

# Moore Police Department

## Policy Manual

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### **CHIEF'S PREFACE**

The Moore Police Department adopts these policies to guide the actions and attitudes of employees as they accomplish their goals within the core values, mission, and laws governing this agency. The policies further provide a general standard by which the citizens of our city can measure our performance.

This agency establishes these written policies to outline its law enforcement authority. They define what is reasonable and lawful. It is impossible, however, to strictly outline an employee's actions in every situation. These policies shall be viewed as guidelines for employees to follow. An employee's actions should be judged in accordance with the differences in each situation and the knowledge the employee has at the time. Employees that deviate from these policies without acceptable justification could be subject to disciplinary action.

Policies as issued supersede any previous applicable policies, directives, bulletins, or procedures. Any references to "Chief of Police" shall include any person designated to act with the Chief's authority. Many policies establish duties and/or responsibilities for specific persons (i.e. Canine Supervisor, Operations Director, etc.). Any references to these persons will also include anyone designated to act on their behalf to carry out these duties and/or responsibilities.

These policies represent our commitment to our city as reflected in our organizational values of Integrity, Accountability, Humility, Professionalism, and Empowerment. It is my hope our employees' good judgment and desire to serve our city through the application of these guidelines will provide the best professional police services possible to our citizens.

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### **LAW ENFORCEMENT CODE OF ETHICS**

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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### MISSION STATEMENT

#### The Vision of the Moore Police Department:

We aspire to enhance the **community** by positively impacting the lives of **individuals**.

#### Our Mission Statement

The Moore Police Department is here to walk alongside residents to create a city desirable to live in. Forging strong partnerships, we will find answers and apply solutions to problems. Compassionately serving and seeking the best outcomes with the community. Fighting crime, **Passionately Protecting** the community, and humbly putting **Service Before Self**.

Together we are **MOORE STRONG**.

#### Our Values

##### Integrity

Our character in action; honest, trustworthy, and in corruptible

##### Accountability

Openly operating to the expectations of the community. Own our actions.

##### Humility

We are not better than our citizens, service before self.

##### Professionalism

Treating everyone with dignity and respect. Service with Pride and Honor.

##### Empowerment

Leading to increase partnerships and effectiveness, seeking excellence.

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

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## Law Enforcement Authority

### 100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Moore Police Department to perform their functions based on established legal authority.

### 100.2 POLICY

It is the policy of the Moore Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

### 100.3 PEACE OFFICER POWERS

Certified members of this department, or newly appointed members awaiting certification, are authorized to exercise peace officer powers pursuant to applicable state law.

#### 100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE MOORE POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Moore Police Department includes (22 O.S. § 196; 11 O.S. § 34-101):

- (a) In compliance with a valid, confirmed arrest warrant.
- (b) Without a warrant:
  - 1. For a felony
  - 2. For a public offense committed or attempted in the officer's presence
  - 3. When an officer has probable cause to believe a person was under the influence of alcohol or drugs when driving or in physical control of a vehicle involved in an accident
  - 4. When the officer, observing a recent injury, has probable cause to believe the person has, within the preceding 72 hours, committed an act of domestic abuse
  - 5. When the officer is acting on a violation of a court protective order
  - 6. When the officer has probable cause to believe the person has threatened another with serious injury or death
  - 7. When the officer has probable cause to believe that the person has committed retail larceny (22 O.S. § 1342)
  - 8. When a traffic offense for which an arrest is permissible is observed or perceived with electronic equipment by the officer or by another officer who communicates the same to the officer (47 O.S. § 16-114)

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9. An officer may effect an arrest or issue a traffic citation to any driver involved in a traffic collision when, based on personal investigation, the officer has probable cause to believe the person has committed a traffic related offense (47 O.S. § 16-109.1)

#### 100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE MOORE POLICE DEPARTMENT

The arrest authority of officers outside the jurisdiction of the Moore Police Department includes:

- (a) Following the fresh pursuit of a person for an offense committed in their presence within the jurisdiction of the Moore Police Department
- (b) For a felony (22 O.S. § 202)
- (c) When requested to do so by an officer for an offense committed in the jurisdiction of the requesting officer (19 O.S. § 516)
- (d) Other arrest authority as may be provided in policies and procedures adopted by the City (21 O.S. § 99a)

#### 100.3.3 OTHER AUTHORITY

With the appropriate approval, resolution or interlocal agreement of the governing body of the City, officers of this department (11 O.S. § 34-103):

- (a) Have the same powers and duties as police officers of another municipality upon request by the mayor, chief of police or the authorized designee of the municipality requesting their assistance.
- (b) Have the same powers and duties as law enforcement officers for a sheriff's office upon request by a county sheriff or the authorized designee requesting their assistance.
- (c) Have the same powers and duties as law enforcement officers for the Oklahoma Highway Patrol upon request by a commissioned law enforcement officer of the Oklahoma Highway Patrol for their assistance.
- (d) May be deputized by the county sheriff.
- (e) May respond to requests from another jurisdiction for assistance in case of emergency.

#### 100.3.4 GRANTING AUTHORITY TO OTHERS

When executing an arrest warrant, officers may summon the aid of other persons to assist (22 O.S. § 188).

#### **100.4 INTERSTATE PEACE OFFICER POWERS**

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

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- (b) When an officer enters another state in fresh pursuit:
  - 1. In Colorado and Kansas to arrest the person for a crime committed in Oklahoma (CRS § 16-3-104; K.S.A. § 22-2404).
  - 2. In New Mexico and Texas to arrest the person for a felony committed in Oklahoma (NMSA § 31-2-1; Tex. Code of Crim. Pro. art. 14.051).
  - 3. In Missouri to arrest a person for a felony or for driving while intoxicated in Oklahoma (§ 544.155, RSMo).
  - 4. In Arkansas to arrest a person for a felony committed in Oklahoma or for the offense of driving or operating a vehicle while intoxicated, impaired or under the influence (A.C.A. § 16-81-404).

When an arrest is made in another state, the officer shall take appropriate action so that the person arrested is taken without unnecessary delay before the proper judicial official in the county where the arrest was made (A.C.A. § 16-81-405; CRS § 16-3-104; K.S.A. § 22-2404; § 544.155, RSMo; NMSA § 31-2-2; Tex. Code of Crim. Pro. art. 14.06).

#### **100.5 CONSTITUTIONAL REQUIREMENTS**

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

#### **100.6 ARREST IMMUNITY**

Persons who meet certain criteria may be exempt from arrest on particular charges or service of process. If a person who is otherwise subject to arrest claims immunity, the officer should contact his or her supervisor. Unless exigent circumstances dictate otherwise, an officer who is unsure of the validity of an immunity claim should consider, as an option to arrest, presentation of information for later filing charges.

Typical categories of immunity include:

- (a) **Diplomatic Immunity** - See Foreign Diplomatic and consular Representatives Policy. (22 U.S.C. § 253.a-e and 21 O.S. § 160)
- (b) **United States Senators and Representatives** -Exempted from civil process only while traveling to and from a session of their respective house. (U.S. Constitution, Article I, Section 6)
- (c) **Voters on Election Day** - Exempt from arrest on a misdemeanor charge except for breach of peace while traveling to and from a polling place and while voting. (OK Constitution, Article III, Section 5)
- (d) **Oklahoma State Legislators** - Exempted from civil process only while traveling to and from a session of their respective house. (OK Constitution, Article V, Section 22)
- (e) **Member of the National Guard** - Exempted from civil process only while in attendance, or traveling to or from drills, parades, inspections, or while on active duty. (44 O.S. § 223)

## Chief Executive Officer

### 101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Oklahoma are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Moore Police Department, who is required to exercise the powers and duties of the office as prescribed by state law (11 O.S. § 34-102; 11 O.S. § 12-111; 19 O.S. § 513.2; 19 O.S. § 514; 19 O.S. § 516).

### 101.2 POLICY

It is the policy of the Moore Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

### 101.3 CHIEF OF POLICE REQUIREMENTS

The Chief of Police of this department appointed after Nov. 1, 2006, as a condition of employment, shall (11 O.S. § 34-102):

- (a) Be at least 21 years of age.
- (b) Be a citizen of the United States.
- (c) Possess at least a high school diploma or General Education Diploma (GED).
- (d) Be certified as a peace officer in this state by the Council on Law Enforcement Education and Training (CLEET) or meet all requirements necessary for CLEET certification and obtain such certification within six months of assuming the position of Chief of Police or as otherwise allowed by 70 O.S. § 3311.
- (e) Successfully complete the approved course of training developed by the Oklahoma Association of Chiefs of Police (OACP) and approved by CLEET within 12 months of assuming the position of Chief of Police.

Failure to meet CLEET or OACP training may result in disqualification of, or revocation of, certification and removal from office.

## Oath of Office

### **102.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

### **102.2 POLICY**

It is the policy of the Moore Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

### **102.3 OATH OF OFFICE**

All department members, when appropriate, shall take and subscribe to the following oath or affirmation applicable to his/her position (51 O.S. § 36.1; 51 O.S. § 36.2A).

"I do solemnly swear (or affirm) that I will obey and defend the Constitution and the laws of the United States of America, the Constitution and the laws of the State of Oklahoma, and the charter and ordinances of the City of Moore. That I will abide by the Law Enforcement Code of Ethics, the Mission, Vision, and Values of the Moore Police Department, and will faithfully discharge my duties, according to the best of my ability. I hereby accept my commission as a symbol of authority and mark of service to the citizens of this community."

### **102.4 MAINTENANCE OF RECORDS**

The oath of office shall be filed as prescribed by law (51 O.S. § 36.3). All other oaths should be similarly filed and retained.

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# Policy Manual

## 103.1 PURPOSE AND SCOPE

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

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

Should items or issues not addressed by the manual or the employment agreement arise, the City of Moore Personnel Policy and Procedure Manual will be in effect for rules and guidance.

## 103.2 POLICY

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

### 103.2.1 DISCLAIMER

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

## 103.3 AUTHORITY

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

## 103.4 DEFINITIONS

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

**ACHS** - Oklahoma Automated Criminal History System.

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**Adult** - Any person 18 years of age or older (30 O.S. § 3-302).

**City** - The City of Moore.

**Civilian** - Employees and volunteers who are not certified peace officers.

**CLEET** - Council on Law Enforcement Education and Training.

**Department/MPD** - The Moore Police Department.

**DHS** - Oklahoma Department of Human Services.

**DPS** - Oklahoma Department of Public Safety.

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

**Employment agreement** - Includes any collective bargaining agreement, memorandum of understanding, memorandum of agreement or any other employment contract or conditions of employment.

**Manual** - The Moore Police Department Policy Manual.

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

**Member** - Any person employed or appointed by the Moore Police Department, including:

- Full- and part-time employees
- Certified officers
- Communications employees
- Civilian employees
- Volunteers
- Reserve, auxiliary officers

**MVD** - Oklahoma Tax Commission, Motor Vehicle Division.

**OAC** - Oklahoma Administrative Code.

**Officer** - Those employees, regardless of rank, who are certified peace officer employees of the Moore Police Department (21 O.S. § 99; 70 O.S. § 3311).

**ODOT** - Oklahoma Department of Transportation.

**OHP** - Oklahoma Highway Patrol.

**OLETS** - Oklahoma Law Enforcement Telecommunications System.

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

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

**O.S.** - Oklahoma Statutes Annotated.



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**OSBI** - Oklahoma State Bureau of Investigation.

**Peace officer** - Any sheriff, police officer, federal law enforcement officer, tribal law enforcement officer or any other law enforcement officer whose duty it is to enforce and preserve the public peace. Peace officer also includes every United States Marshal, Marshals Service deputy or other federal law enforcement officer employed full-time as a law enforcement officer or acting under the authority of a Federal Bureau of Indian Affairs Commission who has been certified by the Council on Law Enforcement Education and Training (CLEET) and is authorized by federal law to conduct investigations and make arrests for a violation of federal law (21 O.S. § 99).

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

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

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

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

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

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

### **103.5 ISSUING THE POLICY MANUAL**

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

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

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

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

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#### **103.7 REVISIONS TO POLICIES**

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

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

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

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

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

## Organizational Structure and Responsibility

### 200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

### 200.2 POLICY

The Moore Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

The Chief of Police has the full authority and responsibility for the overall management, budget preparation and accounting, purchasing, direction, and control of the operations and administration of the Moore Police Department as prescribed by ordinance or charter of the City of Moore.

See attachment: [Organizational-Chart-6-27-23.jpg](#)

### 200.3 BUREAUS

The Chief of Police is responsible for administering and managing the Moore Police Department. There are two bureaus in the Department:

- Operations Bureau
- Support Services Bureau

#### 200.3.1 COMMAND STAFF

The Command Staff generally includes the Chief of Police, Assistant Chief of Police, Majors, and any other person(s) designated by the Chief of Police.

#### 200.3.2 OPERATIONS BUREAU

The Operations Bureau is commanded by an assigned Major, whose primary responsibility is to provide general management, direction and control for the Operations Bureau. The Operations Bureau consists of the Patrol Divisions, Special Field Services, and other divisions/ units as assigned.

#### 200.3.3 SUPPORT SERVICES BUREAU

The Support Services Bureau is commanded by an assigned Major, whose primary responsibility is to provide general management, direction and control for the Support Services Bureau. The Support Services Bureau consists of the Criminal Investigations Division, the Support Services Division, and other divisions/ units as assigned.

### 200.4 COMMAND PROTOCOL

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#### *Organizational Structure and Responsibility*

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##### 200.4.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all members of the Moore Police Department. During planned absences, the Chief of Police will designate a Command Staff representative to serve as the acting Chief of Police. In order to ensure a smooth transition of leadership when the Chief of Police plans to resign or retire, he/ she may select a member to transition into the role of acting Chief of Police with all the authority of the position, while he/ she moves into an advisory role.

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

- (a) The Assistant Chief of Police
- (b) The Operations Bureau Commander
- (c) The Support Services Bureau Commander
- (d) The senior on-duty Shift Commander
- (e) The senior on-duty Supervisor

##### 200.4.2 UNITY OF COMMAND

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

#### **200.5 AUTHORITY AND RESPONSIBILITIES**

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

#### **200.6 INTERNAL INSPECTIONS**

Bureau Commanders are responsible for ensuring that line and staff inspections are conducted for reviewing and evaluating the operations of programs under their command. The focus of the inspections should include adherence to the department's goals and mission statement, policies and procedures, and performance targets, as well as adequacy of resources and staffing or other subject matter as directed by the Chief of Police or the authorized designee.

- (a) Line inspections should be conducted randomly by personnel who supervise the program being inspected and include:
  - 1. Announced or unannounced inspections of facilities, equipment, uniforms, procedures and performance capabilities.
  - 2. An assessment of compliance with the program's goals, mission, policies and procedures, and target performance levels.
  - 3. A written report noting any serious or recurring deficiencies.
  - 4. A written plan to correct any identified deficiencies.

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#### *Organizational Structure and Responsibility*

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- (b) Staff inspections should be conducted as needed at the direction of the Chief of Police by personnel who do not directly supervise the program being inspected and include:
  - (a) Announced formal inspections of facilities, equipment, uniforms, procedures and performance capabilities.
  - (b) An assessment of compliance with the program's goals, mission, policies and procedures, and target performance levels.
  - (c) A written report of the program's performance level, including notation of any serious or recurring deficiencies.
  - (d) A written plan to correct any identified deficiencies.

Summary reports of staff and line inspections shall be forwarded through the chain of command to the Chief of Police or the authorized designee.

#### **200.7 RESEARCH, PLANNING AND STRATEGIC PLANNING**

##### 200.7.1 RESEARCH AND PLANNING

Research and planning needs are important to the Department and recommendations made by any member of the department or any citizen should be considered. Members should detail in writing to the Department the issue or problem and any information or recommendations they have. The Chief of Police or the authorized designee should consider the recommendation and take appropriate action.

##### 200.7.2 STRATEGIC PLANNING

The Department should prepare a strategic plan that is reviewed and updated annually. The plan should include:

- Department goals and division objectives
- Personnel needs
- Training needs
- Equipment needs
- Facility needs
- Maintenance needs
- Operation expenditure needs

## General Orders

### 201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing General Orders.

### 201.2 POLICY

General Orders will be used to modify policies of the Moore Police Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the Department. Applicable employment agreements and other alternatives should be considered before a General Order is issued.

### 201.3 PROTOCOL

General Orders will be incorporated into the Policy Manual, as required, upon approval. General Orders will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

Supervisors will ensure that all General Orders are disseminated appropriately. General Orders should be numbered consecutively and incorporate the year of issue. All members will be notified when a General Order is rescinded or has been formally adopted into the Policy Manual.

### 201.4 RESPONSIBILITIES

#### 201.4.1 COMMAND STAFF

Command staff shall periodically review General Orders to determine whether they should be formally incorporated into the Policy Manual, and, as appropriate, will recommend necessary modifications to the Chief of Police.

#### 201.4.2 CHIEF OF POLICE

Only the Chief of Police may approve and issue General Orders.

### 201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the General Orders. Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

## Emergency Operations Plan

### 202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Moore Police Department and responsibilities of its members pertaining to large-scale emergencies and the City of Moore and State of Oklahoma Emergency Operations Plans.

### 202.2 POLICY

The Moore Police Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The City Emergency Operations Plan complies with the Oklahoma Emergency Management Act (63 O.S. § 683.1 et seq.). This plan provides guidance for City emergency operations personnel to perform local emergency management functions.

### 202.3 DEPARTMENT RESPONSIBILITIES

The Chief of Police or the authorized designee shall notify the local Emergency Management Director of all significant events occurring in the jurisdiction (63 O.S. § 683.11).

Upon request by the governor and/or a state emergency management organization, all department personnel shall cooperate and extend services and facilities to the maximum extent practicable (63 O.S. § 683.18).

### 202.4 ACTIVATING THE EMERGENCY OPERATIONS PLAN

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

Upon activation of the Emergency Operations Plan:

- (a) The City of Moore Emergency Management Department should be contacted as soon as possible.
- (b) All personnel should operate under the National Incident Management System (NIMS).
- (c) The City of Moore Emergency Management Director or the Chief of Police or the authorized designee should contact the Oklahoma Department of Emergency Management to assist with mutual aid response from local, state and federal law enforcement agencies.

#### 202.4.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Moore Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.



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#### *Emergency Operations Plan*

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Failure to promptly respond to an order to report for duty when required, in an emergency situation may result in discipline.

#### **202.5 LOCATION OF THE EMERGENCY OPERATIONS PLAN**

Copies of the Emergency Operations Plan are available on the City of Moore web page ( <https://www.cityofmoore.com/emergency-operations-plan-0> ) and the Emergency management office. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented. The Command Staff Bureau Commander should ensure that department members are familiar with the roles they will play when the plan is implemented.

#### **202.6 EMERGENCY OPERATIONS PLAN REVIEW**

The City of Moore Emergency Manager is responsible for maintaining and updating the Emergency Operations Plan. The Chief of Police or the authorized designee shall assist in the review of the applicable sections of the Emergency Operations Plan at least annually and ensure that the plan conforms to any revisions made by NIMS. The Chief of Police or the authorized designee should appropriately address any needed revisions.

#### **202.7 TRAINING**

The Department should provide training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented.

## Training

### 203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

### 203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local and the Council on Law Enforcement Education and Training (CLEET) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

### 203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with CLEET rules and regulations concerning law enforcement training.

### 203.4 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training. The plan should include a systematic and detailed method for recording and logging of all training for all members.

While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Training Coordinator shall review the entire training plan on an annual basis.

The plan will include information on curriculum, training material, training facilities and scheduling. The plan will address federal, state and department-required, minimum-mandated training of officers and other members.

#### 203.4.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations.

- (a) Federally mandated training:
  - 1. National Incident Management System (NIMS) training

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(b) State-mandated training:

1. Officers must successfully complete certified basic law enforcement training or the equivalent (70 O.S. § 3311; 70 O.S. § 3311.5; OAC 390:15-1-1; OAC 390:15-1-3).
2. Officers of the Department shall annually complete no less than 25 hours of continuing law enforcement training accredited or approved by CLEET, including two hours on mental health issues (70 O.S. § 3311.4; OAC 390:25-1-1 et seq.).
3. Reserve officers of the Department shall annually complete no less than eight hours of continuing law enforcement training accredited or approved by CLEET, including one hour on mental health issues (70 O.S. § 3311.4; OAC 390:25-1-1 et seq.).
4. Officers of the Department who worked during a calendar year only as reserve officers are required to meet only the annual training requirements for reserve certification (70 O.S. § 3311.4; OAC 390:25-1-1 et seq.).

