City of Carroll

Brad Burke, Chief of Police **Police Department**

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MEMO TO: Gerald L. Clausen, City Manager

FROM: Brad Burke, Chief of Police

DATE: May 17, 2016

SUBJECT: Police Department Standard Operating Policies

The police department operates on a 171-page standard operating procedure. The policy was reviewed and edited in April 2010. Over the last few months, I reviewed the policies to make updates or changes if necessary. During this review, I have made changes to ten policies and added two new policies for council review. Below is a description of the policy changes.

Bank Alarm – Changes were made to bank contacts.
Cell Phones – This policy will prohibit the use of cell phones while driving a city vehicle. Cell phones will only be allowed while moving during an emergency or when the vehicle is stopped out of traffic.
Concealed Carry – removed some wording on qualifying for off duty carry based on the Law Enforcement Safety Act 2004 (LEOSA).
Discretion – changed incorrect wording.
Evidence – removed wording on retaining and processing film since we use digital cameras and no longer have film.
Firearms – changes wording for off duty carry requirements based on the LEOSA. This policy also changes the location that weapons are carried in patrol cars due to changes in equipment allowing for rifles and shotguns to both be contained in the front seat area.
Holidays – changes to match the union contract.
Hours of Service – changes to match the union contract.
OWI – changes on search incident to arrest in anticipation of future changes.
Vehicle Operation and Maintenance – adjust the dollar amount to meet state minimum amounts on vehicle accidents.
Active Shooter Policy – New policy giving direction on the response for officers to an active shooter situation.
Tow – New policy given guidance on when to tow a vehicle.

I have attached the policies to this memo with the changes.

RECOMMENDATION: Council review and approval of changes to the Carroll Police Department Standard Operating Procedures.

	Effective Date April 12, 2010	*Number*

Subject **Bank Alarm Robbery Response**		
Reference	*Special Instructions*	
Distribution	*Re-evaluation Date*	*No. Pages* 2

The general armed robbery bank alarm response is as follows:

A bank alarm is received at the communications center; officers are dispatched to the scene.

At least two officers shall respond. The officer arriving first at the scene will be in command of the situation.

The first responding officer shall communicate with the backup officer and shall deploy himself and the backup officer(s) at strategic, opposite diagonals of the building.

The first responding officer shall radio communications to verify the status of the alarm. A police dispatcher will phone the bank and advise them of the alarm, then hang up. A representative of the bank should immediately telephone the communications center to confirm the alarm. The first responding officer shall have the communications center direct bank personnel to come out a specific exit that he has surveillance of.

The first responding officer shall verify the identity of the bank personnel and confirm the status of the alarm.

If the dispatcher does not receive a response from the bank within a reasonable time, the alarm will be handled as an actual bank robbery.

In the event the alarm is actual:

The bank will notify the communications center at the earliest, safest opportunity.

The communications center will issue the appropriate teletype and radio broadcast as soon as sufficient information is available. This shall include, but not be limited to, an initial broadcast to the surrounding counties.

Security officers for the banks are as follows:

Carroll County State Bank
Terry Vetter
792-3567

Commercial Savings Bank
Shelly Madden
792-4346

Iowa Savings Bank
Dan Kratoska
792-9772

Bank of the West
Julie Stuhr
792-4397

United Bank of Iowa
Jim Friel
712-792-8559

Dupaco Community Credit Union
Kathy Steffes
792-1735

Keep in mind that our aim, in the event of an actual robbery, is to respond appropriately without unduly jeopardizing the public at large. Safety, ours and the public's, is our paramount concern.

	Effective Date	Number
Subject **Cell Phones**		
Reference	Special Instructions	
Distribution	Reevaluation Date	No. Pages 1

POLICY

The Carroll Police Department recognizes the value of cellular telephones which enhance the efficient delivery of law enforcement services to the community. However, the use of cellular telephones and other communication devices can present a dangerous distraction to police employees as well as becoming a source of complaints from the public due to a perception of overuse or abuse. Professional and personal use of these devices shall be limited to situations where they can be safely used.

PURPOSE

The purpose of this policy is to establish guidelines for all members of the Carroll Police Department to follow concerning the use of cellular telephones or other individual communication devices while the employee is on duty.

PROCEDURES

A. Employees using cellular telephones or other communication devices, whether provided by or paid for by the Carroll Police Department, or personally owned, shall:

1. Use these devices for their intended purpose to serve the community.
2. Refrain from abusing the privilege of their availability.
3. Prohibited from using hand held devices while driving City vehicles. ~~Use caution when talking on the telephone while driving a vehicle. Employees should never engage in text messaging, reading or typing, while driving.~~
4. If a call is received while driving, the employee must pull over and stop to use the phone.
4. ~~Avoid frequent or lengthy telephone conversations while driving a vehicle~~.
5. Officers may make or receive phone calls when responding to an emergency in an effort to gather more information.
6. All cellular telephones and individual communication devices shall be placed in the "silent" or "vibrate" modes when deemed necessary outside of the patrol vehicle to ensure officer safety.

B. Generally speaking, personal business should be conducted on personal time. Personal telephone calls, text messages or other personal communication from family members, friends, or associates, should be kept to a minimum. Employees should not allow themselves to be distracted from their daily assignments by these devices. Excessive use or abuse may result in further restrictions.

Effective Date April 12, 2010	Number

Subject
Concealed Weapon – Nationwide Carry

Reference	special Instructions

Distribution	Reevaluation Date	No. Pages
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I. POLICY

A. H.R. 218, the Law Enforcement Officers Safety Act (LEOSA), was enacted July 22, 2004, as Pub. L. 108-277, and is codified as 18 U.S. Code 926B and 926C.

1. The Act permits the nationwide carrying of concealed handguns by qualified current and retired law enforcement officers and amends the Gun Control Act of 1968 (Pub. L. 90-618, 82 Stat. 1213) to exempt qualified current and retired law enforcement officers from state and local laws prohibiting the carrying of concealed firearms.

2. It does not exempt current or retired officers from any state or local firearm owner registration laws.

3. It is the policy of the Carroll Police Department to comply with the Act, under the following conditions and provisions.

II. PROCEDURE

A. In order to comply with the Act, and thereby legally carry a concealed weapon as provided therein, current law enforcement officers with the Carroll Police Department shall:

1. Possess statutory powers of arrest and be authorized by the Carroll Police Department to carry a concealed firearm.

2. Successfully have completed the State of Iowa/Carroll Police Department designated firearms qualification course.

3. Not be under the influence of alcohol or drugs.

4. Not be prohibited by Federal or State laws from possession a firearm.

5. Not be subject to Carroll Police Department disciplinary action preventing the officer from carrying a firearm per existing policy.

