police Department shall obtain a written recommendation regarding the employee's ability to use the respirator from the PLHCP. The recommendation shall provide only the following information:
1. Any limitations on respirator use related to the medical condition of the employee, or relating to the workplace conditions in which the respirator will be used, including whether or not the employee is medically able to use the respirator.

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2. The need, if any, for follow-up medical evaluations.
 3. A statement that the PLHCP has provided the employee with a copy of the PLHCP's written recommendation.
 4. If the respirator is a negative pressure respirator and the PLHCP finds a medical condition that may place the employee's health at increased risk if the respirator is used, the police department shall provide a PAPR if the PLHCP's medical evaluation finds that the employee can use such a respirator; if a subsequent medical evaluation finds that the employee is medically able to use a negative pressure respirator, then the police department is no longer required to provide a PAPR.
- G. At a minimum, the Police Department shall provide additional medical evaluations that comply with the requirements of this section if:
1. An employee reports medical signs or symptoms that are related to ability to use a respirator;
 2. A PLHCP, supervisor, or the respirator program administrator informs the Police Department that an employee needs to be reevaluated;
 3. Information from the respiratory protection program, including observations made during fit testing and program evaluation, indicates a need for employee reevaluation; or
 4. A change occurs in workplace conditions (e.g., physical work effort, protective clothing, and temperature) that may result in a substantial increase in the physiological burden placed on an employee.

III. TRAINING

- A. The Department will provide comprehensive, understandable, and effective training to employees who are required to use respirators prior to the employee using the respirator and on an annual basis thereafter.
- B. Fit testing for tight fitting facemasks will also be conducted on an annual basis.

IV. USAGE

- A. Tight-fitting masks used by more than employee at the scene of an emergency or training shall be disinfected between uses.
- B. The Department will provide the basic information on respirators in Appendix D of OSHA 1910.134 to employees who wear respirators.
- C. Masks shall be stored in mask bags. Individually assigned masks shall be kept with each person's equipment.

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V. RECORD KEEPING

- A. Records will be kept in accordance with all regulatory standards.
- B. The program administrator shall be responsible for ensuring that appropriate training is received and recorded for each employee who utilizes respiratory protection equipment.

VI. QUANTITATIVE FIT TESTING

- A. The Department, on an annual basis, will conduct quantitative fit testing of all employees who may utilize any of the respiratory protection equipment maintained by the Department. This is to ensure that all employees are able to achieve and maintain a safe and secure seal when using tight-fitting facemasks. The Department will adopt fit testing procedures/protocols from OSHA mandated standards.
- B. The Department shall ensure that persons administering Quantitative Fit Testing (QNFT) are able to calibrate equipment and perform tests properly, recognize invalid tests, calculate fit factors properly and ensure that test equipment is in proper working order.



Chapel Hill Police Department



Subject: Police Interpreters	Number: 4-20
	Pages: 1 of 4

I. PURPOSE

To establish guidelines for Chapel Hill Police Department personnel to follow when providing services to, or interacting with, individuals with Limited English Proficiency (LEP) and to establish guidelines for the use of interpreters and translators.

II. POLICY

The Chapel Hill Police Department will take reasonable steps to provide timely and meaningful access for LEP individuals to the services and benefits it provides. Chapel Hill Police Department personnel may provide language assistance services to LEP individuals whom they encounter or whenever an LEP individual requests language assistance services. Chapel Hill Police Department personnel will inform the public that language assistance services are available to LEP individuals when needed.

III. DEFINITIONS

- A. Primary Language: An individual's native tongue or the language in which an individual most effectively communicates.
- B. Limited English Proficiency: Designates individuals whose primary language is not English and who have an actual or perceived limited ability to read, write, or speak, or understand English.
- C. Interpretation: The act of listening to a communication in one language and orally converting it to another language while retaining the same meaning.
- D. Translation: The replacement of written text from one language into an equivalent written text in another language.
- E. Bilingual: The ability to use two languages proficiently. For Chapel Hill Police Department employees this means they have successfully completed the foreign language testing procedure, in accordance with the procedure set forth below.
- F. Police Interpreter: A police department employee who translates from a non-English language into English on behalf of the police department.

IV. Procedure

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A. To become a police interpreter, a Chapel Hill Police Department employee must be tested by an approved certified language testing center. Language incentive pay of 2.5% is available to all Chapel Hill Police Department employees who meet the above criteria. An additional 2.5% incentive is available for each language for which the employee meets the above criteria. The pay incentive is also available for certified sign language interpreters who meet the minimum criteria.

B. Required Testing

1. Chapel Hill Police Department employees will complete a “Language Incentive-Request for Consideration” form and then submit the form to the Administrative Assistant who will administer and proctor testing.
2. Testing will be completed through an approved testing center contracted by the police department. The test is a listening and speaking test which consists of conversation questions in the target language.
3. Applicants must score at least 66% or higher on the Oral Performance Level scale. A general description of an interpreter who scores 66% is as follows:

A person at this level can successfully handle in-depth conversations in the target language, on a broad range of subjects and at a normal rate of speech. He/She has difficulty understanding some slang or idioms or some advanced grammatical structures, but can figure out what is said by the context of the discussion. He/She may have a noticeable accent and will make grammatical errors, for example with advanced tenses, but the errors will not cause misunderstanding to a native speaker.

4. If an employee fails their initial test, or any test thereafter, the employee will be required to wait 12 months before re-testing.
5. Police interpreters are subject to retesting at any time as directed by the Chief of Police or his designee.

C. Chapel Hill Police Department Police Interpreter Expectations

1. Police interpreters will respond and assist with interpreting/assistance at the direction of their supervisors.
2. Employees receiving secondary language incentive pay will be required to record their language interpreting/assistance by completing an entry in the Police Interpreter Log.

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D. Supervisors of Police Interpreters

Supervisors will be responsible for ensuring that police interpreters respond as needed for interpreting/assisting purposes.

E. Police Interpreter Requirements

1. Police interpreters will be expected to respond to requests for assistance while on-duty, whether that request comes from another officer, victim, witness, tele-communicator, or other member of the public requiring police assistance.
2. Police Interpreters are required to inform their supervisors of any change to their language status.
3. Police Interpreters are expected to assist with communication/translation and not to take over the police action, call for service, investigation, or case report unless otherwise directed by a supervisor, or where necessary due to evolving circumstances.
4. Language services will only be expected during the officers' ordinary work schedule. Requests for language services will be made using the Language Line when no police interpreter is available.
5. The Chief or his designee may allocate police interpreter resources as needed. Accordingly, while not anticipated, police interpreters are subject to assignment based on department needs, including allocation of language resources to under or unrepresented shifts.

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**Language Incentive Program
Request for Consideration**

Acknowledgement and Request for Evaluation:

I have read and understand that in order to be considered for language incentive pay as a police interpreter, I must meet the requirements of Policy 4-20 Police Interpreters. I understand the purpose of this program, and the expectations and responsibilities of those participating in the program.

Applicant Name (Printed)

Supervisor Name (Printed)

Applicant Signature

Supervisor Signature