(c) Locally mandated training (including City)

#### 203.4.2 COMMISSIONED OFFICER SPECIFIC TRAINING

- (a) Upon successful completion of CLEET certification, each recruit will be assigned to the Field Training Program. Recruits must successfully complete the program prior to any other assignment.
- (b) Selection to attend advanced or specialized training will be based upon:
- (a) Needs of the department
  - (b) Assignment within the department or specialized unit or team
  - (c) Professional development needs and goals
  - (d) Cost, location and length of the training

#### 203.4.3 OTHER EMPLOYEE TRAINING

- (a) Every new employee shall receive job-specific training including the department's role, goals, policies, procedures, responsibilities, and rights of the employee.

#### 203.5 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
1. Court appearances.
  2. Previously approved vacation or time off.
  3. Illness or medical leave.
  4. Physical limitations preventing the member's participation.
  5. Emergency situations or department necessity.

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- (b) Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
  - 1. Document his/her absence with his/her supervisor.
  - 2. Make arrangements through his/her supervisor and the Training Coordinator to attend any required training on an alternate date.

#### **203.6 TRAINING RECORDS**

The Training Coordinator is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule and state law (OAC 390:25-1-7).

#### **203.7 CERTIFICATIONS**

Members receiving certifications to perform certain duties for the department are required to maintain those certifications, i.e. Intoxilyzer Operator, OLETS Operator, etc.. The member's Bureau Commander may allow the member to let a certification lapse upon request through the member's chain of command.

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## Electronic Mail

### 204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

### 204.2 POLICY

Moore Police Department members shall use email in a professional manner in accordance with this policy and current law (e.g., Oklahoma Open Records Act).

### 204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received or reviewed on any department or city email system (see the Information Technology Use Policy for additional guidance).

### 204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

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

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in his/her chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password. Any member who believes his/her password has become known to another person shall change their password immediately.

### 204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Oklahoma Open Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The City of Moore Information Technology (IT) Department shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

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## Administrative Communications

### 205.1 PURPOSE AND SCOPE

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

### 205.2 POLICY

The Moore Police Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

### 205.3 PERSONNEL ORDER

Personnel Orders may be issued periodically by the Chief of Police or the authorized designee to announce and document all promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status.

### 205.4 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief of Police. This section does not apply to pre-approved form letters (ie. investigation letters, forms used by the Records Division, and alarm permits). All official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal purposes.

Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

Electronic correspondence should contain the sender's department-approved signature information and the following electronic communications disclaimer language: *"Disclaimer: This email and any files transmitted with it are intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error please notify the sender."*

### 205.5 SURVEYS

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

### 205.6 OTHER COMMUNICATIONS

General Orders and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee (see the General Orders Policy).

## Supervision Staffing Levels

### **206.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members throughout all Bureaus.

### **206.2 POLICY**

The Moore Police Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

### **206.3 MINIMUM SUPERVISION STAFFING LEVELS**

Minimum staffing levels should be established by the Bureau Commanders for each Bureau and work group. The supervision staffing levels should support proper supervision, span of control, compliance with any employment agreement and activity levels to meet the needs of members and the goals of the Department.

#### **206.3.1 TEMPORARY SUPERVISORS**

In order to accommodate training and other unforeseen circumstances, a qualified lower-ranking member may be used as a temporary supervisor in place of a regularly assigned supervisor. An employee who is placed temporarily in a position of a higher rank by proper authority, shall exercise the authority and perform the duties of such higher position, and shall be held responsible for their performance. Any selection of a temporary supervisor should comply with the current employment agreement.

## **Chapter 3 - General Operations**



## Use of Force

### 300.1 PURPOSE AND SCOPE

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

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Device policies.

This policy meets statutory requirements for the adoption of a use of force policy pursuant to 11 O.S. § 34-107 and 22 O.S. § 34.2.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

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

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

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

**Excessive Force** - Physical force that exceeds the degree permitted by law or the policies and guidelines of the Moore Police Department. The use of excessive force shall be presumed when a Moore Police Officer continues to apply physical force to a person who has been rendered incapable of resisting arrest.

**Imminent** - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

**De-Escalation technique** - Any technique intended to mitigate conflict or crisis, and the need to use force.

**Totality of the circumstances** - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

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### **300.2 POLICY**

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

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

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

#### **300.2.1 DUTY TO INTERCEDE AND REPORT**

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

#### **300.2.2 ADDITIONAL REPORTING REQUIREMENTS**

Any officer who has completed his/her probationary period and who witnesses another peace officer use physical force that exceeds the degree permitted by law or this policy shall make a written report of such use to his/her immediate supervisor as soon as practicable (22 O.S. § 34.2). At a minimum, the written report shall include:

- (a) The date, time, and place of the occurrence.
- (b) The identity, if known, and description of the participants.
- (c) A description of the events and the force used.

An officer may use a copy of an arrest report or similar report provided it contains the mandatory minimum information.

#### **300.2.3 PERSPECTIVE**

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

### **300.3 USE OF FORCE**

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

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

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

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

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

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

An officer may use reasonable force when a person being lawfully arrested resists arrest or attempts to escape (21 O.S. § 643).

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

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

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.

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- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

#### 300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

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

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

#### 300.3.4 CAROTID CONTROL HOLD

Only officers who have received Department-approved training in the use of the carotid control hold are authorized to employ the technique. Officers applying this technique will adhere to practices outlined in their Department-approved carotid control hold training.

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where it is necessary to stop the threatened or attempted infliction of great bodily harm or death and is subject to the following:

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.

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- (b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

#### 300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Moore Police Department for this specific purpose.

#### 300.3.6 CONSTRUCTIVE USE OF FORCE

Constructive use of force occurs when an officer uses words or gestures that are threatening, for example, pointing a firearm or Taser at someone to gain compliance.

#### 300.3.7 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

De-escalation techniques may include, but are not limited to:

- (a) Engage in effective communication: Establish one officer to communicate with the person, employ active listening skills, acknowledge and validate the person's concerns.
- (b) Remain calm: Maintain a calm tone of voice and steady pace that is appropriate to the person's feelings and behavior.
- (c) Increase Distance: Increasing distance and position officers behind barriers to provide reactionary time and reduce the person's anxiety or feeling of entrapment.
- (d) Reduce fear: offer genuine empathy while suggesting that the person's situation has the potential for positive future change.
- (e) Provide guidance to the person: Suggest multiple ways to the help the person with their current concerns and recommend preventive measures.

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- (f) Set limits: Explain clearly that choices have consequences.
- (g) Work out possible agreements/bargains: Take responsibility for the person's care and conclude the encounter with an agreed-upon short-term solution and a long-term action plan.

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

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

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

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

##### **300.4.1 MOVING VEHICLES**

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

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

##### **300.4.2 VEHICLES**

For the purposes of this section "pedestrian" shall include, but is not limited to a person on:

1. Foot

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2. Bicycle
3. Skateboard
4. Scooter
5. Any other powered or non-powered personal transit device

The Moore Police Department recognizes the need for police vehicles to be used to direct and deter the flight path of pedestrians who may be fleeing to avoid detention or arrest. Police vehicles may be used to set perimeters and gain advantages in apprehension. The use of these tactics, however, must be done with due regard for the safety of the public, other police employees, and fleeing subjects.

Any intentional use of a vehicle to contact any person, whether on foot, or any other mode of transit will be considered a use of deadly force.

Except in cases where deadly force may be authorized, officers operating police vehicles shall keep a reasonable distance to avoid accidentally colliding with a fleeing pedestrian.

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

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

##### **300.5.1 NOTIFICATIONS TO SUPERVISORS**

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

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the conducted energy device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

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### **300.6 MEDICAL CONSIDERATIONS**

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

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

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

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

See the Medical Aid and Response Policy for additional guidelines.

### **300.7 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to a reported application of force, if reasonably available, when the use of force involves one of the listed circumstances requiring the notification of a supervisor (See [Moore Police Department Policy Manual: 300.5.1 NOTIFICATIONS TO SUPERVISORS](#)). When a supervisor is able to respond, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:



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1. The content of the interview should not be summarized or included in any related criminal charges.
  2. The fact that a recorded interview was conducted should be documented in a property or other report.
  3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

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

The supervisor should then complete a Supervisor's Use of Force review and attach it to the corresponding Blue Teams report.

#### **300.7.1 SHIFT COMMANDER RESPONSIBILITY**

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

#### **300.8 TRAINING**

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

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#### **300.9 USE OF FORCE ANALYSIS**

At least annually, the Operations Bureau Commander should prepare or have prepared an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects, or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

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## Handcuffing and Restraints

### 301.1 PURPOSE AND SCOPE

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

### 301.2 POLICY

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

### 301.3 USE OF RESTRAINTS

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

Absent exigent circumstances, members should not secure a subject to a fixed object or vehicle.

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

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

#### 301.3.1 RESTRAINT OF DETAINEES

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

#### 301.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

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No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

#### 301.3.3 RESTRAINT OF JUVENILES

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

#### 301.3.4 NOTIFICATIONS

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

#### 301.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

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

1. All arrested persons should be handcuffed.
2. Any deviation from this requires a documented justification of either an exception within this policy or other justification. The officer will be held responsible for any unreasonable deviation.

Handcuffs should be applied in the manner which affords the most safety for the officer and the most immobilizing effects on the person without inflicting unnecessary pain or injury. This is with hands behind the back, palms facing outward, and the handcuffs double locked.

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

If the person is wearing a belt, the handcuffs may be entwined with the belt. If a person is required or needs to be handcuffed and is injured or has a physical disability/limitation, the handcuffs shall be applied in a manner that provides the most safety for the officer and the person but to the degree possible does not inflict additional injury.

Handcuffing an otherwise healthy person in front should be avoided.

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

#### 301.4.1 RESTRAINT DURING MEDICAL TRANSPORT

Medical personnel may request that a prisoner whose hands are handcuffed behind the back, to have the hands repositioned for ease of medical treatment. Both hands should be restrained. The

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officer may either handcuff each hand to each side gurney railing, or place the handcuffs under the railing and then onto both hands, when practicable. The prisoner will be handcuffed during medical transport unless the injuries or illness is so severe that the prisoner is physically incapable of harming the medical personnel or escaping.

#### **301.5 APPLICATION OF SPIT HOODS**

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

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

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

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

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

#### **301.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

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

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

#### **301.7 APPLICATION OF LEG RESTRAINT DEVICES**

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

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

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.

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- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

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

When applying leg restraints the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

#### **301.8 REQUIRED DOCUMENTATION**

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

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.

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- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

#### **301.9 TRAINING**

Subject to available resources, the Training Coordinator should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

## Control Devices

### 302.1 PURPOSE AND SCOPE

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

### 302.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Moore Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Chief of Police may also authorize other positions or individual department members to use specific control devices.

### 302.3 CONTROL DEVICES

Control devices are devices issued to members to aid in the control and restraint of subjects. Control devices, by their design, are less-lethal. The use of these devices do have some risk of causing great bodily injury or death. This policy covers the use of batons, tear gas, OC spray, pepper projectiles, and kinetic energy projectiles (i.e. beanbag shotguns).

### 302.4 ISSUING, CARRYING AND USING CONTROL DEVICES

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

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

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

The carrying of control devices will be in accordance with [Moore Police Department Procedures Manual: 1001.7 GUN BELT](#).

### 302.5 RESPONSIBILITIES

#### 302.5.1 SHIFT COMMANDER RESPONSIBILITIES

The Shift Commander may deploy additional control devices as needed to members with the training and authorization to use them.

#### 302.5.2 RANGEMASTER RESPONSIBILITIES

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

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



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#### **302.5.3 USER RESPONSIBILITIES**

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

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

#### **302.6 BATON GUIDELINES**

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

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

#### **302.7 TEAR GAS GUIDELINES**

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

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

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

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

##### **302.8.1 OC SPRAY**

The use of an OC product is considered a use of force and shall be employed in a manner consistent with the use of force policy of the Moore Police Department. OC may be used when a subject has signaled his or her intention to actively resist the officer's efforts to make the arrest or when reasonably necessary.

The effects of OC vary among individuals. Therefore, all suspects should be handcuffed as soon as practical after being sprayed.

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##### O.C. Issue

- (a) Uniformed members carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field members may carry OC spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.
- (b) Officers shall carry only authorized OC while on-duty or in Moore Police uniform.
- (c) All OC devices shall be maintained in an operational and charged state by assigned personnel. Initial issue and replacements for damaged, inoperable or empty devices are the responsibility of the individual officer. The individual officer must notify their supervisor and contact the Moore Police Rangemaster for replacement.
- (d) OC spray devices shall be replaced when the unit is less than half full.
- (e) Unexplained depletion of OC devices will require an investigation and written report by the officer's supervisor.

#### **302.8.2 PEPPER PROJECTILE SYSTEMS**

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

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

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

#### **302.8.3 TREATMENT FOR OC EXPOSURE**

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel. Persons who have been sprayed shall be monitored continuously for indication of medical problems and shall not be left alone while in police custody.

#### **302.9 POST-APPLICATION NOTICE**

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, the owners or available occupants should be provided with notice of the possible

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presence of residue which could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

#### **302.10 KINETIC ENERGY PROJECTILE GUIDELINES**

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

##### **302.10.1 DEPLOYMENT AND USE**

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

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

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

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

##### **302.10.2 DEPLOYMENT CONSIDERATIONS**

These devices shall be used in a reasonable manner, in conformance to training, in order to reduce the risk of serious injury.

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

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

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

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

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

#### **302.10.3 SAFETY PROCEDURES**

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

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

When they are not deployed, shotguns will be unloaded and properly stored in police department vehicles. When deploying a kinetic energy projectile shotgun, officers shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers will not transition from conventional ammunition to kinetic energy projectiles.

#### **302.11 TRAINING FOR CONTROL DEVICES**

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

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

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### **302.12 REPORTING USE OF CONTROL DEVICES**

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

## Conducted Energy Device

### 303.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED). For the purposes of policy conducted energy device shall also mean conducted energy weapon and Taser (TM).

### 303.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

### 303.3 ISSUANCE AND CARRYING CONDUCTED ENERGY DEVICES

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

The CED Coordinator should keep a log of issued CED devices and the serial numbers of cartridges/magazines issued to members.

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

Officers shall only use the conducted energy device and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the conducted energy device shall wear the device in an approved holster.

All CEDs are subject to inspection by a Moore Police supervisor.

Officers who carry the conducted energy device while in uniform shall carry it in a holster on the side opposite the duty weapon.

- (a) All conducted energy devices shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the conducted energy device.
- (c) Officers shall be responsible for ensuring that the issued conducted energy device is properly maintained and in good working order.
- (d) Officers should not hold a firearm and the conducted energy device at the same time.

#### 303.3.1 CED COORDINATOR

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

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Every Conducted energy device will be periodically inspected by the CED Coordinator or a designated instructor, and the inspection shall be documented.

#### **303.3.2 USER RESPONSIBILITIES**

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the CED Coordinator for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

#### **303.4 VERBAL AND VISUAL WARNINGS**

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

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

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

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

#### **303.5 USE OF THE CED**

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

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

#### **303.5.1 APPLICATION OF THE CONDUCTED ENERGY DEVICE**

Outside of a training environment, the use of a CED in probe mode is an intermediate, significant level use of force and shall be employed in a manner consistent with the Use of Force policy and training of the Moore Police Department.

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

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.
- (c) The subject is fleeing or flight risk from a serious offense.  
\*For the purposes of this policy "serious offense" refers to any felony or any crime that involves an element of violence or force. Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the conducted energy device to apprehend an individual.

The conducted energy device shall not be used for verbal defiance, belligerence, or to psychologically torment, elicit statements or to punish any individual.

A CED may be used in drive-stun mode under the same guidelines as control devices. [Moore Police Department Policy Manual: 302.4 ISSUING, CARRYING AND USING CONTROL DEVICES](#)

Once a suspect has been handcuffed, a CED will not be used unless physically violent behavior by the suspect necessitates the use of force to prevent escape or injury. A CED will not be used on a suspect who is incapacitated.

#### 303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

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

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to



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complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

#### 303.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

#### 303.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

#### 303.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

#### 303.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

#### 303.5.7 OFF-DUTY CONSIDERATIONS

CEDs may be carried while the officer is on-duty. If the officer is off-duty, the officer must be in a Moore Police uniform to carry a CED (e.g. off-duty job).

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

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### **303.6 DOCUMENTATION**

Except during training, any member who discharges a Conducted Electrical Weapon either intentionally or unintentionally, on or off-duty, shall make a verbal report to an on-duty supervisor as soon as circumstances permit.

Any presentation of a Conducted Electrical Weapon shall be documented in a related incident report and reported in compliance with the Use of Force Policy.

#### **303.6.1 REPORTS**

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

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

### **303.7 MEDICAL TREATMENT**

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

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

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

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

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The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

#### **303.8 SUPERVISOR RESPONSIBILITIES**

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

A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor or CED Coordinator and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

#### **303.9 TRAINING**

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

Proficiency training for personnel who have been issued CEDs should occur periodically. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Training Coordinator. All training and proficiency for CEDs will be documented in the officer's training files.

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

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

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

The Training Coordinator should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.

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- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

## Officer-Involved Shootings and Deaths

### 304.1 PURPOSE AND SCOPE

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

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

### 304.2 POLICY

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

### 304.3 TYPES OF INVESTIGATIONS

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

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

### 304.4 CONTROL OF INVESTIGATIONS

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

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

#### 304.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

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

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

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##### **304.4.2 CRIMINAL INVESTIGATIONS OF OFFICER ACTIONS**

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

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

##### **304.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION**

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

#### **304.5 INVESTIGATION PROCESS**

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

##### **304.5.1 UNINVOLVED OFFICER RESPONSIBILITIES**

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

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

##### **304.5.2 SUPERVISOR RESPONSIBILITIES**

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

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
  1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any MPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

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

#### 304.5.3 SHIFT COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting, death or great bodily injury, the Shift Commander shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Bureau Commander.

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

#### 304.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Support Services Bureau Commander
- Outside agency investigators (if appropriate)
- Professional Standards Unit supervisor
- Psychological/peer support personnel
- Chaplain
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)

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- Public Information Officer

#### 304.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
  1. Involved MPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
  2. Requests from involved non-MPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with bargaining agent representatives will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved MPD officer. A licensed psychotherapist may also be provided to any other affected MPD members, upon request.
  1. Interviews with a licensed psychotherapist will be considered privileged.
  2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
  3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved officer and a peer support member is addressed in the Wellness Program Policy.

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

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

#### **304.6 CRIMINAL INVESTIGATION**

The Chief of Police will notify the District Attorney's Office as soon as practicable regarding the circumstances of any officer-involved shooting involving injury or death/great bodily injury. After conferring with the District Attorney, the Chief of Police will determine whether the Moore Police Department, or an outside agency will conduct the criminal investigation.



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

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

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

#### 304.6.1 REPORTS BY INVOLVED MPD OFFICERS

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

Involved MPD officers shall not be required to generate police reports, written statements or Use of Force reports. Such reports shall be completed by assigned investigators, who should interview all involved officers as victims/witnesses.

Nothing in this section shall be construed to deprive an involved MPD officer of the right to consult with legal counsel.

#### 304.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

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

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

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

#### **304.6.3 INVESTIGATIVE PERSONNEL**

Once notified of an officer-involved shooting, death or great bodily injury, it shall be the responsibility of the designated Criminal Investigations Division supervisor to assign appropriate investigative personnel to handle the investigation of related crimes.

The Moore Police Criminal Investigations Captain, or assigned Criminal Investigations Lieutenant, is considered in charge of the initial scene as well as the investigation and is responsible for ensuring all aspects of the criminal investigation are completed.