6. Not take a Carroll Police Department owned firearm out of state except on official business and with the approval of the Chief of Police.

7. Not wear a concealed Carroll Police Department owned firearm except as provided by Carroll Police Department firearms regulations.

~~a. Although Carroll Police Department firearms regulations may not restrict a current law enforcement officer's right under the Federal LEOSA to carry a concealed, personally-owned, off-duty firearm; as a condition of continued employment:~~

~~1. All current officers must register his or her personally-owned off-duty firearm(s) with the department's firearms instructor.~~

~~2. All such weapons shall pass a safety inspection by the department's firearms instructor.~~

~~3. Officers must pass the Carroll Police Department's firearms qualification test using each approved firearm.~~

B. Required Identification for Active Officers:

1. Current officers must have his or her Carroll Police Department photo identification card and official badge on his/her person when carrying any concealed weapon.

C. In order to comply with the Act, and thereby legally carry a concealed weapon as provided therein, qualified retired law enforcement officers of the Carroll Police Department must:

1. Have retired in good standing from service as a law enforcement officer for the Carroll Police Department, other than for reasons of mental instability.

a. The term "in good standing" means, at the time of retirement, the officer was not facing disciplinary action that could have resulted in his or her termination for misconduct or unfitness for office.

b. The term "mental instability" means that the officer either was medically separated for mental instability or, at the time of a years-of-service or disability retirement, the officer was facing removal for reasons of mental instability.

c. Interpretative guidance will be provided, on a case by case basis, by the Carroll City Attorney for the Carroll Police Department.

2. Have an aggregate of at least 15 years of service as an active law enforcement officer or have retired from service after completing a probationary period, due to a service-connected disability, as determined by the Carroll Police Department.

3. Have a non-forfeitable right to benefits under the Iowa Public Employee's Retirement System (IPERS) or the 411 retirement system.

4. Have successfully passed an annual Carroll Police Department background check indicating that he or she is not prohibited by Federal law from receiving or possession a firearm.

5. Not be under the influence of alcohol or drugs.

6. Have during the most recent 12-month period, successfully passed the standards for training and qualification for active law enforcement officers to carry firearms in the state of Iowa or the state of their primary residency.

7. Have in his/her possession the retired Carroll Police Department Identification Card or other approved credentials, and documentation certifying current weapons qualification.

D. Upon request, qualified retired law enforcement officers of the Carroll Police Department who do not reside in the state of Iowa, and who have not successfully passed Iowa's standards for training and qualification for active law enforcement officers to carry firearms, will be sent a retirement identification card or other approved credentials, by mail, that indicates that the retired officer:

1. Has met all of the conditions in Part II-C, sections 1 through 4.

2. Must meet standards for training and qualification for active officers in the retired officer's primary state of residence, or they may qualify through the Carroll Police Department as indicated in section II.G. below:

3. Must have in his/her possession documentation certifying current weapon qualification status in order to comply with the Act.

4. Must submit, in acceptable size format, two recent color digital image facial photographs.

E. Retired Carroll Police Department Identification Cards:

1. The Chief of Police of the Carroll Police Department is not required to issue any type of retired officer identification card or credentials under the LEOSA. Any such credentials are issued at the sole discretion of the Chief of Police. These credentials may be revoked and recalled at any time and without a stated reason by the Chief of Police.

2. In the case of retired officers who have failed to pass this state's standards for training and qualification for active law enforcement officers to carry firearms, the identification card will clearly state that the person has NOT qualified to carry a concealed weapon as a qualified retired law enforcement officer.

a. Note: Because of different qualification standards, such persons might lawfully possess a citizen's Concealed Weapons Permit, which is valid in the state that issues the permit, and in states that have reciprocal recognition agreements.

3. In the case of retired officers who request an identification card to be issued to them, the card will clearly state that the individual also must possess an additional card or appropriate document that indicates that he or she has met the standards for qualification for active law enforcement officers to carry firearms in the retired officer's primary state of residence or the State

of Iowa, in order to qualify for the Federal LEOSA concealed firearms exemption.

4. All retired officer identification cards remain the property of the Carroll Police Department and can be invalidated and recalled at any time by the Chief of Police.

5. Violation of the provisions of this General Order may result in the revocation and recall of the retired officer's credentials.

6. All retired officer identification cards or credentials that authorize carrying of concealed weapons will expire upon the date indicated on the card or credentials. Replacement cards or credentials will be issued pursuant to this General Order.

F. Required identification for Retired Officers:

1. Retired officers must have his or her Carroll Police Department photo identification card and certification of current weapons qualification in their possession whenever a concealed weapon is carried.

2. Retired officers in good standing are authorized to purchase, at their own expense, a Carroll Police Department badge or a generic "Retired Peace Officer" badge. This badge must have the word "RETIRED" prominently imprinted upon the face of the shield. Although not required, it is highly recommended that this badge be in the retired officer's possession whenever a concealed weapon is carried.

G. Qualification for active Carroll Police Department officers:

1. Current officers will comply with the Act by successfully completing the State of Iowa/Carroll Police Department firearms qualification course during the scheduled firearms training session.

2. The minimum qualifying is 80 percent.

H. Qualification for the Carroll Police Department qualified retired officers:

1. Qualified retired officers shall complete weapons qualification in one of three ways:

a. Through the Iowa Law Enforcement Academy
b. Through the Carroll Police Department
c. Through a local or state agency in their state or primary residence.

2. For those who wish to qualify through the Carroll Police Department, the department's firearms instructor will schedule at least one (1) period each year for retired officers to qualify. More may be scheduled if required. Range times for the retiree qualifications can be arranged by contacting the Carroll Police Department.

a. These qualification dates may coincide with current officer qualification dates if time

permits.

b. If time does not permit such scheduling, then the retired officer must schedule a range date and time acceptable to the firearms instructor; and may be required to pay the cost of such scheduling and range use.

3. Qualified retired officers will be allowed to qualify on more than one concealable firearm, as time and scheduling permits. Such number shall be the decision of the firearms instructor or designee. Retired officers:

a. Must bring their own handgun(s), either a revolver or a semi-automatic capable of being loaded with 5 or more rounds.

b. Must bring (50) rounds of factory-issued ammunition for the weapon for qualification.

c. Must bring their own cleaning supplies.

d. Must have a safe and secure holster.

e. All handguns and holsters must pass inspection by the department's firearms instructor.

4. The minimum qualifying score is 70 percent.

5. The Carroll Police Department's firearms instructor shall keep a database of qualified retired officers, qualification dates, qualification course of fire, qualification score, and the type, make a serial number of the firearms used to qualify.