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

#### **304.7 ADMINISTRATIVE INVESTIGATION**

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

Interviews of members shall be subject to department policies and applicable laws.

- (a) Any officer involved in a shooting, death or great bodily injury, may be administratively compelled to provide a blood sample for alcohol/drug screening when at least two

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supervisors agree there is reasonable suspicion that they may be under the influence of any substance that impairs their normal abilities. Absent consent from the officer, or pursuant to a search warrant, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
  - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
  - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
  - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
  - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
  - 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
  - 5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
  - 6. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

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#### **304.8 CIVIL LIABILITY RESPONSE**

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

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

#### **304.9 AUDIO AND VIDEO RECORDINGS**

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

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

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

#### **304.10 DEBRIEFING**

Following an officer-involved shooting or death, the Moore Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

##### **304.10.1 TACTICAL DEBRIEFING**

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

#### **304.11 MEDIA RELATIONS**

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

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

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

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#### **304.12 REPORTING**

If the death of an individual occurs in the Moore Police Department jurisdiction and qualifies to be reported to the Oklahoma Office of the Chief Medical Examiner, the Operations Bureau Commander will ensure that the Support Services Supervisor is provided with enough information to meet the reporting requirements (63 O.S. § 940).

## Firearms

### 305.1 PURPOSE AND SCOPE

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

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

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

This policy meets statutory requirements requiring the adoption of a firearms policy pursuant to 11 O.S. § 34-107.

### 305.2 POLICY

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

### 305.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

- A. Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.
- B. Members are authorized to carry edged weapons that are not otherwise prohibited by law. The Bureau Commander may restrict the number of edged weapons carried, and the manner in which they are carried.
- C. All other weapons not provided by the Department, including, but not limited to, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Bureau Commander.

#### 305.3.1 HANDGUNS

The authorized department-issued handgun is the primary weapon. Other handguns may be authorized for officers, however any handgun must be approved by the Rangemaster and the Chief of Police before it can be carried.

The only approved handgun action type for uniformed duty will be semi automatic. For plain clothes, off duty, and backup semi auto and revolver may be used.

Police officers may be authorized to carry personal firearms while on-duty under the following conditions:

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- (a) Officers will provide their own ammunition for qualification and transitional training for personal firearms along with an approved duty holster.
- (b) Police officers who choose to carry their approved personal firearms on duty shall immediately turn in their department issue weapons and only the personal weapon will be approved for duty use.
- (c) Officers will not be allowed to change the caliber of carried duty handgun more than once per year.

#### 305.3.2 SHOTGUNS

Police officers may carry a department issued shotgun or a personal shotgun. A personal shotgun must be approved by the Rangemaster and the Chief of Police before it can be carried on duty. The only approved action type for shotguns will be pump action. Officers must qualify with any shotgun prior to carrying the weapon.

When not deployed, the shotgun shall be properly secured in a locking weapons rack in the patrol vehicle or stored in a case in the trunk or rear compartment of the police vehicle. The magazine will be loaded, the action closed on an empty chamber, the trigger pulled to release the hammer and the safety in the safe position.

#### 305.3.3 PATROL RIFLES

Police officers may carry a department issued rifle or a personal rifle.

The only approved action type for a patrol duty rifles is semi-automatic. (Exception: members of the department SWAT Team may be authorized to carry a select fire rifle or bolt action long range rifle if they are so assigned).

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

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

When not deployed, the patrol rifle shall be properly secured in a locking weapons rack or inside of an approved carrying case in the trunk of the vehicle (or out of the public view where not practicable) and in a "cruiser safe" mode.

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##### 305.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions (21 O.S. § 1289.23(A)):

- (a) The firearm shall be in good working order and approved by the department.
- (b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
- (e) Members will provide, at their own expense, a department approved holster and magazine pouch if the firearm is different from the department issue. Any holster must be approved by the range master before it may be used on-duty.

##### 305.3.5 AUTHORIZED SECONDARY HANDGUN

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

- (a) The handgun shall be in good working order and approved by the department.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police shall approve the ammunition prior to use.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.



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##### 305.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is governed by both the Oklahoma Self-Defense Act and by the Chief of Police.

The Chief of Police may rescind the Chief of Police's authorization should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their position as officers, will be required to meet the following guidelines (21 O.S. § 1289.23):

- (a) While not wearing a department uniform, the member shall carry the member's official department badge, identification card/Commission Card, and Council on Law Enforcement Education and Training (CLEET) Certification Card at all times.
- (b) A personally owned firearm shall be used, carried, and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
  1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (c) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge, or loss of physical control.
- (d) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (e) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that the member is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (f) The member will successfully qualify with the firearm prior to it being carried.
- (g) Members shall provide written notice of the make, model, color, serial number, and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
- (h) If a member desires to use more than one firearm while off-duty, the member may do so, as long as all requirements set forth in this policy for each firearm are met.
- (i) Members shall only carry department-authorized ammunition.

##### 305.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members should be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's annual firearms qualification, when practicable. The replacement duration of fresh duty ammunition may be extended during times of limited market availability. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

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

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### **305.4 EQUIPMENT**

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

#### **305.4.1 REPAIRS OR MODIFICATIONS**

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

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

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

#### **305.4.2 HOLSTERS**

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun. Any handgun carried on duty will be carried in an approved holster. The only exception is officers working in an undercover capacity and then only under exceptional circumstances.

#### **305.4.3 TACTICAL LIGHTS**

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

#### **305.4.4 OPTICS OR LASER SIGHTS**

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

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

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

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

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry

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fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.

- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except in an approved area.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels or in an approved safe area.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor (except members of the SWAT Team who are specifically trained and authorized).
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

#### 305.5.1 INSPECTION AND STORAGE

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

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

#### 305.5.2 STORAGE AT HOME

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

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##### 305.5.3 ALCOHOL AND DRUGS

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

##### **305.6 FIREARMS TRAINING AND QUALIFICATIONS**

Department members assigned to perform peace officer responsibilities shall demonstrate proficiency in the use of firearms prior to assignment to law enforcement responsibilities.

All members who carry a firearm while on-duty are required to successfully complete training with their duty firearms. All members will qualify at least annually with their duty firearms. Members will qualify with off-duty and secondary firearms at least once a year. Training and qualifications must be on an approved range course and meet CLEET guidelines (OAC 390:27-1-1 et seq.).

All members who carry a firearm while on-duty are required to successfully requalify annually on the required range course. This requalification may substitute for one quarterly training. Requalification must be successfully completed in the presence of a CLEET-certified firearms instructor or line safety officer, or a certified firearms instructor approved by the Department. No members may requalify themselves (OAC 390:27-1-2).

Proof of successful firearms requalification shall be reported to CLEET pursuant to OAC 390:27-1-5.

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

##### 305.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

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

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

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

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Members who fail to meet the annual requalification requirements will be removed from field assignment and shall be subject to disciplinary action in accordance with Chapter 2 of Title 390 of the Oklahoma Administrative Code (OAC 390:27-1-6).

#### **305.7 FIREARM DISCHARGE**

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

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

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

#### **305.7.1 DESTRUCTION OF ANIMALS**

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

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

#### **305.7.2 INJURED ANIMALS**

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

#### **305.7.3 WARNING AND OTHER SHOTS**

Warning shots or shots fired for the purpose of summoning aid are prohibited.

#### **305.8 RANGEMASTER DUTIES**

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Coordinator after each range date.

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

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

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

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

#### **305.9 FLYING WHILE ARMED**

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

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Moore Police Department identification card/Commission Card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The Moore Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Moore Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail the officer's itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.

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- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of the officer's assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on the officer's person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative, or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

#### **305.10 CARRYING FIREARMS OUT OF STATE**

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

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

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

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

## Motor Vehicle Operation

### 306.1 PURPOSE

It is the purpose of this policy to provide guidelines for the safe driving practices of police vehicles during routine and emergency operation. This policy does not cover vehicle pursuits. Ref-Policy 307 Vehicle Pursuits

### 306.2 POLICY

- A. The daily operation of police vehicles in emergency and non-emergency situations present special problems due to the nature of law enforcement work and the number of vehicles in operation on a twenty-four (24) hour basis.
- B. This agency will provide adequate vehicle operation training to assist members in the safe performance of their duties.
- C. It is the policy of the Moore Police Department to protect the lives of all persons to the extent possible when operating department vehicles.
- D. All personnel operating Department vehicles shall exercise due regard for the safety of all persons. There are no assignments or tasks of such importance that they justify the reckless disregard of the member's safety or the safety of other persons. Members must be mindful of the balance between achieving the goals of law enforcement while maintaining the public's safety.
- E. The exemptions granted the operator of an authorized emergency vehicle by Oklahoma Statute do not relieve such operator from these responsibilities, nor do they protect such operator from the consequences of his or her reckless disregard for the safety of others.

### 306.3 VEHICLE OPERATION

- A. Normal vehicle operations
  1. All emergency and non-emergency vehicles operated by employees in situations not involving Code responses listed below shall be operated in a safe manner and in due regard of all traffic regulations.
- B. Code 1 mode
  1. Proceed to the scene of the call promptly
  2. Obey all traffic regulations
  3. Emergency lights or siren are not used
- C. Code 2 mode, Ref: 47-11-106C
  1. Code 2 operation is the use of the vehicle emergency lights or siren but not both. The use of both signals places the vehicle in emergency operation status.
  2. Code 2 operation may be used on occasions to alert the motoring public to use caution or yield to activity. Activities generally requiring code 2 operation



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include non-felony/low risk traffic stops, parades, low speed escorts such as large equipment or houses or funerals.

#### D. Code 3 mode

1. Code 3 operation is the use of both flashing lights and audible siren.
  - (a) Only police vehicles equipped with a siren capable of giving audible signals that can be heard from the front of the vehicle and visible flashing red or blue lights or a combination of flashing red and blue lights which can be seen from the front of the vehicle will be authorized emergency vehicles.
  - (b) Members operating a vehicle in Code 3 mode may exceed the speed limit and disregard traffic regulations.
2. The operation in Code 3 mode is only authorized in an emergency or when overtaking and stopping an actual or suspected violator of the law.
  - (a) An emergency shall be defined as a situation in which there is a high probability of serious injury or death to an individual and the immediate presence of the officer is likely to reduce the seriousness of the situation.
  - (b) Police units and/or motorcycle officers assigned to funeral escort, may operate in code 3 mode for their safety, if the situation dictates that response and the officers use due regard for the safety of all persons.
  - (c) Officers may proceed code 3 to the site of an accident with injury. One police vehicle will be dispatched to the scene code 3 with all other officers proceeding code 1. If the supervisor on duty determines the circumstances require a greater response, the supervisor can then authorize additional units as needed to proceed to the accident scene code 3.

#### E. Code 3 mode exceptions (47 O.S. 11-106.C and D)

1. A member may operate an authorized emergency vehicle without using audible and visual signals required by this section as long as the action does not endanger life or property if the member is following a suspected violator of the law with probable cause to believe that:
  - (a) Knowledge of the presence of the officer will cause the suspect to:
    1. destroy or lose evidence of a suspected felony,
    2. end a suspected continuing felony before the officer has obtained sufficient evidence to establish grounds for arrest, or
    3. evade apprehension or identification of the suspect or the vehicle of the suspect; or
  - (b) Because of traffic conditions, vehicles moving in response to the audible or visual signals may increase the potential for a collision.
  - (c) These exceptions shall not apply to a member in actual pursuit of a person eluding or attempting to elude the member. See 307 Vehicle Pursuit Policy

#### F. Traffic Enforcement

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1. An officer may disregard traffic ordinances without utilizing emergency lights or siren when:
  - (a) trying to pace a motorist suspected of speeding and needs to establish the speed of the violator.
  - (b) overtaking a traffic violator, if done in a short and reasonable time. The officer should utilize emergency lights and siren when in traffic conditions or in areas of higher risk of collision warrant Code 3 operation.

#### **306.4 OPERATING A MARKED POLICE VEHICLE BY NON-COMMISSIONED PERSONNEL**

When a marked emergency vehicle is being operated by a person other than a police officer, the vehicle should display a placard indicating the vehicle is out of service. Vehicles displaying an out of service placard are not available to respond to enforcement actions.

## Vehicle Pursuits

### 307.1 PURPOSE AND SCOPE

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

This policy meets statutory requirements requiring the adoption of a pursuit driving policy pursuant to 11 O.S. § 34-107.

#### 307.1.1 DEFINITIONS

Definitions related to this policy include:

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

**Marked Police Emergency Vehicle** - A car, sport utility vehicle, or pickup purpose built for police work that is clearly marked as a police vehicle equipped with emergency lights and siren.

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

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

**Tactical Vehicle Intervention (TVI)/Pursuit Intervention Technique (PIT)** - A maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

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

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

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

**Refusal to Stop** - An active attempt by one or more law enforcement officers to stop a motor vehicle by use of emergency lights and siren, during which time the operator of the motor vehicle is driving at a reasonable speed (i.e., at or below the established speed limit), but willfully refusing to pull over and stop.

### 307.2 POLICY

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

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### **307.3 OFFICER RESPONSIBILITIES**

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (47 O.S. § 11-106):

- (a) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions.
- (d) Park or stand irrespective of the provisions of the Oklahoma Highway Safety Code.

#### **307.3.1 WHEN TO INITIATE A PURSUIT**

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle only when the police officer knows or has probable cause, at the time of initiation, to believe:

- (a) The occupant(s) has committed, or is about to commit a felony (i.e. armed robbery or other felony crimes); or
- (b) The occupant(s) present a clear and immediate threat to the safety of others and therefore the necessity of immediate apprehension outweighs the level of danger created by the vehicle pursuit.
- (c) Pursuits are not authorized solely for traffic infractions, ordinance violations, misdemeanors, or based upon the fact that the vehicle is fleeing, with the exception noted for pursuits extending into this jurisdiction.

A field supervisor or higher authority must acknowledge that he/she is aware of and monitoring the pursuit as soon as practicable after the pursuit is initiated. If a supervisor fails to acknowledge the pursuit within a reasonable period of time after initiation, the initiating officer shall terminate the pursuit.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.

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- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with any passengers who are not certified active police officers.

#### 307.3.2 WHEN TO TERMINATE A PURSUIT

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

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

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

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

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile.

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- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards posed to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) The road or weather conditions render it unsafe to continue the pursuit.

#### **307.4 PURSUIT VEHICLES**

Only marked police emergency vehicles will be used in a pursuit, with the following exceptions.

- (a) Unmarked police emergency vehicles equipped with lights and sirens and comply with 47 OS 12-218 may be used in a pursuit. The officer will relinquish the primary position to the first marked police emergency vehicle able to take over the position, and may continue as the secondary unit.
- (b) K-9 units and motorcycle units are allowed to engage in pursuits involving a violent felony or an imminent life threatening situation (fleeing murderer, kidnapping, etc.). If a K-9 or motorcycle unit initiates the pursuit, the officer will relinquish the primary position to the first marked police emergency vehicle able to take over the position. The K-9 or motorcycle unit can take over the secondary position until a second marked police emergency vehicle is able to take over the position. The K-9 or motorcycle unit must disengage from the pursuit once the second marked police emergency vehicle engages in the pursuit.

Officers in private vehicles shall not engage in pursuits.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, an officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location.

##### **307.4.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT**

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

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##### 307.4.2 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

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

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

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

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

##### 307.4.3 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

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

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) A motorcycle unit as a secondary pursuit vehicle may not be able to broadcast the pursuit due to the limitations of the radio equipment. In this situation, the primary unit may have to continue broadcasting the pursuit.

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- (f) Identifying the need for additional resources or equipment as appropriate.
- (g) Serving as backup to the primary pursuing officer once the suspect has been stopped.

#### **307.5 PURSUIT DRIVING**

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

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
  1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic within the city limits of Moore.
  2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- (c) No officers should pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
  1. Request assistance from available air support.
  2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
  3. Request other officers to observe exits available to the suspect.
- (d) Notify the Oklahoma Highway Patrol (OHP) or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

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

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



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

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

#### **307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES**

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

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

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

##### **307.6.1 SHIFT COMMANDER RESPONSIBILITIES**

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

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

#### **307.7 COMMUNICATIONS DIVISION**

Radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher.

##### **307.7.1 RESPONSIBILITIES**

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

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

#### **307.8 LOSS OF PURSUED VEHICLE**

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

#### **307.9 INTERJURISDICTIONAL CONSIDERATIONS**

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

The primary pursuing officer or supervisor shall ensure that notification is provided by dispatch to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

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

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Moore Police Department is requested by the agency assuming the pursuit.

##### **307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION**

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing

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agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

A Moore Police Department supervisor, whether not knowing the reason for the pursuit or knowing the pursuit is for reasons not meeting this agency's threshold for initiating a pursuit, may make an exception to assist in the pursuit for the following reasons:

- (a) A solo officer in pursuit from another agency may be unfamiliar with our city.
- (b) Another unit from the officer's agency may be unavailable or some distance away.
- (c) The officer or suspect may crash in our city.
- (d) The suspect may stop and the officer may face a resisting suspect or a foot pursuit.
- (e) For safety reasons, the officer should not be left without backup.

After the Moore Police Department officer engages in the pursuit, the officer and supervisor will continue to assess the pursuit in accordance with when to terminate a pursuit.

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

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

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

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

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

#### **307.10 PURSUIT INTERVENTION**

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

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##### 307.10.1 WHEN USE IS AUTHORIZED

Except for TVI, whenever practicable, an officer shall notify a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use these tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

Officers and supervisors shall not request other agencies to use tactics to end a pursuit that this agency has disallowed for its own members.

##### 307.10.2 TVI

The TVI/PIT is limited to use by properly trained officers upon assessment of the circumstances and conditions present at the time.

Officers are empowered to use well-reasoned discretion in determining the appropriateness of the TVI. Officers should use the same criteria as listed in [Moore Police Department Policy Manual: 307.10.1 WHEN USE IS AUTHORIZED](#) when deciding when to use TVI.

##### 307.10.3 USE OF FIREARMS

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

##### 307.10.4 INTERVENTION STANDARDS

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

- (a) The TVI/PIT is limited to use by properly trained officers upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.
- (b) Ramming a fleeing vehicle should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
  1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.

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2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- (c) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public. Occupied vehicles will not be used as a roadblock. Private vehicles should only be used as a last resort.

#### **307.11 CAPTURE OF SUSPECTS**

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

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

#### **307.12 REPORTING REQUIREMENTS**

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures. [Moore Police Department Policy Manual, Traffic Collisions: 501.5 MINIMUM REPORTING REQUIREMENTS](#)

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit summary.
- (c) After first obtaining the available information, the on-duty field supervisor shall promptly complete a call notification, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This notification should include brief pertinent details.
- (d) After receiving copies of reports and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
- (e) In the event a vehicle stop or pursuit is terminated prior to apprehension a report should be generated with available information and factors leading to the termination.
- (f) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

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#### **307.13 REFUSAL TO STOP**

When an officer initiates a traffic stop where the driver of the vehicle indicates a "refusal to stop", the officer may activate lights and siren and continue to follow the vehicle. However, once the "refusal to stop" becomes a vehicle pursuit, justification for the pursuit must be in accordance with this policy to continue.

#### **307.14 REGULAR AND PERIODIC EMERGENCY VEHICLE OPERATION TRAINING**

In addition to initial and supplementary training on emergency vehicle operation, including pursuits, all officers will participate in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

## Foot Pursuits

### 308.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

### 308.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

### 308.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers should not engage in foot pursuits unless there is reasonable suspicion the person is engaged in criminal activity.

### 308.4 STANDARD OPERATING PROCEDURES

Foot pursuits pose an enhanced risk to safety of officers and the public. Officers engaged in foot pursuits should be mindful of the following:

- (a) Pursuits often lead into areas that may delay other officers from locating and assisting the pursuing officer.
- (b) Pursuing into unknown areas and traversing obstacles such as fences, ravines, and busy roadways increase the likelihood of injury.
- (c) Officers should consider their ability to subdue an actively resistant suspect after a foot pursuit.
- (d) Officers shall always be alert for ambushes.
- (e) Absent a serious offense and exigent circumstances, officers should avoid pursuing a suspect into a home or other buildings by breaching doors or using other means of forced entry. The building should be contained and other safer means of apprehension should be utilized.
- (f) Officers should continually weigh the need to apprehend a suspect against the threat to safety and when reasonably practicable, officers should consider alternatives to engaging in or continuing foot pursuits.

### 308.5 PROCEDURES/ RESPONSIBILITIES IN FOOT PURSUITS

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##### 308.5.1 INITIATING OFFICER RESPONSIBILITIES

The initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone the pursuing officer should attempt to determine if overtaking and confronting the suspect can be accomplished safely or to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Reason for the foot pursuit, such as the crime
- (c) Number of suspects and description, to include name if known
- (d) Whether the suspect is known or believed to be armed with a dangerous weapon

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect).

##### 308.5.2 SUPERVISOR RESPONSIBILITIES

The supervisor shall control the pursuit and direct officers and other resources as necessary to contain the area and assist the pursuing officer. The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect. Upon apprehension or containment of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

##### 308.5.3 COMMUNICATIONS DIVISION RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

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



## Officer Response to Calls

### 309.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

### 309.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

### 309.3 RESPONSE TO CALLS

Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

#### 309.3.1 EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (47 O.S. § 1-103; 47 O.S. § 11-106; 47 O.S. § 12-218; 47 O.S. § 12-401).

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to:

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify the dispatcher.

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

### 309.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide the following information:

- Identifying call sign
- Location of the emergency situation

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- Suspect information, including weapons
- Reason for the request and type of emergency
- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the dispatcher.

#### **309.5 SAFETY CONSIDERATIONS**

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (47 O.S. § 11-106):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.
- Park or stand irrespective of the provisions of the Oklahoma Highway Safety Code.

##### **309.5.1 NUMBER OF OFFICERS ASSIGNED**

The number of officers assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.

An emergency response involving more than one police vehicle should be coordinated to avoid any unanticipated intersecting of response routes. The Shift Commander or field supervisor, should make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

##### **309.5.2 MOTORCYCLES**

An officer operating a police motorcycle should not be assigned to an emergency response. However, an officer operating a police motorcycle may respond, when reasonably necessary, to an emergency response or request for assistance.

##### **309.5.3 DRIVING TACTICS**

Officers must continually evaluate the nature of any imminent threat and/or assistance needed that requires an emergency response against the consequences of disregarding regulations controlling the movement of traffic and the safety of others. The tactical decisions an officer chooses while responding to a call with an emergency response, and the inherent risks associated with those choices, cannot expose people and property to greater dangers than the emergency itself.

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### **309.6 EMERGENCY EQUIPMENT**

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Shift Commander, field supervisor or the dispatcher of the equipment failure so that another officer may be assigned to the emergency response.

#### **309.6.1 EXCEPTION TO THE USE OF EMERGENCY EQUIPMENT**

Officers operating an authorized emergency vehicle without using audible and visual signals may exceed the maximum speed limits and disregard regulations governing turning in specified directions, provided that the actions do not endanger life or property, when the officer is following a suspected violator of the law and has probable cause to believe that (47 O.S. § 11-106):

- (a) Knowledge of the presence of the officer will cause the suspect to:
  - 1. Destroy or lose evidence of a suspected felony.
  - 2. End a suspected continuing felony before the officer has obtained sufficient evidence to establish grounds for an arrest.
  - 3. Evade apprehension or identification of the suspect or the vehicle of the suspect.
- (b) Because of traffic conditions, there is a potential increased risk of a collision involving vehicles moving in response to the emergency lights and siren.

### **309.7 OFFICER RESPONSIBILITIES**

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

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer should immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the dispatcher of his/her determination. Any subsequent change in the appropriate response level should be communicated to the dispatcher by the officer in charge of the scene unless a supervisor assumes this responsibility.

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### **309.8 COMMUNICATIONS DIVISION**

When information reasonably indicates that the public is threatened with serious injury or death, or an officer requests emergency assistance and immediate law enforcement response is needed, the dispatcher shall assign an emergency response and ensure acknowledgement and response of handling and assisting officers. In all other circumstances, the dispatcher shall obtain authorization from the Shift Commander or a field supervisor prior to assigning an emergency response.

#### **309.8.1 RESPONSIBILITIES**

Upon notification or assignment of an emergency response, the dispatcher is responsible for:

- (a) Confirming the location from which the officer is responding or requesting assistance.
- (b) Attempting to assign the closest available assisting officers to the location of the emergency call.
- (c) Continuing to obtain and broadcast information as necessary concerning the response and monitoring the situation until it is stabilized or terminated.
- (d) Notifying and coordinating allied emergency services (e.g., fire, emergency medical services).
- (e) Notifying the Shift Commander as soon as practicable.
- (f) Controlling all radio communications during the emergency and coordinating assistance under the direction of the Shift Commander or field supervisor.

### **309.9 SUPERVISOR RESPONSIBILITIES**

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

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

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

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

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

- The type of call or crime involved.

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- The type and circumstances of the request.
- The necessity of a timely response.
- Weather, traffic and road conditions.
- The location of the responding officers and the location of the incident.

#### 309.9.1 SUPERVISOR RESPONSE

Supervisors should respond to any incident that, in the supervisor's judgment, is appropriate due to the circumstances; when requested by an officer; and to events as detailed in specific policies, including but not limited to:

- Use of Force Policy
- Officer-Involved Shootings and Deaths Policy
- Vehicle Pursuits Policy
- Foot Pursuits Policy
- Missing Persons Policy
- Hazardous Material Response Policy
- Hostage and Barricade Incidents Policy
- Response to Bomb Calls Policy
- Crisis Intervention Incidents Policy
- First Amendment Assemblies Policy

## Canines

### 310.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community including but not limited to locating individuals and contraband and apprehending criminal offenders.

This policy does not apply to therapy canines. See Therapy Canine in the Support Services section.

### 310.2 POLICY

It is the policy of the Moore Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

### 310.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Operations Bureau to function primarily in assist or cover assignments. However, they may be assigned by the Shift Commander to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Shift Commander.

### 310.4 CANINE SUPERVISOR

The canine supervisor shall be the captain on the shift the canine team is assigned. The captain may utilize the shift lieutenants to assist in carrying out his/her responsibilities.

The responsibilities of the canine supervisor include, but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators/supervisors.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

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### **310.5 REQUESTS FOR CANINE TEAMS**

Members can directly call for an on-duty canine to assist them. A supervisor is required to authorize the request of an off-duty canine or a canine from another agency.

#### **310.5.1 OUTSIDE AGENCY REQUEST**

All requests for canine assistance from outside agencies must be approved by the Shift Commander and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

#### **310.5.2 PUBLIC DEMONSTRATION**

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine supervisor prior to making any resource commitment. The canine supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine supervisor.

### **310.6 APPREHENSION GUIDELINES**

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

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Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Shift Commander. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

#### 310.6.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

#### 310.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine



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momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

#### **310.6.3 REPORTING DEPLOYMENTS, BITES AND INJURIES**

Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in a canine use report. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine supervisor. Unintended bites or injuries caused by a canine should be documented in an information report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Department canines that bite a person are exempt from a 10-day quarantine upon presentation of a record of immunization against rabies. When required by the Oklahoma State Department of Health, the canine supervisor shall ensure that a certification of animal health is obtained after examination by a licensed veterinarian at the end of 10 days (OAC 310:599-3-1).

#### **310.6.4 RISK TO THE CANINE**

The canine may potentially be exposed to risks to its safety. These risks include harm from suspects, vehicles, weather, chemicals, etc. The canine handler will assess these risks in determining whether to utilize the canine.

The canine shall not be deployed into a situation where it will likely be seriously injured or killed unless it is necessary to protect a person's life.

#### **310.7 NON-APPREHENSION GUIDELINES**

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

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- (a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

#### 310.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

#### 310.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is both trained to passively indicate the presence of narcotics and not trained to bite.

#### 310.7.3 NARCOTICS DETECTION-SCHOOL SEARCH

The canine team may be utilized to sniff areas of a school such as school lockers, classrooms, and vehicles in the parking lot.

1. School initiated searches
  - (a) A school official may contact the Moore Police Department and request an administrative search of a school. The canine supervisor or his/her superior may authorize the search. The search shall be limited to the areas designated by the school official that requested the search.
  - (b) If narcotics are found, the decision on whether to criminally charge a person lies with the Moore Police Department. The canine handler may allow the school to handle the matter internally in lieu of criminal charges on misdemeanor offenses.
  - (c) No found drugs or other criminal evidence will be left with the school, but logged into police property.

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##### **310.7.4 BOMB/EXPLOSIVE DETECTION**

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- (c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

##### **310.8 HANDLER SELECTION**

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
- (c) Living within 30 minutes travel time from the Moore City limits.
- (d) Agreeing to be assigned to the position for a minimum of three years. The handler may test for promotion during this period..
- (e) Other qualifications contained in the collective bargaining agreement.

##### **310.9 HANDLER RESPONSIBILITIES**

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Moore Police Department facility, or the handler shall maintain the canine vehicle in a locked garage, away from public view.

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- (d) Handlers shall permit the canine supervisor to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles, to verify that conditions and equipment conform to this policy.
- (e) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine supervisor as soon as possible.
- (f) When off-duty, the canine shall be in a kennel provided or approved by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (g) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the canine supervisor.
- (i) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine supervisor.
- (j) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine supervisor so that appropriate arrangements can be made.
- (k) The canine handler is responsible for ensuring that the canine is wearing a tag indicating the animal is a police canine, employed by the Moore Police Department and a phone number to call in case the canine is located.
- (l) The canine handler will immediately notify the on duty supervisor in the event the canine escapes or goes missing from the handler or kennel or is out of control of the handler for any reason.
- (m) Moore Police canines will not be utilized for any off-duty employment.

#### **310.9.1 CANINE IN PUBLIC AREAS**

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

#### **310.10 HANDLER COMPENSATION**

The canine handler shall be available for call-out under conditions specified by the canine supervisor.

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The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the employment agreement (29 USC § 207).

#### **310.11 CANINE INJURY AND MEDICAL CARE**

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine supervisor as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained by the handler and copied to the canine supervisor.

#### **310.12 TRAINING**

Before assignment in the field, each canine team shall be trained and certified to meet current Council on Law Enforcement Education and Training (CLEET) or other state-recognized and approved certification standards. Canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

A canine shall not be certified as both a drug dog and a bomb dog, once certified as either a drug dog or a bomb dog may not be certified in the other category (OAC 390:30-1-3; OAC 390:31-1-3; 70 O.S. § 3311(B)(9)).

The canine supervisor shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines.

All canine training shall be conducted while on-duty unless otherwise approved by the canine supervisor.

Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

##### **310.12.1 CONTINUED TRAINING**

Each canine team shall thereafter be re-certified to CLEET or other state-approved certification standards on an annual basis (70 O.S. § 3311(K); 70 O.S. § 3311(L)).

Additional training considerations are as follows:

- (a) Canine teams should receive training as defined in the current contract with the Moore Police Department canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine supervisor.

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- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

#### 310.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

#### 310.12.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

#### 310.12.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Moore Police Department may work with outside trainers with the applicable licenses or permits.

#### 310.12.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws and in compliance with applicable state requirements (21 USC § 823(f); OAC 475:10-1-4; 63 O.S. § 2-302).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Moore Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

#### 310.12.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.

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- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine supervisor with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Evidence and Property Management Unit or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

#### 310.12.7 EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store or use explosives or destructive devices in compliance with state and federal laws (18 USC § 842; 27 CFR 555.41; 63 O.S. § 123.8).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

- (a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.
- (c) The canine supervisor shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.
- (d) Only members of the canine team shall have access to the explosive training aids storage facility.
- (e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
- (f) Any lost or damaged explosive training aids shall be promptly reported to the canine supervisor, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

## Domestic Abuse

### 311.1 PURPOSE AND SCOPE

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

This policy meets statutory requirements requiring the adoption of a domestic abuse policy pursuant to 11 O.S. § 34-107.

#### 311.1.1 DEFINITIONS

Definitions related to this policy include (22 O.S. § 60.1):

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

**Dating relationship** – An intimate association, primarily characterized by affectionate or sexual involvement. This does not include a casual acquaintance or ordinary fraternization between persons in a business or social context.

**Domestic abuse** - Any act of physical harm or the threat of imminent physical harm that is committed by an adult, emancipated minor, or minor child 13 years of age or older against another adult, emancipated minor, or minor child who is currently or was previously an intimate partner or a family or household member. Domestic violence includes any form of domestic abuse.

**Family or household members** - Includes:

- (a) Parents, including grandparents, stepparents, adoptive parents, and foster parents
- (b) Children, including grandchildren, stepchildren, adopted children, and foster children
- (c) Persons otherwise related by blood or marriage living in the same household
- (d) Persons otherwise related by blood or marriage
- (e) Persons not related by blood or marriage living in the same household

**Intimate partner** – Includes:

- (a) Current or former spouses
- (b) Persons who are or were in a dating relationship
- (c) Persons who are biological parents of the same child, regardless of their marital status or whether they have lived together at any time
- (d) Persons who currently or formerly lived together in an intimate way, primarily characterized by affectionate or sexual involvement

**Living in the same household** – Includes:



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- (a) Persons who regularly reside in the same single-dwelling unit
- (b) Persons who resided in the same single-dwelling unit within the past year
- (c) Persons who have individual lease agreements whereby each person has the person's own private bedroom and shares the common areas

#### **311.2 POLICY**

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

#### **311.3 OFFICER SAFETY**

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

#### **311.4 INVESTIGATIONS**

The following guideline shall be followed by officers when investigating domestic abuse cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic abuse and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigations Division in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.

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- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
  - 1. Investigating officers shall seize any weapon or instrument when there is probable cause to believe the weapon or instrument has been used to commit an act of domestic abuse when an arrest is made and the weapon or instrument can be lawfully seized as evidence (22 O.S. § 60.8).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
  - 1. Whether the suspect lives on the premises with the victim.
  - 2. Claims by the suspect that the victim provoked or perpetuated the abuse.
  - 3. The potential financial or child custody consequences of arrest.
  - 4. The physical or emotional state of either party.
  - 5. Use of drugs or alcohol by either party.
  - 6. Denial that the abuse occurred where evidence indicates otherwise.
  - 7. A request by the victim not to arrest the suspect.
  - 8. Location of the incident (public/private).
  - 9. Speculation that the complainant may not follow through with the prosecution.
  - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
  - 11. The social status, community status, or professional position of the victim or suspect.

#### 311.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim information regarding how to register for notification that the suspect has been released from jail via VINELink's network.

#### 311.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:

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1. Voluntary separation of the parties.
  2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- (b) Document the resolution in a report.

#### **311.5 VICTIM ASSISTANCE**

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- Victims shall be provided with the department domestic abuse information handout, even if the incident may not rise to the level of a crime (21 O.S. § 142A-3).
- Victims should also be alerted to any available victim advocates, shelters and community resources.
- When an involved person requests law enforcement assistance while removing essential items of personal property, officers should stand by for a reasonable amount of time.
- If the victim has sustained injury or complains of pain, officers should seek medical assistance for the victim as soon as practicable.
- Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- If appropriate, officers shall seek or assist the victim in obtaining an emergency order.
  - The investigating officer shall ensure the victim handout contains a petition for an emergency temporary order of protection and, if necessary, assist the victim in completing the petition form as directed in the Victim and Witness Assistance Policy (22 O.S. § 40.3; 22 O.S. § 60.16).
- Victims of domestic abuse shall not be discouraged from pressing charges (22 O.S. § 60.16).

#### **311.6 DISPATCH ASSISTANCE**

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

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

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1. The communications officer who receives the call shall provide the responding officers with vital information to help ensure the safety of all persons involved to the highest degree possible. Whenever possible, at least two (2) officers shall be dispatched to every incident.

2. In addition to the information normally gathered, an effort shall be made to determine and relay the following information to responding officers:

- (a) Whether the suspect is present and, if not, the suspect's description and possible whereabouts;
- (b) Whether any weapons are involved and, if so, what type and their location;
- (c) Whether there are any personal injuries and, if so, the type and extent of the injuries;
- (d) Whether the offender or other involved parties are under the influence of drugs or alcohol;
- (e) Whether there are children present;
- (f) Any previous history of disturbance of this nature.

3. Dispatchers shall not cancel police response to domestic disturbance complaint based solely on a follow-up call from the location. However, the communications officer shall advise the responding officers of the complainant's request.

#### **311.7 FOREIGN COURT ORDERS**

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

#### **311.8 VERIFICATION OF COURT ORDERS**

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

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

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

A copy of a court order is generally acceptable as proof that a court order is valid in this state (22 O.S. § 60.9).

#### **311.9 STANDARDS FOR ARRESTS**

Officers investigating a domestic abuse report should consider the following:

- (a) Officers investigating an assault that qualifies as domestic abuse may make an arrest even if the assault was not committed in his/her presence if, based upon probable cause, an offense occurred within the last 72 hours and it caused the victim an observable injury or impairment (22 O.S. § 60.16).
  - 1. Investigating officers shall consider the circumstances surrounding the incident, past history of abuse between the parties, statements of any children present in the residence, which party is the dominant aggressor and any other relevant factors in making these arrests (22 O.S. § 60.16).
- (b) Investigating officers shall make an arrest when they have probable cause to believe a person with notice has violated an enforceable court order, whether or not the order was issued in Oklahoma. Persons arrested for a violation of a court order shall not be released but brought before a judge within 24 hours of arrest (22 O.S. § 60.9).

#### **311.10 REPORTS AND RECORDS**

Requirements for domestic abuse reports and records include:

- (a) Investigating officers shall document each reported incident of domestic abuse. Documentation shall include (22 O.S. § 40.6):
  - 1. The type of crime involved in the domestic abuse.
  - 2. The date, time, and day of the week the incident occurred.
  - 3. Other information required by the Department.
- (b) A lethality assessment form shall be completed and included in the report submitted by the investigating member, only if the incident involved intimate partner violence, and if the results indicate a referral is suggested, the assessing officer shall (21 O.S. § 142A-3):
  - 1. Advise the victim of the assessment results.
  - 2. Advise the victim that the officer will call the domestic violence hotline to allow the victim to speak with an advocate.
  - 3. Document the refusal if the victim does not want to speak to an advocate.
  - 4. Provide referral information for shelters, domestic violence programs, and other social services regardless of the results of the assessment.

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- (c) The supervisor who completes UCR reports shall complete a monthly report of domestic abuse incidents on forms provided by the Oklahoma State Bureau of Investigation (OSBI) and submit the report to the OSBI in accordance with 74 O.S. § 150.12B (22 O.S. § 40.6).

#### **311.11 SERVICE OF COURT ORDERS**

Officers shall assist specific victims, including domestic abuse victims, with petitions and service of court orders and lethality assessment forms (see the Victim and Witness Assistance Policy).

## Search and Seizure

### 312.1 PURPOSE AND SCOPE

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

This policy meets statutory requirements requiring the adoption of a search and seizure policy pursuant to 11 O.S. § 34-107.

### 312.2 POLICY

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

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

### 312.3 SEARCHES

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

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

- Valid consent.
- Incident to a lawful arrest.
- Legitimate community caretaking interests ( e.g. vehicle impoundment inventory).
- Vehicle searches under certain circumstances.
- Exigent circumstances.
- Abandoned property
- Open fields

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

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

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##### **312.3.1 SEARCH INCIDENT TO ARREST**

Every person taken into custodial arrest by any officer of the Moore Police Department shall be thoroughly searched for weapons, fruits of the crime for which they were arrested or other contraband.

##### **312.3.2 MOTOR VEHICLE SEARCHES**

A warrant should be obtained for the search of a motor vehicle with the following exceptions:

- (a) When probable cause to search the vehicle exists;
- (b) With the consent of the operator;
- (c) Incident to an arrest of the occupants of the vehicle for evidence or fruits of the offenses that lead to the arrest;
- (d) With reasonable suspicion, to search for weapons within reach of the driver or occupants;
- (e) When necessary to examine the vehicle identification number or to determine ownership of the vehicle;
- (f) Under exigent circumstances not otherwise enumerated above.