6. Qualified retired officers will be required to sign a waiver of liability of the Carroll Police Department for all acts taken related to carrying a concealed firearm, acknowledging their personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by the Act and not as an employee or former employee of the Carroll Police Department or as a current law enforcement officer (unless currently employed as a law enforcement officer of another agency). Such disclaimer shall also release the Carroll Police Department from any claim or action at law resulting from any injury or accident during the described firearms qualification activities.

I. Failure to qualify and remedial training.

1. Any qualified retired officer who fails to qualify will be given the option of basic remedial training and given one additional attempt as soon as practicable after the failed attempt.

2. If the qualified retired officer fails to qualify on the second attempt, the firearms instructor will:

a. Notify the retired officer of the failure.

b. Complete a memo outlining the retiree's name, the course of fire, the firearm type, the score received on each attempt, and any remediation given.

c. Recommend that the retired officer seek additional or alternative remedial training.

d. Advise the retired officer to contact the firearms instructor or designee to arrange an additional attempt at qualification.

3. Qualified retired officers will be given a reasonable number of attempts, but not less than three, at qualifying during the scheduled retiree qualification dates, subject to range availability and the firearms instructor or designee's time constraints. Any number beyond three attempts will be the decision of the firearms instructor, and can only be appealed to the Chief of Police whose

decision is final.

a. Should the retired officer fail to qualify, he or she will be allowed to attempt to qualify at the next scheduled retiree qualification shoot or at a date scheduled by the firearms instructor or designee.

b. Upon the third or final failure, the firearms instructor or designee will submit a memo to the Chief of Police outlining the failures.

J. Restrictions

1. The firearms instructor or designee's determination will be final as to all issues of safety and equipment. Any weapon, holster, ammunition, or related equipment found unsafe for qualification and carry will be prohibited on the range and noted in writing and of record. The retired officer will be notified and required to sign a statement acknowledging the unsafe condition of the equipment and the reason for such removal and prohibition.

2. The Law Enforcement Officers Safety Act allows the retired officer to carry a concealed weapon for personal safety as a private citizen. **It does not authorize the retired officer to:**

a. Carry a machine gun, silencer, or other destructive device.

b. Act in the capacity of a law enforcement officer of the Carroll Police Department or any other law enforcement authority.

c. Carry a firearm on any government property, installation, facility, building, base or park with laws or regulations prohibiting or restricting the carrying of firearms (such as airport boarding areas, courthouses, etc.)

d. Carry a firearm on any other public or privately owned property, facility, building or area, where the carrying of firearms is prohibited or restricted (such as private schools, commercial aircraft, etc.)

III. CONTENT OF LIABILITY WAIVER AND RELEASE BY A QUALIFIED RETIRED OFFICER

A. The "Acknowledgement, Waiver and Release Form" shall be titled, and contain the following verbiage:

I am a retired officer of the Carroll Police Department who is eligible to attempt to qualify to carry a concealed firearm, pursuant to the Law Enforcement Officers Safety Act of 2004 (18 U.S. Code 926C).

I recognize that the Carroll Police Department is not legally required to issue me credentials under the Act, and doing so, does not invest me with any police power or authority.

I hereby acknowledge the requirements of the Concealed Weapons – Nationwide Carry Policy of the Carroll Police Department and agree to comply with the provisions contained therein.

I recognize that the Carroll Police Department is not legally required to provide me with firearms instruction or a firearms qualification course. I understand that to do so, I will be required to fire my weapon under the direct supervision of the Carroll Police Department instructors.

I agree to indemnify, defend and hold harmless the City of Carroll, the Carroll Police Department, or its agents and employees, for any injury caused by my participation in this or future qualification processes. I further waive any claim for damages against the City of Carroll, the Carroll Police Department, or its agents and employees, for any injury suffered by me while participating in this or future qualification processes.

I recognize that the Act allows me to carry a concealed weapon for personal safety as a private citizen and that it does not confer to me any authorization for law enforcement power or responsibility.

Further, I hereby specifically agree to indemnify, defend and hold harmless the City of Carroll, the Carroll Police Department and/or its officers and employees, from any and all liability resulting from my carrying and/or use of any weapon allowed under the Law Enforcement Officers Safety Act of 2004, including, but not limited to, civil litigation.

IV. QUALIFYING CHECKS OF CURRENT AND RETIRED OFFICERS

A. Before issuing or renewing Carroll Police Department photo identification cards, the Chief of Police shall review the officer's or retired officer's firearms qualification record and updated criminal history record.

V. VERIFICATION OF LEOSA STATUS OF ACTIVE AND RETIRED OFFICERS IN FIELD SITUATIONS.

A. Current and retired officers of the Carroll Police Department.

1. A list of all current and retired officers shall be kept in the dispatch office. It is the responsibility of the Administrative Assistant to the Chief of Police to promptly furnish a roster to the dispatch office, whenever it is updated.
2. The Carroll Police Department's phone number will be printed on the reverse side of all LEOSA photo identification cards.
3. Upon receiving a call from another law enforcement agency requesting to verify the LEOSA status of an active or retired Carroll Police Department officer; the dispatch office or shift supervisor shall consult the list of current and retired officers and verify the correct status.

B. Current and Retired Officers of other agencies

1. No verification of credentials of active or retired officers of agencies other than the Carroll Police Department shall be authorized by Carroll Police Department personnel.
2. Requests for verification of the credentials of active and retired law enforcement and corrections officers of agencies other than the Carroll Police Department shall be directed to the appropriate other law enforcement agency.
3. The Carroll Police Department will not provide firearms training and qualification for any active or retired law enforcement or corrections officer of other agencies other than the Carroll Police Department, without specific approval of the Chief of Police.

RETIRED OFFICER ACKNOWLEDGEMENT, WAIVER AND RELEASE FORM

I am a retired officer of the Carroll Police Department who is eligible to attempt to qualify to carry a concealed firearm, pursuant to the Law Enforcement Officers Safety Act of 2004 (18 U.S. Code 926C).

I recognize that the Carroll Police Department is not legally required to issue me credentials under the Act, and doing so, does not invest me with any police power or authority.

I hereby acknowledge the requirements of the Concealed Weapons – Nationwide Carry Policy of the Carroll Police Department and agree to comply with the provisions contained therein.

I recognize that the Carroll Police Department is not legally required to provide me with firearms instruction or a firearms qualification course. I understand that to do so, I will be required to fire my weapon under the direct supervision of the Carroll Police Department instructors.

I agree to indemnify, defend and hold harmless the City of Carroll, the Carroll Police Department, or its agents and employees, for any injury caused by my participation in this or future qualification processes. I further waive any claim for damages against the City of Carroll, the Carroll Police Department, or its agents and employees, for any injury suffered by me while participating in this or future qualification processes.

I recognize that the Act allows me to carry a concealed weapon for personal safety as a private citizen and that it does not confer to me any authorization of law enforcement power or responsibility.

Further, I hereby specifically agree to indemnify, defend and hold harmless the City of Carroll, the Carroll Police Department and/or its officers and employees, from any and all liability resulting from my carrying and/or use of any weapon allowed under the Law Enforcement Officers Safety Act of 2004, including, but not limited to, civil litigation.

_____	_____	_____
Name of Retired Officer	Signature	Date:
_____	_____	_____
Name of Witness	Signature	Date:

Effective Date April 12, 2010	Number

Subject
Discretion Guidelines

Reference	Special Instructions

Distribution	Reevaluation Date	No. Pages
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Discretion, being the ultimate power of any law enforcement agency, has to be guarded against possible abuse. This S.O.P. will assist the officer by providing examples of acceptable and non-acceptable uses of discretion by our officers.

Officers of this department must understand that every action they take is related to their use of discretion. Rules, regulations, policies, directives, and orders whether verbal or written, all assist in affecting acceptable use of discretion.

The S.O.P. for the use of discretion shall be as follows:

A. Does the enforcement action conform to present rules, regulations, policies, directives and orders, written or verbal?

B. Is this enforcement action justifiable in light of the circumstances?
   1. Should I be making this decision?
   2. Is this proper and fair?
   3. Can I justify these actions?

C. Will this be labeled abuse of power and neglect of duty when reviewed by my supervisors or others?

<u>EXAMPLES:</u>

ACCEPTABLE -
Issuing a warning in lieu of a citation for a ***minor*** violation when it appears the warning will produce compliance by the violator.

UNACCEPTABLE -
Issuing a warning in lieu of a citation for a minor violation when the violator has previously received a warning and continues to commit the violation.

ACCEPTABLE -
Issuing a citation for 45 MPH in 35 MPH zone when the violator was actually clocked at 47 MPH.

UNACCEPTABLE -
Issuing a warning in lieu of a citation for 45 MPH in a 35 MPH zone when the violator was clocked at any speed faster than 49 MPH.

Generally speaking, if a violator is going more than 10 mph over the speed limit, he/she has passed the point where a warning would be appropriate

Effective Date April 12, 2010	Number

Subject
Evidence Policy/Procedures

Reference	Special Instructions

Distribution	Reevaluation Date	No. Pages
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A. **GENERAL.** The following policy is designed to provide for the security of evidence and ensure a uniform and consistent procedure to be followed for documentation, storage, analysis and general caretaking of evidence.

B. **POLICY:**

1. All evidence seized relevant to the same case will have an evidence tag if the evidence may be reasonably placed in one container, or secured as one unit. If this is **not** possible, the officer will use his/her discretion as to whether additional tags are necessary.

    a. Items seized as a result of a continuing investigation will be tagged separately. The officer will ensure that a property report is filled out with a supplemental report detailing its recovery.

    b. If a seizing officer is **not** the case officer, the evidence tag will note who the case officer is and an appropriate supplemental report will be submitted.

2. Evidence seized by officers, including but not limited to, tape recordings, documents, physical evidence of all types, photographs etc, shall fall under the purview of this policy.

    a. Contraband material not seized as evidence need not be entered as evidence (marijuana residue not relevant to a charge, e.g.)

~~3. When the film in departmental camera(s) has reached the end of the roll(s), officers shall remove the film and make arrangements for it to be developed. When the film is returned from developing, it shall be logged into evidence for the appropriate case.~~

~~Instamatic-type films will be immediately logged as evidence by the case officer.~~

4. The evidence technicians will prepare all evidence for shipment to a third-party agency, whether it be DCI, FBI, another law enforcement agency, or an independent analysis agency. The case officer will detail what is needed and the evidence technician will carry out the request.

    a. The evidence technicians will be the sole persons who handle evidence tags after the evidence has been logged in by the case officer. Do not use staples to secure evidence, if at all possible. String or tape may be used on the large portion of the evidence tags. **Fill out nothing above the checkered line on the evidence tags. Use tags in sequence. Tags are to remain in the storage slot until use.**

5. Liquid evidence, such as beer or liquor, in containers not able to be sealed, may be marked on the container at the level of the liquid and then disposal of the liquid may be made. Other type liquids in containers which cannot be sealed shall be transferred to a secure container, such as a bottle or jar. Liquids in containers which can be secured by lids shall be retained in their containers.

6. If evidence is needed by an officer, an effort should be made to notify an evidence technician at least seventy-two (72) hours in advance.

	Effective Date	Number
Subject **Firearms**		
Reference	*Special Instructions*	
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PURPOSE:

The purpose of this order is to identify procedures for the care and maintenance of department firearms and to establish the minimum requirements for officers to carry firearms, on and off duty.

Sworn Carroll police officers are required to carry a firearm while on duty and may carry a firearm off duty in compliance with the established General Orders of the Carroll Police Department pursuant to 724.2, Code of Iowa.

Proper use and maintenance of a police officer's firearm is a critical aspect of one's professional responsibility.

POLICY:

It is the policy of the Carroll Police Department to equip its officers with weapons and ammunition which are safe and reliable. It is also the policy of the department to require officers to demonstrate, at least annually, proficiency in the use of all firearms utilized under color of official duty. Only officers who demonstrate proficiency with authorized weapons may carry such weapons. Proficiency includes passing proscribed qualification courses, knowledge of the operation and use of the weapons and knowledge of the laws, general orders and safe handling procedures for all authorized weapons.

DEFINITIONS/OTHER:

A. FIREARMS INSTRUCTOR: A sworn member(s) of the department who has successfully completed the Firearms Instructor School provided by the Iowa Law Enforcement Academy. Certified instructors from other agencies may also assist in firearms training.

   The firearms instructor(s) shall be in charge of firearms training for the department. They shall see that all officers receive the proper firearms training and keep their professional permit to carry weapons current.

B. ARMORER: A sworn member(s) of the department who has received specialized training to provide firearms manufacturer's authorized maintenance and repair for authorized, department issued firearms.

~~C. REGISTRATION AND APPROVAL OF HANDGUNS: All firearms owned by employees, for use while off duty, shall be submitted to the chief of police for registration and approval. The firearm shall not be carried until such approval is obtained and placed in the employee's department personnel file, and the employee has successfully qualified with this firearm.~~

D. AMMUNITION: Ammunition for department issued weapons shall be approved by the chief of police and issued by the department firearms instructor(s). Ammunition carried in off-duty weapons shall be approved by the chief of police.