Scope of the search:

- (a) Probable cause searches: These may extend to all areas of the vehicle unless the probable cause is limited to a specific area of the vehicle.
- (b) Consent searches: The extent of the consent search depends upon the terms of the consent itself. If the consent is limited to specific areas of the vehicle or specific items to be sought, officers may search only portions of the vehicle specified by the consent and in which the items specified might be reasonably found. Officers conducting a consent search should obtain a written permission or waiver prior to the search whenever reasonably possible.
- (c) Search for weapons: Frisks for weapons normally must be confined to the passenger area of the vehicle.
- (d) Entries to examine a VIN or to determine vehicle ownership: These entries must be limited to actions reasonably necessary to accomplish these goals.

##### **312.4 SEARCH PROTOCOL**

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

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.



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- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (f) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
  - 1. Another officer or a supervisor should witness the search.
  - 2. When possible officers should conduct the search in view of available audio/video recording devices (ie body worn camera or dash camera).

#### **312.5 DOCUMENTATION**

Officers are responsible for documenting any search and ensuring that any required reports are sufficient (if no evidence or contraband is located and no formal report is written on the incident, the officer should at least complete a field interview card) including, but not limited to, documentation of:

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

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

## Child Abuse

### 313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Moore Police Department members are required to notify the Oklahoma Human Services (OKDHS) of suspected child abuse.

#### 313.1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - Any unmarried person younger than 18 years of age, including an infant born alive (OAC 340:75-3-120).

**Child abuse** - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to OKDHS.

### 313.2 POLICY

The Moore Police Department will investigate all reported incidents of alleged criminal child abuse and ensure OKDHS is notified as required by law.

### 313.3 MANDATORY NOTIFICATION

Members of the Moore Police Department shall notify OKDHS when there is reason to believe that a child is the victim of abuse or neglect (10A O.S. § 1-2-101).

For purposes of notification, abuse includes harm or threatened harm to the health, safety, or welfare of a child by a person responsible for the child's health, safety, or welfare, including but not limited to non-accidental physical or mental injury, sexual abuse, or sexual exploitation. Neglect includes abandonment; the failure or omission to provide adequate nourishment, medical care, or supervision; or the failure or omission to protect the child from illegal drugs, illegal activities, or sexual acts that are not age-appropriate (10A O.S. § 1-1-105). It also includes when a member has reasonable suspicion to believe that a child is a victim of human trafficking as defined by 21 O.S. § 748 (OAC 340:75-3-300).

#### 313.3.1 NOTIFICATION PROCEDURE

Notification shall occur immediately or as soon as practicable by calling OKDHS' child abuse and neglect hotline (10A O.S. § 1-2-101).

The following information should be reported:

- (a) Name, address, and whereabouts of the child, child's parents, or the person responsible for the child's welfare
- (b) Child's age
- (c) Nature and extent of the abuse or neglect

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- (d) Any other information that might be helpful in establishing the cause of the injuries and the identity of the person responsible for the abuse or neglect

#### **313.4 QUALIFIED INVESTIGATORS**

Qualified investigators should be available for child abuse investigations. When feasible, a joint investigation shall be conducted with OKDHS. These investigators should (10A O.S. § 1-9-102):

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies, and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable supporting the district attorney in meeting the requirements of the Oklahoma Commission on Children and Youth (OAC 135:10-25-2).
- (g) Obtain copies of medical examinations, including notes, X-rays, photographs, or any other medical records related to the alleged abuse or neglect (10A O.S. § 1-2-101; 10A O.S. § 1-2-105).

#### **313.5 INVESTIGATIONS AND REPORTING**

In all reported or suspected cases of child abuse, officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.

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- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

#### **313.6 PROTECTIVE CUSTODY**

Before taking any child into protective custody, the officer should make reasonable attempts to contact OKDHS. Generally, removal of a child from the child's family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from the child's parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to OKDHS (10A O.S. § 1-4-201).

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian:

- (a) Upon an order from a court of proper jurisdiction (10A O.S. § 1-4-201).
- (b) Without a court order if the officer has reasonable suspicion that (10A O.S. § 1-4-201):
  1. The child is in need of immediate protection due to an imminent safety threat.
  2. The circumstances or surroundings of the child are such that continuation in the child's home or in the care or custody of the parent, legal guardian, or custodian would present an imminent safety threat to the child.
  3. When the child, including a child with a disability, is unable to communicate effectively about abuse, neglect, or another safety threat, or is in a vulnerable position due to the inability to communicate effectively, and the child is in need of immediate protection due to an imminent safety threat.

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- (c) Without a court order if the officer has reasonable suspicion that the child may be a victim of human trafficking and is in need of immediate protection (21 O.S. § 748.2; OAC 340:75-3-300).

The officer shall ensure that the parent, legal guardian, or custodian of a child taken into temporary protective custody by the Department is provided with a proper written notice of the protective custody and of an emergency custody hearing as provided in 10A O.S. § 1-4-203.

When a child is taken into protective custody by the officer and an emergency placement is identified, the officer shall conduct a criminal history check, including a check for orders of protection, and outstanding warrants of each person residing in the household prior to placement. A criminal history check and fingerprint verification shall be performed when requested by OKDHS to assist in determining the suitability of an emergency placement home. The results of each person's criminal history and whether any orders of protection or outstanding warrants exist shall be reported verbally to OKDHS (10A O.S. § 1-7-115).

#### **313.6.1 RELINQUISHMENT OF CHILD**

A parent may voluntarily relinquish a child 30 days of age or younger to an authorized member on-duty at the Moore Police Department under the terms of the Oklahoma Safe Haven law (10A O.S. § 1-2-109).

Upon receiving a child 30 days of age or younger, the member may request, but not demand, any information the parent may be willing to share including the child or parents' medical history. If the parent wishes to remain anonymous, the request shall be honored. The surrendering parent should be provided written information, if available, related to parental rights, reunification with the child, and sources of counseling.

The member shall protect the physical health and safety of the child, including requesting medical treatment if necessary. Notification to OKDHS shall be made immediately to assume custody of the child. The member should check to determine whether the child has been reported missing (10A O.S. § 1-2-109).

#### **313.7 INTERVIEWS**

##### **313.7.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

Officers shall follow appropriate protocols and procedures for investigating and interviewing child victims (10A O.S. § 1-9-102).

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#### 313.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
  - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

#### **313.8 MEDICAL EXAMINATIONS**

If the child has been the victim of abuse that requires a medical examination for evidence collection, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

#### 313.8.1 EMERGENCY MEDICAL CARE

When a child is taken into protective custody without a court order and requires emergency medical care for treatment related to suspected abuse or neglect and the parent or legal guardian is unavailable or unwilling to consent to the treatment recommended by a physician, the officer may authorize treatment as necessary to safeguard the health or life of the child. Prior to authorizing treatment based on the unavailability of the parent or guardian, the officer shall exercise diligence in locating the parent or guardian, if known (10A O.S. § 1-3-102).

#### **313.9 DRUG-ENDANGERED CHILDREN**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

#### 313.9.1 SUPERVISOR RESPONSIBILITIES

The Criminal Investigations Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including OKDHS, other law enforcement agencies, medical service providers, and local prosecutors to develop

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community-specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

- (b) Activate any available interagency response when an officer notifies the Criminal Investigations Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives at the scene.

#### **313.9.2 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate.
- (b) Notify the Criminal Investigations Division supervisor so an interagency response can begin.

#### **313.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Oklahoma requires or permits the following:

##### **313.10.1 PROCESSING REPORTS AND RECORDS**

The Department shall provide OKDHS with a copy of the report of any investigation resulting from a referral from OKDHS (10A O.S. § 1-2-102).

##### **313.10.2 RELEASE OF REPORTS**

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (10A O.S. § 1-6-102; 10A O.S. § 1-2-101).

#### **313.11 TRAINING**

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

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- (h) Following protocols and procedures established by the Child Abuse Training and Coordination Council (OAC 310:529-3-5).



## Adult Abuse

### 314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Moore Police Department members as required by law.

#### 314.1.1 DEFINITIONS

Definitions related to this policy include:

**Adult abuse** - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

### 314.2 POLICY

The Moore Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

### 314.3 MANDATORY NOTIFICATION

Members of the Moore Police Department shall notify the Department of Human Services (DHS) when there is reasonable cause to believe that a vulnerable adult is suffering from abuse, neglect, or exploitation (43A O.S. § 10-104). This notification will be made as soon as practicable by an officer receiving the initial report.

For purposes of notification, abuse is (43A O.S. § 10-103):

- Causing or permitting the infliction of physical pain, injury, sexual abuse, sexual exploitation, unreasonable restraint or confinement, mental anguish, or personal degradation.
- The deprivation of nutrition, clothing, shelter, health care, or other care or services without which serious physical or mental injury is likely to occur by either a caretaker or other person providing services to a vulnerable adult.

A vulnerable adult is an incapacitated person 18 years of age or older who, because of a physical or mental disability, incapacity, or other disability, is any of the following (43A O.S. § 10-103):

- (a) Substantially impaired in the ability to provide adequate care or custody of himself/herself
- (b) Unable to manage his/her property and financial affairs effectively
- (c) Unable to meet the essential requirements for mental or physical health or safety
- (d) Unable to protect him/herself from abuse, verbal abuse, neglect, or exploitation without assistance from others

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##### **314.3.1 NOTIFICATION PROCEDURE**

Notification shall occur as soon as possible by contacting the local county DHS (43A O.S. § 10-104). Notification shall include (43A O.S. § 10-104):

- (a) The name and address of the vulnerable adult.
- (b) The name and address of the caretaker, guardian or person having power of attorney over the vulnerable adult's resources, if any.
- (c) A description of the current location.
- (d) A description of the current condition of the vulnerable adult.
- (e) A description of the abuse, neglect or exploitation of the vulnerable adult.

A written report shall be prepared when initial notification is made directly to the Moore Police Department and DHS shall be notified as soon as possible of the department's investigation.

##### **314.4 QUALIFIED INVESTIGATORS**

Qualified investigators should be available to investigate cases of adult abuse. When feasible, a joint investigation shall be conducted with DHS (43A O.S. § 10-105). These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review as follows (43A O.S. § 10-104):
  - 1. If it is clear from the investigation that no abuse occurred, the investigator should note in the case file that the suspected adult abuse may be unfounded.
  - 2. In cases of self-neglect, the investigator should only forward cases when it reasonably appears that there has been a similar investigation within the preceding six months.
- (d) Coordinate with other enforcement agencies, social service agencies, and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

##### **314.5 INVESTIGATIONS AND REPORTING**

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

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- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name, and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Any other investigative information necessary for a joint investigation with DHS (43A O.S. § 10-105).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

#### **314.6 PROTECTIVE CUSTODY**

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact DHS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation (43A O.S. § 10-108).

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim.

Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall actively work with DHS to ensure that the adult is delivered to a safe location.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order

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on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

#### 314.6.1 INVOLUNTARY PROTECTIVE SERVICES

An officer shall transport a vulnerable adult when presented with a court order by DHS authorizing involuntary protective services and directing law enforcement to transport the vulnerable adult for necessary care, treatment or residential placement (43A O.S. § 10-108).

An officer may forcibly enter the premises when authorized by the court order to gain access to the vulnerable person for transport to another location for the provision of involuntary protective services (43A O.S. § 10-108).

### 314.7 INTERVIEWS

#### 314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

#### 314.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  1. A reasonable belief that medical issues of the adult need to be addressed immediately.
  2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
  3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

#### 314.7.3 ASSISTING DEPARTMENT OF HUMAN SERVICES INTERVIEWS

If DHS has obtained a court order permitting access to a person believed to be a vulnerable adult and forced entry is required, the DHS representative may force entry into the vulnerable adult's home or other place of residence. The assigned officer shall accompany the DHS representative but should not force the entry unless authorized by the court order (43A O.S. § 10-108).

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### **314.8 MEDICAL EXAMINATIONS**

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

### **314.9 DRUG-ENDANGERED VICTIMS**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

#### **314.9.1 SUPERVISOR RESPONSIBILITIES**

The Criminal Investigations Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including DHS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigations Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

#### **314.9.2 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Criminal Investigations Division supervisor so an interagency response can begin.

### **314.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Oklahoma requires or permits the following:

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##### **314.10.1 RECORDS UNIT RESPONSIBILITIES**

The Records Unit is responsible for:

- (a) Providing a copy of the adult abuse report to the DHS as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

##### **314.10.2 RELEASE OF REPORTS**

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (43A O.S. § 10-110).

##### **314.11 TRAINING**

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

## Discriminatory Harassment

### 315.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

### 315.2 POLICY

The Moore Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

### 315.3 DISCRIMINATION AND WORKPLACE HARASSMENT

- A. The Moore Police Department does not discriminate against members of any protected minority group in admission or access to, or treatment of employment in, any of its programs, services and activities.
- B. Discrimination for purposes of these provisions, shall be defined as any violation of applicable local, state and/or federal laws, or department or city policies or procedures which prohibit discrimination on the basis of race, color, religion, sex, national origin, age or disability in any aspect of the City.
- C. Sexual harassment for the purposes of these provisions, shall be defined as unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
  1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
  2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions such as promotion, assignment, demotion, discipline, or discharge;
  3. Such conduct has the purpose or effect of unreasonable interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.
- D. No employee, volunteer or intern shall make, either explicitly or implicitly, verbally or physically, any unwanted sexual advances, requests for sexual favors, or any other conduct of a sexual nature.

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##### 315.3.1 FILING A COMPLAINT/GRIEVANCE

- A. Any person making a complaint should do so by notifying a supervisor of the allegations.
- B. The supervisor should attempt to resolve the complaint at the lowest supervisory level possible.
- C. If the supervisor determines that the nature of the complaint is beyond the ability to be resolved at the lowest level, or the initial attempt to resolve the complaint is unsuccessful, then:
  1. The complainant shall complete a written statement detailing the circumstances involved.
  2. The complaint will be forwarded through the chain of command to the Chief.
  3. The Chief, at his/her discretion, may assign the complaint for investigation or refer the complaint to the Human Resources Division.

##### 315.3.2 COMMISSIONED OFFICERS

All complaints filed under this policy against members covered by the collective bargaining agreement (CBA) should be investigated by the Internal Affairs Division in accordance with Article 7 (Complaints, Internal Complaints, and Officer Rights) of the CBA.

##### 315.3.3 CIVILIAN PERSONNEL

All complaints filed under this policy against civilian members should be investigated by the Human Resources Division or Risk Management Division in accordance with Article VIII (Discrimination Complaints) of the City of Moore Personnel Policy and Procedures Manual. [See attachment: Article VIII Discrimination Complaints City Personnel Policy.pdf](#)

##### 315.3.4 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

#### **315.4 RESPONSIBILITIES**

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Personnel Director or the City Manager.



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Any member who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment, discrimination or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

#### 315.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Personnel Director or the City Manager for further information, direction or clarification.

#### 315.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of each supervisor and manager shall include, but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or Personnel Director in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

#### 315.4.3 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating

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or counseling members or issuing discipline in a manner that is consistent with established procedures.

#### **315.5 RETALIATION**

The person filing a complaint will be free from restraint, coercion, discrimination, or reprisal growing out of the filing of such complaint.

## Missing Persons

### 316.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

This policy meets statutory requirements requiring the adoption of a response to missing persons policy pursuant to 11 O.S. § 34-107.

#### 316.1.1 DEFINITIONS

Definitions related to this policy include:

**At risk** - Includes persons who:

- (a) Are 13 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
  1. Out of the zone of safety for his/her chronological age and developmental stage.
  2. Mentally or behaviorally disabled.
  3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
  4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
  5. In a life-threatening situation.
  6. In the company of others who could endanger his/her welfare.
  7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
  8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
- (c) Qualify for a state AMBER Alert™.

**Missing person** - Any person who is reported to law enforcement as missing and unaccounted for from expected and normal activities (74 O.S. § 151.3).

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and the Oklahoma Law Enforcement Telecommunications System (OLETS).

**Unidentified person** - Any person, living or deceased, who is unidentified after all available methods have been exhausted (74 O.S. § 151.3).

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#### **316.2 POLICY**

The Moore Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. Priority shall be given to missing person cases over property-related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

#### **316.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS**

The Criminal Investigations Division supervisor shall ensure the following forms and kits are developed and available:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification protocol
- Medical records release form
- Biological sample collection kits

#### **316.4 ACCEPTANCE OF REPORTS**

Any member encountering an individual who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

If the person was last seen or is missing from another jurisdiction, the report will be forwarded to that jurisdiction as soon as practicable.

#### **316.5 INITIAL INVESTIGATION**

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) If the missing person is under 17 years of age, initiate an investigation immediately (10 O.S. § 1628).
- (c) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (d) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

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- (e) Broadcast an alert if the person is under 17 years of age or there is evidence that the missing person is at risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 17 years of age or may be at risk.
- (f) Ensure that entries are made into the appropriate missing person networks:
  - 1. Immediately, when the missing person is at risk.
  - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).
- (g) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (h) Collect and/or review:
  - 1. A photograph and fingerprint card of the missing person, if available.
  - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
  - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
  - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (i) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (j) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (k) Notify the Oklahoma State Bureau of Investigation (OSBI) if there is reason to believe that a missing person, under 18 years of age and who was born in Oklahoma, may be the victim of a family abduction (74 O.S. § 150.12A).

#### **316.6 REPORT PROCEDURES AND ROUTING**

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

##### **316.6.1 SUPERVISOR RESPONSIBILITIES**

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
  - 1. The reports should be promptly sent to communications for entry into NCIC if appropriate.
- (b) Ensuring resources are deployed as appropriate.

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- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.

#### **316.6.2 COMMUNICATIONS DIVISION RESPONSIBILITIES**

The responsibilities of the Communications Division receiving member shall include, but are not limited to:

- (a) Coordinating with the NCIC Terminal Contractor for Oklahoma to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (42 USC § 5780).
- (b) Forwarding a copy of the report as soon as possible to the OSBI when required (74 O.S. § 150.12A).

#### **316.7 CRIMINAL INVESTIGATIONS DIVISION FOLLOW-UP**

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
  - 1. The notice should be in writing and should also include a photograph.
  - 2. The investigator should meet with a School Resource Officer, the School Resource Officer Supervisor, or school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information, if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update OLETS, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (g) Should make appropriate inquiry with the Medical Examiner.
- (h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.

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- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the OSBI and enter the photograph into applicable missing person networks (34 USC § 41308).
- (j) Shall make appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs) (74 O.S. § 151.3).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).
- (l) Shall ensure all of the tasks listed in 74 O.S. § 151.3 have been initiated within 30 days.

#### **316.8 WHEN A MISSING PERSON IS FOUND**

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

The investigator shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to the OSBI (74 O.S. § 150.12A).
- (b) The missing child's school is notified.
- (c) Entries are made in the applicable missing person networks within 72 hours of location or discovery of the missing person (74 O.S. § 150.12A).
- (d) When a person is at risk, the fact that the person has been found shall be reported within 24 hours to the OSBI.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.
- (f) Notification shall be made to NamUs within 24 hours (74 O.S. § 151.3).

#### **316.8.1 UNIDENTIFIED PERSONS**

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

#### **316.9 CASE CLOSURE**

The Criminal Investigations Division supervisor may authorize the closure of a missing person case after considering the following:

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- (a) Closure is appropriate when the missing person is confirmed returned, confirmed located or evidence matches an unidentified person or body.
- (b) The case should be kept under active investigation for as long as there are viable leads to follow.
- (c) The case can be made inactive if all investigative leads have been exhausted, and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.



## Public Alerts

### 317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

### 317.2 POLICY

Public alerts may be employed using the appropriate alert system (e.g., Emergency Alert System (EAS)), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

### 317.3 RESPONSIBILITIES

#### 317.3.1 MEMBER RESPONSIBILITIES

Members of the Moore Police Department should notify their supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and the public could assist in locating a missing person, apprehending a dangerous person or gathering information.