E. FIREARMS CLEANING AND LOADING RESTRICTIONS: All department issued firearms shall be cleaned in the department armory. No "dry firing", cleaning, loading or display of firearms shall take place in the community building other than the approved area. This restriction shall not apply if ordered to unload by a commanding officer during an inspection.

F. CLEANING FIREARMS: Firearms carried on duty shall be maintained in a clean and serviceable condition.

G. REPAIR OF WEAPONS: An officer wishing to have work done on his sidearm shall make a written request to the department armorer or one of the firearms instructors. Officers identifying problems with department rifles or shotguns shall prepare a repair order and submit it to the department armorer or one of the firearms instructors. Only certified armorers are permitted to perform repairs or modifications on department issued firearms.

PROCEDURE:

I. The following firearms are authorized for police duties:

A. HANDGUNS

1. The official issue weapon of the department is the Sig Sauer, .40 caliber, semi-auto pistol.

2. Any exceptions to the on-duty firearm must be approved in writing by the chief of police. It is also permissible for officers to use this sidearm for off-duty use.

3. Only firearms issued by the department or authorized in writing by the chief of police shall be carried by officers while on duty. Additionally, all non-issued approved firearms carried while on duty shall be inspected for serviceability and safety by the firearms officer during range qualifications.

4. Ammunition for the above listed weapons shall be restricted to that which is issued or approved by the department's firearms instructors.

5. ~~Any weapon carried off-duty must be a caliber of .380 or larger. and the officer must qualify with it after receiving written approval from the chief of police to carry it.~~

6. ~~The department's firearms instructors shall keep a log of all firearms approved for carry by off-duty officers and the log shall include the officer's name carrying the weapon, the make, model and serial number of the weapon and a record of the qualification score the officer obtained with the weapon.~~

7. The firearms instructor is authorized to remove any unsafe weapons from service and should advise the chief of police upon taking such action.

B. PATROL RIFLES AND SHOTGUNS

Only department-issued shotguns and rifles may be used by members of the Carroll Police Department unless otherwise specified by this policy. Only those officers qualified by the firearms instructor(s) may carry and/or use these weapons.

PURPOSE:

To set forth guidelines for the use of patrol rifles and shotguns deployed by members of the Carroll Police Department.

POLICY

It is the policy of the Carroll Police Department to permit police officers who are trained and qualified with rifles and shotguns to deploy them as a resource in high threat level situations.

PROCEDURE:

A. DEPLOYMENT CRITERIA:

1. Only ILEA certified officers who are certified in the use of, and have qualified with patrol rifles and shotguns approved by the department, may carry a patrol rifle or shotgun while on duty.

2. The patrol rifle shall be secured in an approved rifle rack in the front seat area ~~the trunk~~ of the patrol vehicle when not being deployed with the safety on, ~~the magazine out of the weapon~~ and no chambered rounds (unloaded). ~~The magazine should be kept in the gun carrier side pouches.~~

3. The shotgun shall be secured in an approved shotgun rack in the front seat area of the patrol vehicle or in the trunk of the patrol vehicle. It shall have approved ammunition in the magazine area but shall NOT have a round in the chamber. It

shall be stored with the safety on and a plastic tab through the forearm, indicating that the weapon is safe, and that there is not a round in the chamber.

4. The patrol rifle or shotgun may be deployed when directed by a supervisor or when an officer authorized to use it deems it appropriate given the high threat level of a particular incident as outlined below.

5. The patrol rifle or shotgun may be deployed during a high threat level incident when there is reason to believe the suspect is:

    a. Wearing protective body armor.
    b. Armed with a high-powered weapon that surpasses the capabilities of weapons normally carried by patrol officers.
    c. Armed and situated at a distance or fortified location that affords the suspect a tactically superior position, in which the deployment of the patrol rifle appears reasonably necessary to neutralize the threat presented by the suspect.
    d. When a patrol rifle-certified officer encounters an immediate life-threatening situation that meets the deployment criteria.
    e. Other situations that the officer can justify the use of deadly force and the patrol rifle or shotgun is the best weapon for diminishing the threat including, but not limited to, terrorists assaults.

6. Once the threat is resolved, the patrol rifle or shotgun shall be re-secured in the patrol vehicle.

7. Patrol rifles shall never be left unattended unless locked and unloaded in the police vehicle or secured in a locker at the police department. Patrol vehicles shall never be left unlocked when they are unattended.

8. Officers not trained and qualified in the use of the patrol rifle shall not handle the weapon.

9. The patrol rifle or shotgun should not be displayed to the public as a "show and tell" or handled except in situations authorized by the chief of police (i.e. Citizen's Police Academy).

10. Patrol rifles and shotguns shall be removed from the patrol vehicle and secured at the police station anytime the patrol vehicle is left somewhere for service.

B. EQUIPMENT CARE

1. Department owned patrol rifles and shotguns carried in patrol vehicles will be subject to inspection by the firearms instructor or any supervisory member of the department at any time.

2. Patrol rifles and shotguns shall be kept cleaned and properly maintained. Any maintenance done other than cleaning shall be done by a trained firearms armorer.

3. Patrol rifles and shotguns should be kept in a gun case or on a mounting device when secured in the patrol vehicle.

4. Officers shall not make it widely known that they have a patrol rifle in their vehicle in order to reduce the chances of theft.

5. When a patrol vehicle with a rifle and/or shotgun is in a repair shop or other such facility for any kind of repair or maintenance, the patrol rifle and/or shotgun shall be removed and secured elsewhere.

C. REPORTING

Any time a patrol rifle is deployed, a memo detailing the circumstances along with a copy of any supporting reports shall be forwarded to the chief of police through the chain of command.

D. USE OF FORCE

All laws and departmental policies governing use of force and deadly force shall apply to the patrol rifle.

C. QUALIFICATIONS WITH FIREARMS

1. Officers shall qualify at least annually with any firearm they are authorized to carry.

2. The firearms instructor shall maintain records of all qualification scores and notify the chief of police of any officer failing to meet qualification requirements.

3. The course of qualification and required standards and scores set by the Iowa Law Enforcement Academy (ILEA) shall be followed.

4. Officers failing to qualify with any firearm shall be prohibited from carrying that firearm on or off-duty until such time as they do qualify with the firearm.

FAILURE TO QUALIFY

1. Failure to Qualify

Officers who fail to qualify with their primary service handgun on the day(s) specified for firearms qualification shall be subject to the following provisions:

a. If an officer fails to qualify, the firearms instructor(s) shall inform the Chief of Police.

b. The firearms instructor(s) shall arrange for a period of formal remedial firearms training not to exceed seven days in duration. This remedial training shall take place within seven days of the failed attempt to qualify. The firearms instructor may limit the number of attempts to qualify during this remedial training period.

c. All remedial training will take place during the officer's normally scheduled shift. No overtime will be paid for remedial training. Officers are however, encouraged to engage in any additional informal practice or training sessions that the officer may deem necessary on their own time. The firearms instructor(s) shall forward a written report to the Chief of Police concerning the officer's progress, shooting abilities, and any recommendations for corrective action.

d. If the officer does not shoot a passing score on the qualification course within seven days of the originally scheduled qualification day, the officer will be temporarily reassigned to non-enforcement duty. While on non-enforcement duty, the officer will work within the police department building. The officer will not wear the police uniform, carry a firearm or drive a police vehicle. While on non-enforcement duty, the officer may be required to report to a medical doctor for a physical examination to determine if a medical condition is impacting the officer's ability to qualify. A written evaluation will be provided to the Chief of Police by the examining physician. If a medical reason exists for the officer's inability to qualify, the medical treatment is prescribed, the officer should follow the treatment as prescribed by the examining physician. Once the officer is medically released, the officer will start the qualifying process from the beginning.

e. The officer shall be given an additional seven days to shoot a passing score on the qualification course (a total of 14 days from the date of the original qualification course). The firearms instructor may limit the number of attempts to qualify during this remedial training period.

f. Once the officer successfully qualifies with the firearm, the officer will be informed in writing by the firearms instructor that the officer is again authorized to use the primary service firearm and is eligible to return to full duty. The Chief of Police will be notified and the officer shall meet with the Captain to determine a date to return to full duty. The firearms instructor(s) may require the officer to shoot a qualification course at any time to ensure that officer's abilities continue to meet department standards. All documentation of remedial training and requalification will be placed in the officer's training file.

g. Any officer who fails to qualify with the primary service handgun within one week from the time of remedial training completion or other corrective action(s), shall be placed on suspension without pay for a period not to exceed (30) days. At any time during the suspension period, the officer may make arrangements with the firearms instructor(s) for additional remedial training. The officer will have four additional attempts to qualify during the suspension period. The chief of police may authorize additional attempts if in his/her judgment it is warranted. If the officer does shoot a

qualifying score during the suspension period, the procedures listed in "f" above shall be followed to have the officer return to full duty. Failure to qualify will result in the initiation of termination proceedings against the officer.

D. OFF DUTY AND SECOND (BACKUP) FIREARMS

1. Officers may carry an approved concealed firearm with proper identification when off duty. Officers may carry an approved second or "backup" weapon, concealed, while on duty.

2. Officers carrying second weapons must receive authorization, in writing, from the chief of police.

3. Second weapons must be carried in a factory-made holster which is capable of holding the weapon securely during running or other exertion. The firearms officer shall be responsible for making this determination.

4. Off duty and second firearms are to be concealed from the normal view of the public.

5. Second weapons are to be used only when an officer's duty weapon is not available or becomes inoperable.

6. A description and a listing of the serial number of a second weapon carried on duty must be maintained by the firearms instructor.

7. Officer's operating departmental vehicles while off duty shall have an approved firearm with them in the vehicle should they need to respond to an emergency situation or defend themselves.

8. Officers must qualify annually on the course of fire ~~proscribed~~ prescribed by ILEA with any approved ~~off duty or~~ secondary weapons.

9. Officers showing proficiency in department issued firearms and general firearms knowledge can carry off-duty weapons that meet the above mentioned guidelines.

E. FIREARM SECURITY AND CARE

1. Officers are responsible for ensuring their department issued firearms are stored in a safe location and condition when the officer is off-duty or when the weapon is not secured in his/her duty holster when on duty.

2. The accidental discharge of firearms by children and the use of firearms by teenagers or other person's who have or gain access to a police officer's firearms is on the rise. It shall be policy of this department that when the firearm is not being carried on the officer's

person on-duty, or off-duty in an approved holster, the weapon shall be secured in such a way that it is not accessible by young children or teenagers.

3. Routine Maintenance and care of a firearm is the responsibility of the officer.
    a. Weapons must at all times be free of mechanical defect, and functional.
    b. Repair work to a departmental issued firearm may only be done by a gunsmith approved by the chief of police.

4. No officer, while serving a disciplinary suspension, shall be in possession of a department issued firearm.

5. Only holsters approved or issued by the department may be utilized for carrying approved firearms while on or off duty.

IV. TRAINING

1. All weapons carried on duty shall be inspected by supervisors on a regular basis. Supervisors shall follow the steps listed in the guidelines for inspection of Semi-auto pistols and any other relevant directions or procedures issued by the firearms officer to ensure safe procedures.

2. Personnel must be qualified with all firearms carried in conjunction with police duties.

3. The firearms instructor is responsible for the organization and scheduling of regular firearm training.

4. The firearms instructor ~~He/she~~ shall ensure that the course of fire meets the guidelines established by the Iowa Law Enforcement Academy.

5. The firearms instructor ~~He/she~~ shall ensure that all officers pass annual qualification course with a score of at least 80%. An officer shall be required to complete this process with all firearms carried ~~he carries, both~~ on ~~and off~~ duty.

6. The training officer shall retain on file all documentation regarding firearms training and qualification scores and provide a copy of these records to the chief of police annually.

Effective Date April 12, 2010	Number

Subject
Holidays - Police

Reference	Special Instructions

Distribution	Reevaluation Date	No. Pages
		1

Employees required to work on holidays shall be compensated in the following manner: eight (8) hours straight time holiday pay plus time and one-half for all hours actually worked.

The following days shall be holidays for police department employees:

1. New Year's Day
2. Good Friday – 1/2 day
3. Memorial Day
4. Independence Day
5. Labor Day
6. Thanksgiving Day
7. Friday following Thanksgiving Day
8. Christmas Day
9. ~~Two~~ Three Floating Holidays
~~10. Administrative Holiday~~

Exempt employees and the administrative assistant are not entitled to the floating holidays listed above.

Employees covered by a union contract or collective bargaining agreement shall be given holidays and holiday pay in the manner prescribed therein.

Effective Date April 12, 2010	Number

Subject
Hours of Service

Reference	Special Instructions

Distribution	Reevaluation Date	No. Pages
		1

Police overtime shall be paid in accordance with the Union Contract and/or the Fair Labor Standards Act.

Examples will include:

A. ***Regular duty.*** Overtime for employees in the police department is the authorized time worked beyond the forty (40) hour work week. Cash payment or compensatory time on the basis of time and one-half shall be paid for overtime worked. Overtime shall be authorized by a supervisor prior to such overtime being worked.

B. Overtime will be computed at one and one-half times the time worked.

C. When an off-duty officer is subpoenaed to appear in court in cases in which the city or state is a party, the officer shall be compensated at one and one-half (1 1/2) times regular straight-time rate for all hours the employee is so ordered, with a minimum of two (2) hours for in person testimony and one (1) hour for telephone testimony.