#### 317.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible for making the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the investigations division, the appropriate Bureau Commander, the call notification, and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for:

- (a) Updating alerts.
- (b) Canceling alerts.
- (c) Ensuring all appropriate reports are completed.
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Bureau Commander.

### 317.4 AMBER ALERTS™

AMBER Alerts™ are used to provide a statewide system for the rapid dissemination of information regarding abducted children.

#### 317.4.1 CRITERIA

The following criteria are required to activate an AMBER Alert:

- (a) The individual believed to be abducted is a child 17 years of age or younger.

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- (b) There is reason to believe the victim is in imminent danger of serious bodily injury or death.
- (c) There is information available to disseminate to law enforcement agencies and the general public that could assist in the safe recovery of the victim and/or the apprehension of a suspect.

#### 317.4.2 PROCEDURE

The following is the procedure for initiating an AMBER Alert:

- (a) After receiving a report of a possible child abduction, the Department shall investigate to determine if the reported child abduction meets the requirements for an AMBER Alert.
- (b) The Department shall enter the victim into the National Crime Information Center (NCIC) system with the Child Abduction flag.
- (c) If a determination is made that an abduction meeting the qualifications for an AMBER Alert has occurred, contact should be made with a designated Amber Alert reporting officer for the Moore Police Department. That officer, or authorized investigator, shall notify the Department of Public Safety (DPS) by completing the AMBER activation form on the Oklahoma Law Enforcement Telecommunications System (OLETS).
- (d) A list of designated Amber Alert reporting officers shall be maintained by the Criminal Investigations Division supervisors.
- (e) The designated reporting officer is responsible for ensuring that updates and cancelations concerning the AMBER Alert are disseminated to all law enforcement agencies through OLETS.

#### **317.5 SILVER ALERTS**

Silver Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing senior citizen 60 years of age or older who is believed to be suffering from dementia or other cognitive impairment (63 O.S. § 1-1990.2).

#### 317.5.1 CRITERIA

The following criteria are required to activate a Silver Alert (63 O.S. § 1-1990.5):

- (a) Verification that at the time the senior citizen is reported missing:
  - 1. The person is 60 years of age or older.
  - 2. The location of the senior citizen is unknown.
  - 3. The senior citizen has dementia or other cognitive impairment.
- (b) Determination that the person's disappearance poses a credible risk to their health and safety.

#### 317.5.2 PROCEDURE

The following is the procedure for initiating a Silver Alert (63 O.S. § 1-1990.5; 63 O.S. § 1-1990.6):

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- (a) Require the family or legal guardian of the missing senior citizen to provide documentation of the impaired mental condition of the senior citizen.
- (b) Determine identifying information about the missing senior citizen and any other information that might be useful to the general public in the safe recovery of the missing senior citizen.
- (c) The designated reporting officer shall complete the Silver Alert activation form in OLETS.
- (d) Upon issuance, immediately report the Silver Alert through NCIC.

The Department shall terminate a Silver Alert not later than the earlier of the date on which (63 O.S. § 1-1990.7):

- The missing senior citizen is located or the situation is otherwise resolved.
- The DPS notification period ends.

#### **317.6 BLUE ALERTS**

The statewide Blue Alert system is intended to rapidly disseminate information that may be useful for the apprehension of a suspect who has killed or seriously injured a law enforcement officer (47 O.S. § 2-316).

##### 317.6.1 CRITERIA

The criteria for the issuance of a Blue Alert includes (47 O.S. § 2-316):

- (a) A law enforcement officer has been killed or seriously injured.
- (b) There is information identifying an individual as a suspect connected to the incident that includes suspect's name, a detailed suspect description or a reasonably detailed suspect vehicle description.
- (c) The suspect poses a serious risk or threat to the public and other law enforcement members.

##### 317.6.2 PROCEDURE

The following is the procedure for initiating a Blue Alert:

- (a) After receiving a report of the killing of or infliction of serious injury upon a law enforcement officer, the Department shall investigate to determine if the incident meets the requirements for a Blue Alert.
- (b) The Department shall complete the Blue Alert form in OLETS.

#### **317.7 KASEY ALERTS**

The Kasey Alert system is used to provide rapid dissemination of information regarding a critically missing adult (63 O.S. § 1-1990.9).

##### 317.7.1 CRITERIA

The criteria for designating a person as a critically missing adult and the issuance of a Kasey Alert includes (63 O.S. § 1-1990.9):

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- (a) The person is between the ages of 18 and 59.
- (b) The person's whereabouts are unknown.
- (c) The person is believed to have been abducted or taken against their will.

#### 317.7.2 PROCEDURE

The following is the procedure for initiating a Kasey Alert (63 O.S. § 1-1990.12):

- (a) Verify that the person's whereabouts are unknown and if it is likely the person has been abducted or taken against their will.
- (b) Enter the victim into the NCIC system.
- (c) Determine identifying information about the critically missing adult and any other information that might be useful to the general public in the safe recovery of the critically missing adult.
- (d) The designated reporting officer shall complete the Kasey Alert activation form in OLETS.

The Department shall terminate a Kasey Alert not later than the earlier of the date on which (63 O.S. § 1-1990.14):

- The critically missing adult is located or the situation is otherwise resolved.
- The DPS notification period ends.

## Victim and Witness Assistance

### 318.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

### 318.2 POLICY

The Moore Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Moore Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

### 318.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Moore Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

### 318.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts (21 O.S. § 142A-2; 21 O.S. § 142A-3).

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources (21 O.S. § 142A-2; 21 O.S. § 142A-3).

#### 318.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

Family members who receive a death notification in the case of a homicide are entitled to receive notification of their rights as a crime victim (21 O.S. § 142A-3).

If the preliminary investigation involves a case of domestic abuse involving intimate partner violence, the investigating member shall assess the potential danger to the victim by asking questions provided on a lethality assessment form (21 O.S. § 142A-3).

#### 318.4.2 ORDER OF PROTECTION FOR SPECIFIC VICTIMS

When the court is not open for business, the investigating officers shall provide the victim of domestic abuse, stalking, harassment, rape, forcible sodomy, a sex offense, kidnapping, or assault and battery with a deadly weapon, or an immediate family member of a first-degree murder victim, upon their request, with the appropriate handout containing a petition for an emergency temporary

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order of protection and, if necessary, assist the victim or family member in completing the petition form (22 O.S. § 40.3; 22 O.S. § 60.16).

If the court is closed and a petition is desired and completed, the investigating officer shall as soon as practicable notify a judge by phone and describe the circumstances. The officer shall then tell the victim whether the judge has approved or disapproved the order. If approved, the officer shall (22 O.S. § 40.3; 22 O.S. § 60.16):

- (a) Provide the victim or a responsible adult if the victim is a minor child or an incompetent person, or an immediate family member of a first-degree murder victim, with a copy of the petition and a written statement signed by the officer attesting that the judge has approved the order.
- (b) Notify the person subject to an approved order of the issuance and conditions of the order, if known, and provide him/her a copy of the petition and the statement of the officer attesting to the order of the judge.
- (c) File the petition and supporting statements with the court when it is first open for business.

#### **318.5 VICTIM INFORMATION**

The Operations Bureau Commander shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including domestic abuse and sexual assault victims.
- (b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).
- (c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (d) A clear explanation of relevant court orders and how they can be obtained.
  1. A petition for an emergency temporary order of protection shall be included in the handout (22 O.S. § 40.3; 22 O.S. § 60.16).
- (e) Information regarding available compensation for qualifying victims of crime.
- (f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (g) Notice regarding U visa and T visa application processes.
- (h) Resources available for victims of identity theft.
- (i) A place for the officer's name, badge number, and any applicable case or incident number.

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- (j) Explanation of the address confidentiality program and how it can be initiated (22 O.S. § 60.14).
- (k) The 24-hour Oklahoma Safeline telephone number for victims of sexual assault or domestic abuse (21 O.S. § 142A-3).
- (l) The human trafficking emergency hotline and rights specific to victims of human trafficking (21 O.S. § 748.2).
- (m) Rights specific to victims of domestic abuse and rights specific to victims of sexual assault set forth in 21 O.S. § 142A-3 and 21 O.S. § 142C et seq
- (n) The constitutional and statutory rights of victims (21 O.S. § 142A-2).

#### **318.6 WITNESSES**

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

#### **318.7 POST-INVESTIGATION VICTIM AND WITNESS ASSISTANCE**

The Department will ensure victim and witness assistance services are provided during any follow-up investigation, including, but not limited to:

- (a) Complying with the provisions of state crime victims' compensation statutes.
- (b) Complying with all statutory provisions with respect to victims of sex offenses.
- (c) Explaining to a victim and/or witness the procedures involved in their case and their role in those procedures unless detrimental to the prosecution of the case.
- (d) Conducting follow-up investigative steps such as scheduling lineups, interviews and other required appearances.
- (e) Returning victim and witness property when permitted by law or rules of evidence in accordance with the Evidence and Property Management Unit Policy.

#### **318.8 ADDRESS CONFIDENTIALITY PROGRAM**

- A. Persons attempting to escape from actual or threatened domestic violence, sexual assault, or stalking frequently establish new addresses in order to prevent their assailants or probable assailants from finding them.
- B. An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person, as defined by Section 1-111 of Title 30 of the Oklahoma Statutes, may apply to the Attorney General to have an address designated by the Attorney General serve as the address of the person or the address of the minor or incapacitated person.
- C. A program participant may request that the Moore Police Department use the address designated by the Attorney General as the address of the participant. When creating a new public record, members of the Moore Police Department shall accept the

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address designated by the Attorney General as a substitute address for the program participant. The participant may request the address be used for both the home and work address. The address is usually a post office box. Ref: 22 O.S. § 60.14.

- D. No member of the Moore Police Department shall knowingly and intentionally disclose a program participant's actual address unless permitted by law.
- E. The participant should have a card for the program. The card will contain specific information that must be used when corresponding with the participant. The member will need to document this information in the incident report.



## Hate Crimes

### 319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

#### 319.1.1 DEFINITIONS

Definitions related to this policy include:

**Hate crime** - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim.

### 319.2 POLICY

The Moore Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

### 319.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance and community follow-up or identifying available resources to do so.
- (c) Educating community and civic groups about hate crime laws.

### 319.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.

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- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (emergency temporary order of protection) through the courts or City Attorney.

#### **319.4.1 CRIMINAL INVESTIGATIONS DIVISION RESPONSIBILITIES**

If a hate crime case is assigned to the Criminal Investigations Division, the assigned investigator will be responsible for:

- (a) Coordinating further investigation with the District and/or City Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.

#### **319.4.2 REPORTING HATE CRIMES**

The Support Services Supervisor shall maintain a standard system for the collection and reporting of hate crime data and ensure that all reports of hate crimes are reported pursuant to 21 O. S. § 850.

#### **319.5 TRAINING**

All members of this department should receive training on hate crime recognition and investigation.

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## Standards of Conduct

### 320.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Moore Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

This policy meets statutory requirements requiring the adoption of a professional conduct of officers policy pursuant to 11 O.S. § 34-107.

### 320.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

### 320.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

#### 320.3.1 UNLAWFUL OR CONFLICTING ORDERS

Generally, supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the

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opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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

#### **320.3.2 SUPERVISOR RESPONSIBILITIES**

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation, or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

#### **320.4 GENERAL STANDARDS**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Oklahoma Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies, procedures, and the CBA and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

#### **320.4.1 DISCIPLINARY PROCESS**

When initiated, discipline should incorporate training and counseling as corrective actions and follow adopted standards for progressive discipline.

#### **320.5 MISSION, VISION AND VALUES**

- (a) Members are expected to conduct themselves with a commitment to our city, our mission, our vision and our values and provide the best professional police services possible to our citizens.
  - 1. Our Mission Statement: The Moore Police Department is here to walk alongside residents to create a city desirable to live in. Forging strong partnerships, we will find answers and apply solutions to problems. Compassionately serving and

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seeking the best outcomes with the community. Fighting crime, **Passionately Protecting** the community, and humbly putting **Service Before Self**. Together we are **MOORE STRONG**.

- (b) Members shall aspire to enhance the community by positively impacting the lives of individuals. To achieve this vision, members shall adhere to these values:
1. Integrity: Our character in action; honest, trustworthy and incorruptible..
  2. Accountability: Openly operating to the expectations of the community. Own our actions..
  3. Humility: We are not better than our citizens, service before self..
  4. Professionalism: Treating everyone with dignity and respect. Service with pride and honor..
  5. Empowerment: Leading to increase partnerships and effectiveness, seeking excellence..

#### **320.6 CAUSES FOR DISCIPLINE**

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

##### **320.6.1 LAWS, RULES AND ORDERS**

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive or requirement, or failure to follow instructions contained in department policy manuals, or if not covered by this policy manual or the CBA, then the City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.
- (d) Insubordination toward a superior.
- (e) Publicly criticizing the official action of a superior.

##### **320.6.2 ETHICS**

- (a) Using or disclosing one's status as a member of the Moore Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).

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- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.
- (h) Any employee who has knowledge of any infraction of departmental rules and regulations and does not report the infraction to a supervisor or to the Chief of Police will be subject to similar disciplinary actions.

#### 320.6.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

#### 320.6.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of, such criminal activities, except as specifically directed and authorized by this department.

#### 320.6.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

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- (e) Faking sickness or injury to escape duty.

#### 320.6.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Moore Police Department badge, uniform, identification card/Commission Card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

#### 320.6.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Inattention to duty.
- (c) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- (d) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (e) Unauthorized sleeping during on-duty time or assignments.
- (f) Failure to notify the Department within 24 hours of any change in residence address, home contact telephone numbers or marital status.
- (g) Failure to take proper care of equipment.

#### 320.6.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any workrelated investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

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- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  - 1. While on department premises.
  - 2. At any work site, while on-duty or while in uniform or while using any department equipment or system.
  - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
  - 1. Unauthorized attendance while on duty at official legislative or political sessions.
  - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on duty or on department property except as expressly authorized by City policy, the employment agreement or contract or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the employment agreement or contract or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

#### 320.6.9 CONDUCT

- (a) Any conduct unbecoming an employee of the Moore Police Department.
- (b) Malfeasance.
- (c) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (d) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (e) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.



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- (f) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (g) Engaging in horseplay that reasonably could result in injury or property damage.
- (h) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (i) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (j) Criminal, dishonest or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (k) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (l) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (m) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any employment agreement or contract, including fraud in securing the appointment or hire.
- (n) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (o) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.
- (p) Refusing to give badge number or name when requested. Members may delay providing this information under rapidly developing situations. Members are not required to provide their badge numbers or names to persons not directly involved in an incident, but are deliberately trying to distract or otherwise interfere with the member.
- (q) Failing to contemporaneously notify a supervisor of a person's request for a supervisor.
- (r) Failing to comply with rules in the CBA.

#### 320.6.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, CLEET certification).
- (c) Unsafe firearm or other dangerous weapon handling including loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (d) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (e) Unsafe or improper driving habits or actions in the course of employment or appointment.

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- (f) Any personal action contributing to a preventable traffic collision.
- (g) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable.

#### 320.6.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

## Discipline

### 321.1 PURPOSE

The purpose of this policy is to inform all employees of agency procedures for administration of discipline.

### 321.2 POLICY

It is the policy of the Moore Police Department to insure that discipline is administered in a fair, objective and equitable manner while recognizing the rights and procedural safeguards provided for in statutory and case law.

### 321.3 DEFINITIONS

**Counseling**-Nondisciplinary warning of an employee by a supervisor to correct violations of policy or law. Counseling is informally documented.

**Demotion**-The involuntary lowering of rank or pay grade.

**Disciplinary Probation**-A period of time in which an employee is given to improve performance or correct behavior before more serious measures are taken.

**Involuntary Restitution**-A corrective action that may be ordered in conjunction with disciplinary action in cases involving equipment that is lost or damaged as the result of an intentional and/or negligent act committed by the employee.

**Letter of Reprimand**-A formal letter issued to an employee documenting one or more violations of policy or law that is placed in the employee's personnel file.

**Loss of Leave**-The removal of a portion of an employee's accumulated leave.

**Suspension**-Temporary unpaid time away from the workplace for violations of policy or law.

**Termination**-The involuntary ending of employment.

### 321.4 DISCIPLINARY ACTIONS

#### 321.4.1 BASIS FOR DISCIPLINARY ACTION

- (a) A violation of state, local, or federal law as codified by courts of competent jurisdiction;
- (b) Any violation of an applicable portion of the Moore Police Department Policies;
- (c) Any violation of any other applicable City of Moore Policy or Procedure; or
- (d) Any other violation constituting just cause where the employee was not acting in good faith.

#### 321.4.2 DISCIPLINARY ACTIONS

- (a) Counseling
- (b) Letter of Reprimand

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- (c) Disciplinary Probation (not to exceed one (1) year)
- (d) Loss of Leave
- (e) Suspension without pay (not to exceed thirty (30) calendar days)
- (f) Demotion
- (g) Termination

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# Information Technology Use

## 322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

### 322.1.1 DEFINITIONS

Definitions related to this policy include:

**Information Technology (IT) System** - For the purposes of this policy, IT System encompasses and includes tablets, department issued cell phones and all of the following definitions; Computer System, Hardware, Software, and Temporary file, permanent file or file.

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Moore Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

**Information Technology (IT) System/ Network Administrator** - The employee or employees of the City of Moore assigned with the responsibility for managing all aspects of IT Systems through components, computers and computer networks of this agency.

## 322.2 POLICY

### 322.3 PRIVACY EXPECTATION

Employees are advised they do not maintain any right to privacy in City IT equipment or its contents, to include personally owned software installed on City equipment.

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any computer system that is issued or maintained by the Department, including the

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department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all key strokes or Web-browsing history made at any department computer system. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers or electronic devices.

However, the Department may not request or require a member to disclose a personal username or password or open a personal social website for review or observation. When it is reasonably believed, based on the receipt of specific information, that work-related misconduct has or is occurring, the employee may be required to share the content that has been reported in order to make a factual determination (40 O.S. § 173.2).

#### **322.4 RESTRICTED USE**

- (a) Transmission of electronic messages and information on communications media provided for employees of the Moore Police Department shall be treated with propriety, professionalism, and confidentiality.
- (b) The use of City of Moore IT Systems is a privilege subject to revocation.
- (c) IT Systems and their contents are the property of this agency and intended for use in the conducting of official business with limited exceptions noted elsewhere in this policy.
- (d) Intentionally accessing or transmitting materials, other than that required for department business, that involves the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage any person, group, or classification of individuals is prohibited whether or not a recipient has consented to or requested such material.
- (e) Confidential, proprietary, or sensitive information may be disseminated, or made available through shared directories or networked systems, only to individuals with a need and right to know and when there is sufficient assurance that appropriate security of such information will be maintained.
- (f) No employee shall access any file or database unless that person has a need and right to such information. Additionally, personal identification and access codes shall not be revealed to any unauthorized person.
- (g) The use of any City IT System by any unauthorized person, including friends and family, is strictly prohibited.
- (h) Employees are prohibited from using department IT systems to conduct a personal profit making business or promote any product, service or cause without permission of the Chief of Police.
- (i) Certain employees may be granted permission to remotely access department computer networks with their personally owned computers. If this permission is granted, the employee accepts the following; The employee is required to comply with all department policies and procedures as if the employee were using a department owned computer. The employee is limited to storing or printing the minimum necessary

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department data to handle immediate work requirements. The stored data must be deleted as soon as it is no longer needed to meet these requirements. The employee is expressly prohibited from collecting and storing multiple records from the department network beyond the limits of this policy.

Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Commanders.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

#### 322.4.1 IMPORTING AND DOWNLOADING INFORMATION AND SOFTWARE

Restrictions:

- (a) Employees shall not download or install on an agency computer or network terminal any file, including sound and video files and files attached to e-mail messages, software, or other materials from the internet or other external sources without taking prescribed steps to preclude infection by computer viruses.
- (b) Employees shall not disregard security software warnings without trusting the source of the content, or disable or circumvent the security software.
- (c) In no case shall external materials or applications be downloaded directly to any shared (network) drive. When in doubt, employees shall consult the system administrator for guidance.
- (d) Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.
- (e) Any software for which proof of licensing cannot be provided is subject to removal by authorized agency personnel. Privately owned software shall be removed if it conflicts with departmental hardware or software, interferes with the ability of other employees to access or utilize the IT System, or occupies excessive storage space needed by this agency.  
The agency reserves the right to require the removal of any software or application from the IT System without compensation to the employee.
- (f) Employees shall observe copyright restrictions of any documents, images, or sounds sent through or stored on e-mail.
- (g) Any hardware enhancements or additions to agency owned equipment must be approved by the system administrator. The system administrator is responsible for determining proper installation procedures.