D. At other times when directed by the Chief of Police.

E. Overtime shall be compensated for by cash payment or compensatory time at the officer's discretion unless otherwise directed by the Chief of Police

   The test for ordering overtime shall be: Is it absolutely necessary that this work be performed now on an overtime basis? Can it be completed on the regular tour of duty or be held over until the next tour of duty?

F. All of the preceding will meet the minimum standards as prescribed by the Fair Labor Standards Act.

G. Hours of service may be covered by a union contract or collective bargaining agreement. In that case, that document will have precedence for covered employees.

Effective Date April 12, 2010	Number

Subject
OWI

Reference	special Instructions

Distribution	Reevaluation Date	No. Pages
		2

The Carroll Police Department places a high priority on the detection, apprehension, and prosecution of intoxicated motor vehicle operators. This policy will serve as a guideline in these efforts.

Officers of the Carroll Police Department who come in contact with suspected intoxicated or drugged motor vehicle operators shall conduct field sobriety tests, when possible, to help confirm or allay suspicion of intoxicated or drugged operation. In cases of unconsciousness or other severe physical limitations, or other limiting factors (e.g., weather conditions), field sobriety tests may be limited in scope or duration. Suggested tests include, but are not limited to, HGN (horizontal gaze nystagmus), walk-and-turn, alphabet recital, one leg stand, manual dexterity, number count, and preliminary breath screen. Whenever possible, the testing officer should have another peace officer present as a witness.

If the officer makes an arrest for OWI based on these tests, the arresting officer shall handcuff the operator (unless a non-combative juvenile) and immediately advise that person of their constitutional rights, commonly referred to as the Miranda Warning. The suspect shall then be transported to the nearest approved breath machine for further testing under Iowa's Implied Consent procedure. The breath test is to be given preference over other chemical tests whenever possible. Other chemical tests, such as sampling blood or urine, may be used as circumstances warrant. In those instances when it is desirable to obtain a sample for testing, and the suspect refuses or is unable to provide same, the officer may apply for a search warrant as set forth under 321J.10 of the Code of Iowa. This would typically be an instance where grievous injury or death is involved.

In those instances where the officer suspects intoxicated or drugged driving, but the suspect refuses to perform field sobriety tests and/or submit to a preliminary breath screen, the officer shall ask the suspect to accompany him/her to the nearest approved breath machine for further testing under Iowa's Implied Consent procedure. If the suspect refuses to accompany the officer, the officer may (1) perform an on-site revocation of the operator's license under Iowa's Implied Consent procedure, (2) arrest the suspect for OWI, (3) arrest the suspect for other offenses as the situation warrants.

In cases where the suspect's motor vehicle location may pose a hazard, the officer may ask the suspect for consent to move the vehicle to the nearest safe or lawful location, or a third party may be allowed to move the vehicle with the suspect's consent. The officer shall take reasonable steps to secure the vehicle. In any other circumstances, the vehicle shall be impounded and inventoried pursuant to the Carroll Police Department Vehicle Inventory policy. In all instances of arrest, a search of the motor vehicle ~~incident to the arrest shall be made~~ shall be made as court rulings and state and federal law provide.

In no circumstances is a suspected intoxicated or drugged motor vehicle operator to be allowed to operate a motor vehicle.

Suspected juvenile offenders shall be handled in the manner set forth under Chapter 232 of the Code of Iowa.

After processing, a suspect may be released to an adult custodian or be held for arraignment, at the officer's discretion. If released, the officer should attempt to obtain a written release from the person acting as the custodian of the released individual.

Subject		
Vehicle Operation and Maintenance		
Reference	*special Instructions*	
Distribution	*Reevaluation Date*	*No. Pages*

DEPARTMENT VEHICLES:

A. Employees shall not use any departmental vehicle without the permission of a supervisor.

B. Transporting Citizens - Citizens will be transported in departmental vehicles only when necessary to accomplish a police purpose. Those desiring to ride as part of the department "Ride Along Program" must first obtain permission from the Chief of Police and sign a release of liability form.

ACCIDENTS INVOLVING POLICE VEHICLES.

A. Allow the vehicle to remain in post-accident position (if traffic conditions permit). Under no circumstances will the vehicle be moved from the immediate vicinity.

B. Immediately notify Communication Center of the accident and request transportation for injured, if any, and immediate superior.

C. Under no circumstances shall the operator or his partner, if a two-man element, investigate an accident of a unit operated by them.

D. If the damage or combined damage is ~~$1000.00~~ $1,500.00 or more, or personal injury occurs, complete a State Accident Report to be forwarded to the State Department of Public Safety.

E. If an injury is sustained by a city employee, complete a State of Iowa Work Injury report in accordance with Injury Leave/Work Injury section of this manual.

REPAIR OF VEHICLES:

All police vehicles shall be serviced at the location designated by the Chief of Police.

POLICE VEHICLE INSPECTION:

Relieving officer shall be responsible for the inspection of police vehicles before use. New damage or operational defects shall be reported in writing to supervisory officers. A list of needed repairs shall be forwarded to the shift supervisor or Chief of Police.

Under no circumstances will officers drive an unsafe vehicle on a tour of duty!

PARKING VEHICLES BEHIND THE STATION:

Only authorized or personal vehicles shall be parked in the areas designated "Authorized Parking Only" or the area along Fourth Street.

The police bays will normally be used for the prolonged parking of police vehicles (hours not minutes). The permitted exceptions are as follows:

A. Inclement weather
B. Equipment service - vehicle
C. When needed during the course of an investigation
D. When authorized by a supervisor

In all cases extreme caution should be exercised to ensure the overhead door is in the stationary open position before entering or exiting this area. Vehicles shall be driven forward into the bay and backed to exit.

	Effective Date	Number

Subject **Active Shooter Response**		
Reference	*Special Instructions*	
Distribution	*Re-evaluation Date*	*No. Pages* 3

I. PURPOSE: To outline the Department response to an "Active Shooter" situation.

II. POLICY: It is the policy of the Carroll Police Department to protect life by any legal means possible. Officers responding to an active shooter incident shall accomplish this goal by immediately using any legal means at their disposal to make contact with the active shooter and stop him. This may include arrest, containment, or use of deadly force.

A. Philosophy. The Carroll Police Department recognizes that the active shooter must be stopped before he/she can destroy any more innocent lives. This is the duty and responsibility of the initial responding officers, and they shall use all legal means to accomplish it. The prioritization of activities, in their order of importance is:

1. Stop the active shooter
2. Rescue the victims
3. Assist in providing medical assistance
4. Preserve the crime scene

While it is important to provide medical treatment to the wounded, it is our duty as law enforcement officers to first protect all innocent life by stopping the actions of the active shooter.