#### 322.4.2 COMPUTER LAPTOPS AND TABLETS

The Moore Police Department may assign a computer laptop or tablet to each employee as needed to conduct his/her assigned duties. The employee shall comply with the following:

- (a) The Moore Police Department reserves the right to require the return of the computer laptop or tablet from the employee at any time and without notice. If return of the

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computer laptop or tablet is requested, it must be handed in within 24 hours of the request being made.

- (b) The employee is required to have the computer laptop or tablet at work.
- (c) The employee is responsible for the computer laptop or tablet and must take all reasonable precautions to prevent damage or theft. This includes any peripheral devices or associated equipment issued with the computer laptop or tablet. If the computer laptop or tablet is lost or stolen, the employee is required to immediately notify a supervisor. The supervisor is then required to notify the system administrator.
- (d) The employee is required to report any malfunctions or any other technical problems with the computer laptop or tablet as soon as practicable.
- (e) The employee shall not permanently alter the computer laptop or tablet in any way, either physically or electronically (jail breaking), or remove the serial number or any department applied identification.
- (f) The Moore Police Department will provide an unlimited data plan for the computer tablet, and may provide it with the laptop. The unlimited plan may have a range limited to regional, state, or national coverage. The employee is allowed to utilize the data plan for personal use. It is the responsibility of the employee, when operating the computer laptop or tablet for personal use, to determine the range of the plan and accept any additional expenses incurred by using the plan outside this range.
- (g) The employee is allowed to add personal applications to the computer tablet as long as the apps comply with department policy and are obtained from department approved websites or vendors.

#### **322.5 PROTECTION OF SYSTEMS AND FILES**

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

Connecting any departmental system to unknown / unsecured WIFI hotspots while viewing or transmitting Critical / Sensitive work related Data is strictly prohibited. (Example: connecting to a McDonald's free WIFI hotspot.)



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##### **322.5.1 DISCLOSURE OF BREACH OF SECURITY OF COMPUTERIZED PERSONAL INFORMATION**

Any breach of computerized data owned or maintained by the Department shall be disclosed to any resident of Oklahoma whose unencrypted personal information is reasonably believed to have been acquired by an unauthorized person (74 O.S. § 3113.1).

The disclosure shall be made in the most expedient time possible and without unreasonable delay unless this department or another law enforcement agency determines that the notification would impede a criminal investigation.

##### **322.6 INSPECTION AND REVIEW**

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

## Department Use of Social Media

### 323.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

#### 323.1.1 DEFINITIONS

Definitions related to this policy include:

**Social media** - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

**Social Networks**: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

### 323.2 POLICY

The Moore Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

### 323.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

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#### **323.4 AUTHORIZED CONTENT**

Only content that is appropriate for public release, that supports the department mission and that conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

##### **323.4.1 INCIDENT-SPECIFIC USE**

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

#### **323.5 PROHIBITED CONTENT**

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Moore Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

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##### **323.5.1 PUBLIC POSTING PROHIBITED**

Department social media sites shall be designed and maintained to prevent posting of content by the public.

Comments will be monitored. Any comment not pertaining to the original post may be removed. Any link to another page placed by citizens in the comments may be removed. Any hate speech towards a protected class, vulgar, indecent, or threatening comments will be removed and the profile posting the information will be banned. Comments will not be removed just because they may be seen as negative.

The Department may provide a method for members of the public to contact department members directly.

##### **323.6 MONITORING CONTENT**

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

##### **323.6.1 BLOCKING, DELETING, HIDING PUBLIC COMMENTS**

We generally allow the public to comment on our Social Media posts. By doing so, we recognize that these comments are protected under the First Amendment to the Constitution. The blocking, deleting, or hiding of public comments should only occur when they contain the following:

1. Obscene material
2. Threats to another person
3. Profane or abusive language
4. Comments unrelated to the purpose of the account
5. Advertisements
6. Links to other sites

##### **323.7 RETENTION OF RECORDS**

The Support Services Bureau Commander should ensure that public records generated in the process of social media use are retained in accordance with established records retention schedules.

##### **323.8 TRAINING**

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

## Report Preparation

### 324.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

### 324.2 POLICY

It is the policy of the Moore Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

### 324.3 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

### 324.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

### 324.5 REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if he/she deems it necessary or as directed by a supervisor.

#### 324.5.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests.

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- (b) All felony crimes.
- (c) Non-felony criminal incidents involving threats.
- (d) Situations covered by separate policy. These include:
  - 1. Use of Force Policy
  - 2. Domestic Abuse Policy
  - 3. Child Abuse Policy
  - 4. Adult Abuse Policy
  - 5. Hate Crimes Policy
- (e) Suspicious Activity Reporting Policy
- (f) All misdemeanor crimes where the victim desires a report.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., a dispatch log).

#### 324.5.2 NON-CRIMINAL ACTIVITY

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.
- (f) Any use of force by members of this department against any person (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic collisions above the minimum reporting level (see the Traffic Collisions Policy).
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

#### 324.5.3 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) There is an attempted suicide.

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- (c) The injury is major or serious, and potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.

#### 324.5.4 DEATHS

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- (a) Unattended deaths (no physician or qualified hospice care during the period preceding death)
- (b) Sudden, accidental or suspicious deaths
- (c) Suicides
- (d) Homicide or suspected homicide
- (e) Found dead bodies or body parts

#### 324.5.5 CITY PERSONNEL OR PROPERTY

Incidents involving City personnel or property shall require a report when:

- (a) An injury occurs as the result of an act of a City employee or on City property.
- (b) There is damage to City property or equipment.

#### **324.6 ALTERNATIVE REPORTING FOR VICTIMS**

The Moore Police Department may, at the discretion of the Chief of Police, develop reports that may be submitted by the public via online or other self-completed reporting processes.

#### **324.7 REVIEW AND CORRECTIONS**

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete a correction request through the report management system stating the reasons for rejection.

The request for correction notice should be sent to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member and the supervisor to ensure that any report returned for correction is processed in a timely manner.

#### 324.7.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor and submitted to the reporting system shall not be modified or altered except by way of a supplemental report.

Reviewed reports that have not yet been submitted and approved may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor.

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#### **324.8 IAPRO / BLUE TEAMS**

The Moore Police Department utilizes IAPRO / Blue Teams software to centralize and standardize the documentation of the following types of reports:

1. Administrative investigations
2. Awards and commendations
3. Use of force
4. Constructive use of force
5. Vehicle pursuits
6. Vehicle accidents
7. Vehicle damage
8. Citizen complaints
9. Internal complaints
10. Firearm discharge
11. Inquiry
12. K-9 utilization
13. Impound hearings

Members are required to utilize the software when reporting on these report types. Procedures are established in the procedures manual as guidelines for this purpose..



## Media Relations

### 325.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

### 325.2 POLICY

It is the policy of the Moore Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

### 325.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Bureau Commanders, Shift Supervisors and designated Public Information Officers (PIOs) may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

### 325.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

### 325.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

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- (c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.

#### **325.6 ACCESS**

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities as required by law.

Access by the media is subject to the following conditions:

- (a) The Media will not be allowed in or escorted through areas cordoned off as crime scenes or in areas that would interfere with or hamper law enforcement operations.
- (b) The media representative shall produce valid media credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (c) Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.
  - 1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
- (d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express written consent of the person in custody.
- (e) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

##### **325.6.1 CRITICAL OPERATIONS**

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

##### **325.6.2 TEMPORARY FLIGHT RESTRICTIONS**

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower.

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If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

#### **325.7 CONFIDENTIAL OR RESTRICTED INFORMATION**

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

Restricted information includes, but is not limited to:

- (a) Identifying information pertaining to a juvenile arrestee, victim or witness without prior approval of a competent court or as otherwise allowed by law.
- (b) Information concerning incidents involving persons whose identities are classified as private or confidential under state law (i.e., sex crime victims).
- (c) Identifying information concerning deceased individuals.
  - 1. Information may be released upon verification of the decedent's identity when notification has been made to the decedent's family, and the release is approved by a supervisor.
- (d) Information contained in the personnel record of any member, unless otherwise specifically allowed by law.
- (e) Criminal history information.
- (f) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (g) Information pertaining to pending litigation involving this department.
- (h) Information obtained in confidence.
- (i) Any information that is otherwise privileged or restricted under state or federal law.

#### **325.7.1 EMPLOYEE INFORMATION**

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the Chief of Police or his/ her designee.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

All such requests must be processed in accordance with the Records Maintenance and Release Policy. Requests should be reviewed and fulfilled by the Records Division, the Public Information Office or the supervisor for those divisions. If unavailable, the Shift Commander or the authorized designee may receive the requests. Such requests will be processed in accordance with the

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provisions of the Records Maintenance and Release Policy and public records laws (e.g., Oklahoma Open Records Act) (51 O.S. § 24A.1 et seq.).

#### **325.8 RELEASE OF INFORMATION**

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

##### **325.8.1 INFORMATION LOG**

The Department may maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Records Division or through a system accessible to the public.

The daily information log will generally include:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).
- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

## Subpoenas and Court Appearances

### 326.1 PURPOSE AND SCOPE

### 326.2 POLICY

Moore Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

#### 326.2.1 IMPLIED CONSENT HEARINGS

Members shall honor notices of Implied Consent Hearings in the same manner as court subpoenas.

### 326.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

#### 326.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Moore Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Moore Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

### 326.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

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##### **326.5 STANDBY**

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

Members are required to remain on standby until released by the court or the party that issued the subpoena.

##### **326.6 COURTROOM PROTOCOL**

Members must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are scheduled to appear.

Members shall dress in the department uniform or business attire.

Members shall observe all rules of the court in which they are appearing and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

##### **326.6.1 TESTIMONY**

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

##### **326.7 OVERTIME APPEARANCES**

When a member appears in court on his/her off-duty time, for matters arising from their employment with the City of Moore, he/she will be compensated in accordance with the current employment agreement.

## Outside Agency Assistance

### 327.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

### 327.2 POLICY

It is the policy of the Moore Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

### 327.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of pre-arranged assistance from another agency should be routed to the Chief's office for approval. In some instances, a memorandum of understanding, specialized agreement or other established protocol may exist that eliminates the need for approval of individual requests (11 O.S. § 34-103; 19 O.S. § 547; 63 O.S. § 695.2 et seq.).

When another law enforcement agency requests immediate or urgent assistance from this department, the Shift Commander, or the highest ranking supervisor on-duty may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance; however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When any assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

#### 327.3.1 POWERS AND DUTIES

Peace officers serving in response to an emergency request shall have the same powers and duties as peace officers employed by the requesting law enforcement agency (11 O.S. § 34-103; 19 O.S. § 547).

#### 327.3.2 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Moore Police Department shall notify his/her supervisor or the Shift Commander and Communications Division as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

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#### **327.4 REQUESTING OUTSIDE ASSISTANCE**

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

#### **327.5 REPORTING REQUIREMENTS**

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Shift Commander.

#### **327.6 MANDATORY SHARING**

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Support Services Division Commander.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
  - 1. The use of the equipment and supplies.
  - 2. The members trained in the use of the equipment and supplies.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be made available to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Coordinator should maintain documentation that the appropriate members have received the required training.

#### **327.7 REQUESTING NATIONAL GUARD ASSISTANCE**

Any request for assistance from the Oklahoma National Guard or federal troops shall be made to the governor of the State of Oklahoma.



## Registered Offender Information

### 328.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Moore Police Department will address issues associated with certain offenders who are residing in the jurisdiction, and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders and violent offenders.

### 328.2 POLICY

It is the policy of the Moore Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

### 328.3 REGISTRATION

The Criminal Investigations Division supervisor shall establish a process to reasonably accommodate registration of offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Oklahoma Department of Corrections (DOC) within three days in accordance with 57 O.S. § 584 and 57 O.S. § 595.

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

#### 328.3.1 CONTENTS OF REGISTRATION

Members shall use forms approved by the DOC during the offender registration process and ensure that the required notices are provided and appropriately explained. Offenders shall be required to read and sign a form stating that their duty to register has been explained (57 O.S. § 583; 57 O.S. § 595).

A sex offense registrant shall be photographed if an existing DOC sex offender registry photograph is more than one year old or if it cannot be determined when the registry photograph was taken (57 O.S. § 584). A violent crime registrant should be photographed annually (57 O.S. § 595).

### 328.4 MONITORING OF REGISTERED OFFENDERS

The Criminal Investigations Division supervisor should establish a system to verify that a registrant remains in compliance with his/her registration requirements after the initial registration (57 O.S. § 584). This verification may include any of the following:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.

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- (b) Review of information on the Oklahoma Sex Offender Registry, Violent Crime Offender Registry, the National Sex Offender Public Website, or other internet based search, or other websites.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the DOC.

The Criminal Investigations Division supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Moore Police Department members, including timely updates regarding new or relocated registrants.

#### **328.5 DISSEMINATION OF PUBLIC INFORMATION**

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made (57 O.S. § 584; 57 O.S. § 596).

Members of the public requesting information on registrants should be directed to the Oklahoma Sex Offender Registry website, Violent Crime Offender Registry website or the Moore Police Department website (57 O.S. § 599.1).

The Support Services Supervisor shall release local registered offender information to residents in accordance with 57 O.S. § 584 and 57 O.S. § 595, and in compliance with an Oklahoma's Open Records Act request.

##### **328.5.1 RELEASE NOTIFICATIONS**

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

##### **328.5.2 DISSEMINATION**

The Chief of Police or his/ her designee, may initiate public notification by any method deemed appropriate after a habitual or aggravated sex offender or a habitual violent crime offender has registered with the Moore Police Department (57 O.S. § 584; 57 O.S. § 595).

## Major Incident Notification

### 329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Moore Police Department in determining when, how and to whom notification of major incidents should be made.

### 329.2 POLICY

The Moore Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

### 329.3 CRITERIA FOR NOTIFICATION

Situations where the media show a strong interest are also of interest to the Chief of Police, the Bureau Commanders and the City. The on call Command Duty Officer should be contacted as soon as practicable and will make determination on further notifications.

The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings and Deaths Policy for special notification)
- Homicides, suspicious deaths or deaths related to law enforcement activity
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults
- At-risk missing children or at-risk missing adults
- In-custody deaths or serious injuries
- Aircraft, train, boat or other transportation collisions with major damage and/or injury or death
- Traffic collisions with fatalities or severe injuries
- Death of a prominent Moore official
- Significant injury or death to a member of the Department, whether on- or off-duty
- Arrest of a member of the Department or prominent Moore official
- Equipment failures, utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident that has attracted or is likely to attract significant media attention

### 329.4 SHIFT COMMANDER RESPONSIBILITIES

The Shift Commander is responsible for making the appropriate notifications. The Shift Commander shall make reasonable attempts to obtain as much information on the incident as

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possible before notification, and shall attempt to make the notifications as soon as practicable. Notification should be made by using the call notification protocol.

#### 329.4.1 COMMAND STAFF NOTIFICATION

In the event an incident occurs as identified in the Criteria for Notification section above, the Chief of Police shall be notified along with the affected Bureau Commander and the Support Services Bureau Commander if that bureau is affected.

#### 329.4.2 INVESTIGATOR NOTIFICATION

If the incident requires that an investigator respond from home, the immediate supervisor of the appropriate detail shall be notified, who will then contact the appropriate investigator.

#### 329.4.3 ACCIDENT SPECIALIST NOTIFICATION

In the event of a major injury or traffic fatality, the accident specialist supervisor shall be notified, who will then contact the appropriate investigator.

#### 329.4.4 PUBLIC INFORMATION OFFICER

After members of the command staff have been notified, the Public Information Officer shall be called if it appears the media may have a significant interest in the incident.

## Death Investigation

### 330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

### 330.2 POLICY

It is the policy of the Moore Police Department to respond, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, conducted and properly documented.

### 330.3 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the Support Services Bureau Commander as necessary. The Shift Commander will make notification to command staff in accordance with the Major Incident Notification Policy.

The death of persons under hospice care are only investigated or reported when the death is unusual or suspicious.

#### 330.3.1 REPORTING

All incidents involving a death, except under hospice care, shall be documented on the appropriate form.

#### 330.3.2 MEDICAL EXAMINER REQUEST

Officers are not authorized to pronounce death unless they are also Medical Examiners, Deputy Medical Examiners, or appointed Medical Examiner investigators. The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Medical Examiner be notified in any of the following cases (63 O.S. § 938; 63 O.S. § 940):

- (a) Violent deaths, whether apparently homicidal, suicidal, or accidental
- (b) Deaths under suspicious, unusual, or unnatural circumstances
- (c) Deaths related to disease that might constitute a threat to public health
- (d) Deaths unattended by a licensed physician for a fatal or potentially fatal illness

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- (e) Deaths that are medically unexpected and that occur in the course of a therapeutic procedure
- (f) Deaths of any persons detained or occurring in custody of penal incarceration
- (g) Deaths of persons whose bodies are to be cremated, transported out of the state, donated to educational entities, to include limited portions of the body, or otherwise made ultimately unavailable for pathological study

#### 330.3.3 SEARCHING DEAD BODIES

- (a) Medical Examiner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner or his/her assistant, the investigating officer should first obtain verbal consent from the Medical Examiner or his/her assistant when practicable.
- (c) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Medical Examiner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.

#### 330.3.4 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Criminal Investigations Division shall be notified to determine the possible need for an investigator to respond to the scene.

If the on-scene supervisor, through consultation with the Shift Commander or Criminal Investigations Division supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances is responsible for contacting the Medical Examiner.

#### 330.3.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this department who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

#### **330.4 UNIDENTIFIED DEAD BODY**

If the identity of a dead body cannot be established, the handling officer will request from the Medical Examiner a unique identifying number for the body. The number shall be included in any report.

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##### **330.4.1 IDENTIFYING MISSING OR PREVIOUSLY UNIDENTIFIED DEAD BODY**

When a dead body previously reported missing has been found or when a previously reported unidentified dead body has been identified, the Department shall report to the National Missing and Unidentified Persons System (NamUs) within 24 hours that the person has been found and that the case can be archived within NamUs (74 O.S. § 151.3).

##### **330.5 DEATH NOTIFICATION**

When reasonably practicable, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

##### **330.6 PARENTAL RIGHTS**

Parents should generally be allowed to view the body of their deceased child if supervised by an officer and accomplished in a manner that will not disturb any evidence or impair an investigation. If the investigation qualifies for an autopsy, parents who wish to touch a deceased child may only be allowed to do so with the consent of the Medical Examiner or the authorized designee (63 O.S. § 944).

## Identity Theft

### 331.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of identity theft.

### 331.2 POLICY

It is the policy of the Moore Police Department to effectively investigate cases of identity theft.

### 331.3 ACCEPTANCE OF REPORTS

A report shall be taken any time a person living within the jurisdiction of the Moore Police Department reports that he/she has been a victim of identity theft. This includes (21 O.S. § 1533.3):

- (a) Taking a report even if the location of the crime is outside the jurisdiction of this department or has not been determined.
- (b) Providing the victim with department information, as set forth in the Victim and Witness Assistance Policy. Encourage the individual to review the material, and assist with any questions.
- (c) When requested, provide the victim with a copy of the report.

A report should also be taken if a person living outside the department jurisdiction reports an identity theft that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in Moore to facilitate the crime).

### 331.4 FOLLOW-UP INVESTIGATION

A member investigating a case of identity theft should ensure that each case is referred to the appropriate agency if it is determined that this department should not be the investigating agency (e.g., an identity theft ring working from out of state). The victim should be advised that the case is being transferred to the agency of jurisdiction for investigation. The investigating member should also ensure that appropriate entries are made into related databases that have been authorized for department use.