B. Definitions.

1. **Active Shooter** – one or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. Their overriding objective appears to be that of mass murder, rather than other criminal conduct, such as robbery, hostage taking, etc.
   For purposes of this policy, the term "active shooter" will also include anyone who uses any other deadly weapon (knife, club, bow and arrow, explosives, etc.) to systematically or randomly inflict death or great bodily harm on people.

2. **Contact Team** – A team consisting of two or three officers who are deployed at the scene of an active shooter incident with the mission to locate and contain all threats created by the active shooter(s).

3. **Rescue Team** – A team consisting of three or four officers who are

deployed at the scene of an active shooter incident with the mission to locate and report the location of or rescue injured persons.

4. **Incident Commander** – The first supervisor to arrive who is not part of a contact or rescue team, or most senior officer if rank is not available, will assume the role of Incident Commander until relieved by a higher-ranking officer.

C. **Equipment.** A rifle with a minimum of three (3) magazines of ammunition, or other authorized shoulder fired weapon, should be deployed with the Contact Team(s) and Rescue Team(s) if available. Equipment for entry includes:
1. Ballistic vest
2. Radio
3. Flashlight
4. Handcuffs
5. Visible identification for plain-clothes officers. More than just a badge on neck chain or belt.

III. PROCEDURE:

A. **Officer Response.** All enforcement personnel who are not on an emergency call shall respond to the staging area of an active shooter incident or shall respond to a location as directed by the controlling supervisor.

B. **Intelligence Gathering.** An attempt should be made to gather intelligence about the situation by contacting persons who have the necessary information to better enable the officers to resolve the incident. If the incident involves a location that has a crisis plan (School District, Hospitals) their crisis team should be contacted. Intelligence gathering, while important, should not detract from the primary mission, which is to first protect all innocent life by stopping the actions of the active shooter.

C. **Contact Team.**
1. The first responding officer will, upon arrival at the scene, immediately report that he/she is on-scene, will clear the radio frequency of non-critical communications if that has not already been done and will provide a situation report to Communications.
2. The officer will announce his/her exact location and will direct additional responding units to that location.
3. As soon as another officer arrives on scene, he/she and the first responding officer will form and deploy as a Contact Team. If a third officer arrives at the same time as the second, a three-officer Contact Team will deploy. If four or more officers are on scene at the same time before the first Contact Team deploys, they will form two or three officer Contact Teams and immediately deploy.

4. Contact Teams will not wait for additional officers or set perimeters prior to deployment.
5. All Contact Teams shall notify the Comm Center upon deployment.
6. Contact Team(s) will remain actively deployed until the incident is contained.
7. An individual rooms or defined space containing the suspect, should only be entered by a Contact Team, if and when the risk of death or great bodily harm to individuals in the room is greater if the Team does not enter than the risk incurred during an entry by the Team.

D. **Incident Commander**. The Incident Commander shall determine if additional contact teams are necessary and deploy if needed. The Incident Commander shall then deploy Rescue Teams to facilitate treating the injured and evacuating the building. The Incident Commander shall:

1. Establish a command post (in his/her squad car if necessary)
2. Choose a safe staging area for arriving personnel
3. Order the dispatcher to initiate proper notifications
4. Form additional contact and rescue teams, as necessary
5. Call for mutual aid from other agencies, as necessary
6. Establish media staging area
7. Arrange a safe staging area for medical units and treatment of the injured
8. Post additional responding officers to guard crime scenes
9. Call for resources to bring the incident to conclusion
10. If the suspect is arrested or incapacitated, regular agency procedure will be followed regarding the investigation and evidence preservation.

E. **Rescue Team.** Rescue Team members should maintain 360-degree coverage as the changing dynamics of the incident may put them in contact with the suspect(s).

	Effective Date	Number
Subject **Vehicle Towing**		
Reference	*Special Instructions*	
Distribution	*Re-evaluation Date*	*No. Pages:* 2

I. PURPOSE

To establish and maintain uniform guidelines for towing and inventorying vehicles.

II. POLICY

The Carroll Police Department has the need to remove vehicles from locations due to abandonment, arrest, accident, or other needs.

III. PROCEDURE

A. Abandoned Vehicles
1. Once a motor vehicle has been determined to be abandoned, officers will request that a towing company be dispatched to remove the vehicle.
2. Officers will complete a vehicle inventory log sheet by doing a complete inventory of the motor vehicle as required in the Motor Vehicle Inventory Policy. This will include the interior and trunk of the vehicle. If the vehicle's doors or trunk are locked and/or keys are not available, the officer will attempt to make entry. If unsuccessful, a locksmith may be contacted to gain entry.
3. All firearms and property, including cash, that is found to be of estimated value of $100.00 or more will be noted on the form. Items may be removed and taken to the Police Department for safekeeping if the officer can articulate a reason for doing so.

B. Arrested Driver
1. If the driver of any vehicle is arrested the officer has the following options.
   a) Leave Car – If the vehicle is legally parked the vehicle may be left at the scene if the registered owner is present and is unimpaired and agrees for the vehicle to remain. Officers may allow an arrested owner to move the vehicle to a nearby legal parking area if the driver is legally licensed to operate the vehicle and the officer feels it is safe to do so. Officers will not drive an arrestee's vehicle except in the most unusual circumstances.

b) Alternative Driver – The vehicle may be released to another legal driver designated by the registered owner. The driver may not designate an alternative driver if the driver is not the registered owner.
c) Tow Vehicle – Vehicles will be towed if neither of the above applies. Officers will follow the procedure as set out in Section III.A above with the addition that an unimpaired owner may request a towing company. Officers may over-ride the owner's request and have dispatch contact a different tow service if the owner's request will take an excessive amount of time. A vehicle inventory will be done.

C. Accident Scene
1. Conscious owners may make their own arrangements to remove a vehicle from an accident scene provided that it is done in a timely manner. Officers may over-ride the owner's request and have dispatch contact a tow service if the owner's request will take an excessive amount of time. No vehicle inventory is required.
2. If the owner or driver is incapacitated and the vehicle cannot be left where found, the officer will tow the vehicle using the above procedure. No vehicle inventory is required.

D. Traffic Hazard
1. Officers who encounter any vehicle that the officer believes to be a traffic hazard will not allow the vehicle to remain on the street. The officer may advise the owner to leave the vehicle parked where it is if it is safe to do so or have the vehicle towed using the procedure in III.C.1 of this order. A vehicle may be determined to be a hazard because of vehicle defect, including a lack of current liability insurance, or because it is parked in an unsafe or illegal manner. A vehicle inventory will be completed.