## Private Person's Arrest

### 332.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's, also known as a citizen's, arrest.

### 332.2 POLICY

It is the policy of the Moore Police Department to accept a private person's arrest only when legal and appropriate.

### 332.3 ARRESTS BY PRIVATE PERSON

A private person may arrest another under the following circumstances:

- (a) Breach of the peace (22 O.S. § 200)
- (b) A public offense committed or attempted in the presence of the private person (22 O.S. § 202)
- (c) When the person arrested has committed a felony although not in the presence of the private person (22 O.S. § 202)
- (d) When a felony has been committed, and the private person has reasonable cause to believe the person arrested committed the felony (22 O.S. § 202)
- (e) Without a warrant, upon reasonable information that the person stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year (22 O.S. § 1141.14)
- (f) When directed by a magistrate by a verbal or written order (22 O.S. § 201)

### 332.4 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest.

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#### **332.5 PRIVATE PERSON'S RESPONSIBILITY**

The arresting person should sign required complaints and/or citations. If the person fails or refuses to do so, the arrested individual should be released, unless the officer has a lawful reason, independent of the private person's arrest, to take the individual into custody and determines an arrest is appropriate.

## Limited English Proficiency Services

### **333.1 PURPOSE AND SCOPE**

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

### **333.2 POLICY**

It is the policy of the Moore Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

### **333.3 TYPES OF LEP ASSISTANCE AVAILABLE**

Moore Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

### **333.4 QUALIFIED BILINGUAL MEMBERS**

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments who have been identified by the Department as having the requisite skills and competence may be requested.

### **333.5 COMPLAINTS**

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate.

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Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

## Communications with Persons with Disabilities

### 334.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

### 334.2 POLICY

It is the policy of the Moore Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees, have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

### 334.3 TYPES OF ASSISTANCE AVAILABLE

Moore Police Department members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall it require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to disabled individuals through a variety of services.

Disabled individuals may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

### 334.4 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, are hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

### 334.5 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy.

## Chaplains

### 335.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Moore Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

### 335.2 POLICY

The Moore Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

### 335.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, free from addiction to alcohol or other drugs, and free from excessive debt.
- (b) Having a good reputation in the community.
- (c) Successful completion of an appropriate-level background investigation.
- (d) Possession of a valid driver license.

The Chief of Police may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

### 335.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Moore Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as civilian department personnel before appointment.

#### 335.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and non-discriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

#### 335.4.2 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Submit the appropriate written application.
- (b) Include a recommendation from employers or volunteer programs.

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- (c) Interview with the Chief of Police and the chaplain coordinator.
- (d) Successfully complete an appropriate-level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment.

#### **335.5 IDENTIFICATION AND UNIFORMS**

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform. Chaplain uniforms shall not reflect any religious affiliation.

Chaplains will be issued Moore Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Moore Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

#### **335.6 CHAPLAIN COORDINATOR**

The Chief of Police may delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Command Staff Bureau Commander.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police, chaplains shall report to the chaplain coordinator and/or Shift Commander.

#### **335.7 DUTIES AND RESPONSIBILITIES**

Chaplains assist the Department, its members and the community as needed. Assignments of chaplains will usually be to augment the Operations Bureau, but chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills and abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

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Chaplains may not accept gratuities for any service, or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Moore Police Department.

#### **335.7.1 COMPLIANCE**

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteers Policy and other applicable policies.

#### **335.7.2 ASSISTING DEPARTMENT MEMBERS**

The responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members who are dealing with the public during significant incidents (e.g., accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse).
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

#### **335.8 PRIVILEGED COMMUNICATIONS**

No person who provides chaplain services to members of the Department may work or volunteer for the Moore Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Moore Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.



## Child and Dependent Adult Safety

### 336.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

### 336.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Moore Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

### 336.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should consider reasonable alternatives to arresting a parent, guardian or caregiver in the presence of his/her child or dependent adult.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be nonproductive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

#### 336.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

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Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
  - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence that it would not be in the dependent person's best interest (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
  - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the Department of Human Services, if appropriate.
- (e) Notify the field supervisor or Shift Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

#### 336.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make telephone calls to arrange for the care of any child or dependent adult in accordance with the Temporary Custody of Adults Policy.

If an arrestee is unable to arrange for the care of any child or dependent adult through this process, or circumstances prevent them from making such arrangements (e.g., their behavior prevents reasonable accommodations for making necessary calls), a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

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##### **336.3.3 SUPPORT AND COUNSELING REFERRAL**

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis response telephone number, the appropriate referral information may be provided.

##### **336.4 DEPENDENT WELFARE SERVICES**

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service agency to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

##### **336.5 TRAINING**

The Training Coordinator is responsible for ensuring that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

## Service Animals

### 337.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

#### 337.1.1 DEFINITIONS

Definitions related to this policy include:

**Service animal** - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

### 337.2 POLICY

It is the policy of the Moore Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

### 337.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

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- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

#### **337.4 MEMBER RESPONSIBILITIES**

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Moore Police Department affords to all members of the public (28 CFR 35.136).

##### **337.4.1 INQUIRY**

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

##### **337.4.2 CONTACT**

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

##### **337.4.3 REMOVAL**

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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##### 337.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

# Volunteers

## 338.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Moore Police Department volunteers to supplement and assist department personnel in their duties. Trained volunteers are members who can augment department personnel and help complete various tasks.

Any reference to coordinator also includes the assistant coordinator.

### 338.1.1 DEFINITIONS

Definitions related to this policy include:

**Volunteer** - An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, persons providing administrative support, among others.

## 338.2 POLICY

The Moore Police Department shall ensure that volunteers are properly appointed, trained and supervised to carry out specified tasks and duties in order to create an efficient department and improve services to the community.

## 338.3 ELIGIBILITY

Requirements for participation as a volunteer for the Department may include, but are not limited to:

- (a) Residency in the City of Moore.
- (b) Being at least 21 years of age for all positions.
- (c) Possession of a valid driver license if the position requires vehicle operation.
- (d) Possession of liability insurance for any personally owned equipment, vehicles or animals utilized during volunteer work.
- (e) No conviction of a felony, any crime of a sexual nature or against children, any crime related to assault or violence, any crime related to dishonesty, or any crime related to impersonating a law enforcement officer.
- (f) No mental illness or chemical dependency condition that may adversely affect the person's ability to serve in the position.
- (g) Ability to meet physical requirements reasonably appropriate to the assignment.
- (h) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.

The Chief of Police may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

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### **338.4 RECRUITMENT, SELECTION AND APPOINTMENT**

The Moore Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

#### **338.4.1 RECRUITMENT**

Volunteers may be recruited on a basis consistent with department policy on equal opportunity, nondiscriminatory basis. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested department members to the volunteer coordinator through the requester's immediate supervisor. A complete description of the volunteer's duties and a requested time frame should be included in the request. All department members should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The volunteer coordinator may withhold assignment of any volunteer until such time as the requester is prepared to make effective use of volunteer resources.

#### **338.4.2 SELECTION**

Volunteer candidates shall successfully complete the following process prior to appointment as a volunteer:

- (a) Submit the appropriate written application.
- (b) Interview with the volunteer coordinator.
- (c) Successfully complete an appropriate-level background investigation.

#### **338.4.3 APPOINTMENT**

Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment by the Chief of Police. Notice may only be given by an authorized representative of the Department, who will normally be the volunteer coordinator.

No volunteer should begin any assignment until he/she has been officially accepted for that position and has completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the Department.

All volunteers shall receive a copy of the volunteer orientation materials and shall be required to sign a volunteer agreement. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills and abilities and the needs of the Department.

Volunteers serve at the discretion of the Chief of Police.

### **338.5 IDENTIFICATION AND UNIFORMS**

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress in accordance with procedure [Moore Police Department Procedures Manual: 1001.10 NON-UNIFORMED PERSONNEL](#). Any required uniforms and necessary safety equipment will be provided for each volunteer. Identification



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symbols worn by volunteers shall be different and distinct from those worn by officers or other members of this department through the inclusion of "Volunteer" on the uniform.

Volunteers will be issued Moore Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Moore Police Department identification cards, except that "Volunteer" will be indicated on the cards.

#### **338.6 PERSONNEL WORKING AS VOLUNTEERS**

City employees generally will not be accepted into the volunteer program due to the potential conflict of interest. This can be waived at the discretion of the Chief.

#### **338.7 VOLUNTEER COORDINATOR**

volunteer coordinator may be appointed by and directly responsible to the Chief of Police.

The function of the coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist efforts to jointly provide more productive volunteer services. Under the general direction of the Chief of Police, volunteers shall report to the volunteer coordinator, assistant coordinator, and/or Shift Commander.

The volunteer coordinator may appoint an assistant coordinator to assist in the coordination of volunteers and their activities.

The responsibilities of the coordinator and assistant coordinator include, but are not limited to:

- (a) Recruiting, selecting and training qualified volunteers.
- (b) Conducting volunteer meetings.
- (c) Establishing and maintaining a volunteer call out roster.
- (d) Maintaining records for each volunteer.
- (e) Tracking and evaluating the contribution of volunteers.
- (f) Maintaining a record of volunteer schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining a liaison with other community programs that use volunteers and assisting in community-wide efforts to recognize and promote volunteering.
- (j) Maintaining volunteer orientation and training materials and outlining expectations, policies and responsibilities for all volunteers.

An evaluation of the overall use of volunteers will be conducted on an annual basis by the coordinator.

#### **338.8 DUTIES AND RESPONSIBILITIES**

Volunteers assist department personnel as needed. Assignments of volunteers will usually be to augment the Operations Bureau, but volunteers may be assigned to other areas within the

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Department as needed. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills and abilities and the needs of the Department.

All volunteers will be assigned to duties by the volunteer coordinator.

#### **338.8.1 COMPLIANCE**

Volunteers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each volunteer upon appointment. The volunteer shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to regular department personnel, it shall also apply to a volunteer, unless by its nature it is inapplicable.

Volunteers are required by this department to meet department-approved training requirements as applicable to their assignments.

#### **338.8.2 VOLUNTEER MEETINGS**

All volunteers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the volunteer coordinator.

#### **338.9 TASK-SPECIFIC TRAINING**

Task-specific training is intended to provide the required instruction and practice for volunteers to properly and safely perform their assigned duties. A volunteer's training should correspond to his/her assignment as determined by the volunteer coordinator.

Volunteers will be provided with an orientation program to acquaint them with the policies of the Department and law enforcement procedures applicable to their assignments.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks, and should receive ongoing training as deemed appropriate by their supervisors or the volunteer coordinator.

Training should reinforce to volunteers that they shall not intentionally represent themselves as, or by omission infer that they are, officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all applicable orders and directives, either oral or written, issued by the Department.

#### **338.9.1 VOLUNTEER TRAINING MATERIALS**

Each new volunteer will be issued volunteer training materials. The materials outline the subject matter and skills necessary to properly function as a volunteer with the Moore Police Department. The volunteer shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

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### **338.10 SUPERVISION**

Each volunteer must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the volunteer's assigned duties. The following are some considerations that supervisors should keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to members on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give volunteers an assignment or task that will utilize these valuable resources.

A volunteer may be assigned as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of an employee of the Moore Police Department.

#### **338.10.1 EVALUATIONS**

While in training, volunteers should be continuously evaluated using standardized daily and weekly observation reports. A volunteer will be considered a trainee until he/she has satisfactorily completed training. Volunteers who have completed their training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that volunteer.

#### **338.10.2 FITNESS FOR DUTY**

No volunteer shall report for work or be at work when his/her judgment or physical condition has been impaired due to illness or injury, or by the use of alcohol or drugs, whether legal or illegal.

Volunteers shall report to their supervisors any change in status that may affect their ability to fulfill their duties. This includes, but is not limited to:

- (a) Driver license.
- (b) Medical condition.
- (c) Arrests.
- (d) Criminal investigations.
- (e) All law enforcement contacts.

### **338.11 INFORMATION ACCESS**

With appropriate security clearance, a volunteer may have access to or be in the vicinity of criminal histories, investigative files or information portals. Unless otherwise directed by a supervisor, the duties of the position or department policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized members shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

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A volunteer whose assignment requires the use of, or access to, confidential information will be required to have his/her fingerprints submitted to the Oklahoma State Bureau of Investigation (OSBI) to obtain clearance. Volunteers working this type of assignment will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information verbally, in writing or by any other means by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

#### **338.11.1 RADIO AND MOBILE COMPUTER SYSTEM USAGE**

Volunteers shall successfully complete state and federal database access training and radio procedures training prior to using police radios or Mobile Computer Systems and shall comply with all related provisions. The volunteer coordinator should ensure that radio and database access training is provided for volunteers whenever necessary.

#### **338.12 EQUIPMENT**

Any property or equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

#### **338.12.1 VEHICLE USE**

Any volunteer who operates any vehicle while acting in the capacity of a volunteer shall receive training in safe driving and defensive driving. The specific training and course of study shall be determined by the volunteer coordinator.

Volunteers assigned to duties that require the use of a vehicle must first complete:

- (a) A driving safety briefing and department-approved driver safety course.
- (b) Verification that the volunteer possesses a valid driver license.
- (c) Verification that the volunteer carries current vehicle insurance.

The coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating department vehicles, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers should not operate a marked law enforcement vehicle unless there is a prominently placed sign indicating that the vehicle is out of service.

Volunteers are not authorized to operate department vehicles while using the vehicle's emergency equipment (e.g., emergency lights siren).

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#### **338.13 DISCIPLINARY PROCEDURES/TERMINATION**

If a volunteer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

Volunteers are considered at-will and may be removed from service at the discretion of the Chief of Police, with or without cause. Volunteers shall have no property interest in their continued appointments. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice and a reason for their decision.

##### **338.13.1 EXIT INTERVIEWS**

The volunteer coordinator should conduct exit interviews, where possible. These interviews should ascertain why the volunteer is leaving the position and should solicit the volunteer's suggestions on improving the position. When appropriate, an exit interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

# Native American Graves Protection and Repatriation

## 339.1 PURPOSE AND SCOPE

This policy is intended ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001).

### 339.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

**Native American human remains** - The physical remains of the body of a person of Native American ancestry.

**Funerary objects and associated funerary objects** - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes, or to contain human remains.

**Sacred objects** - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

**Objects of cultural patrimony** - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

## 339.2 POLICY

It is the policy of the Moore Police Department that the protection of Native American human remains, funerary objects, sacred objects or objects of cultural patrimony on federal lands is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

## 339.3 COMPLIANCE WITH NAGPRA

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4 et seq.).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4(d)):

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- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - Appropriate Medical Examiner and the State Archaeologist and the State Historic Preservation Officer within 15 days when appropriate (21 O.S. § 1168.4). Before releasing control of the scene, officers shall confirm who will be making this notification.
- Tribal land - Responsible Indian tribal official
- Private land - The landowner and the Chief Medical Examiner (21 O.S. § 1168.4)

#### **339.4 EVIDENCE AND PROPERTY**

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

## Off-Duty Law Enforcement Actions

### 340.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for officers of the Moore Police Department with respect to taking law enforcement action while off-duty.

### 340.2 POLICY

It is the policy of the Moore Police Department that officers generally should not initiate law enforcement action while off-duty. Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss, may take reasonable action to minimize or eliminate the threat.

### 340.3 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action unless they are in uniform at a public function. Officers should consider waiting for on-duty uniformed peace officers to arrive instead of immediately intervening and, while waiting, gather as much accurate intelligence as possible. However, if an officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other peace officers.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding peace officers.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

An off-duty officer in official uniform in attendance at a public function, event or assemblage of people has the same powers and obligations as when he/she is on-duty (22 O.S. § 37.1).

#### 340.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.



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Whenever practicable, the officer should loudly and repeatedly identify him/herself as an officer with the Moore Police Department until acknowledged. Official identification should also be displayed when possible.

#### **340.4 CONSIDERATIONS**

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

##### **340.4.1 CIVILIAN RESPONSIBILITIES**

Civilian members should not become involved in any law enforcement action while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

##### **340.4.2 INCIDENTS OF PERSONAL INTEREST**

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

#### **340.5 REPORTING**

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the on-duty Moore Police Shift Commander regarding any law enforcement action taken while off-duty. The Shift Commander may send a supervisor to the location. The supervisor may request assistance from the Professional Standards Unit, if deemed appropriate.

The Shift Commander shall determine whether a crime report or an administrative report should be completed by the involved officer.

## Citizen Academy/Junior Police Academy

### 341.1 PURPOSE

The citizens of Moore expect and deserve the best service from the Moore Police Department. In furtherance of this, we seek to enhance the community by positively impacting the lives of individuals by building better connections and providing a better understanding of the police profession. The Moore Police Department may conduct academies so that the participants can receive police related training and experiences. The participants will also have direct interactions with several instructors with expertise in the subjects they are teaching.

Participants get a real insider's look at the operations of the department. They learn about laws of arrest, search and seizure, and officer safety techniques.

The Moore Police Department recognizes that both adults and juveniles can each benefit from experiences through interactions with its members. The department has developed age appropriate academies for each, a Citizen Academy for adults and a Junior Police Academy for juveniles.

Participation in each category of training is voluntary. No one will be required to view, listen to, or physically participate in anything that they are uncomfortable with.

### 341.2 POLICY

The Moore Police Department shall ensure that participants in the Citizen Academy and the Junior Police Academy receive their training in a positive, professional, and safe environment.

### 341.3 CITIZEN ACADEMY

The Moore Police Department establishes these guidelines for the Citizen Academy to ensure that the participants have an open and safe learning environment.

- A. Participation:
  - 1. The academy may provide training in defensive tactics, operating and firing pistols and rifles, using a scenario simulator, and other areas having physical involvement.
  - 2. A participant may simply observe or participate at any level the participant is comfortable with.
- B. Age restriction: 18 years of age and older
- C. Physical restrictions.
  - 1. The academy should be able to accommodate most levels of physical ability.

#### 341.3.1 SELECTION

- A. Participants in the Citizen Academy will begin by applying to attend the Academy.
- B. Each participant is required to pass a background check.

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1. Participants should not have a felony conviction or a conviction for Domestic Abuse.
2. Recent misdemeanor assault, battery, disorderly conduct, or other violations against persons or the public may be cause for exclusion from the academy.
3. Should live or work in the City of Moore

#### **341.3.2 REMOVAL FROM THE ACADEMY**

The Moore Police Department provides the Academy to both inform and to build relationships with the citizens of our community. Conduct that is counter to this purpose may result in removal from the Academy.

Participants may be removed from the Academy for:

- A. Attendance
- B. Disruptive, hostile, or other behavior that interferes with the mission of the Academy.
- C. Providing false information on any document required during the Academy application process.
- D. For any other justifiable cause as determined by the Chief of Police.

#### **341.4 JUNIOR POLICE ACADEMY**

The Moore Police Department establishes these guidelines for the Junior Police Academy to ensure that the participants have an open and safe learning environment. The Academy provides a positive way for the youth of our city to interact with the various people that work at the Moore Police Department. The interaction allows our personnel and the participants to have a prolonged time to talk, learn, and form friendships. It may also lead to a future career in public service.

- A. Participation:
  1. The academy provides age appropriate training in areas of police work, The Academy may have field trips, team building activities, fingerprinting, CPR training, etc.
  2. A participant may simply observe or participate at any level the participant is comfortable with.
- B. Age restriction: Age 10 years to 14 years
- C. Physical restrictions.
  1. The academy should be able to accommodate most levels of physical ability.
- D. The Academy may require a type of uniform. If so, the uniform will be provided.

#### **341.4.1 SELECTION**

- A. Participants in the Junior Police Academy will begin by applying to attend the Academy.
- B. A selection board may be used to examine the applications and select the participants.

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#### *Citizen Academy/Junior Police Academy*

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- C. Applicants should live in the City of Moore.

#### 341.4.2 REMOVAL FROM THE ACADEMY

The Moore Police Department provides the Academy to both inform and to build relationships with the citizens of our community. Conduct that is counter to this purpose may result in removal from the Academy.

Participants may be removed from the Academy for:

- A. Attendance
- B. Disruptive, hostile, or other behavior that interferes with the mission of the Academy.
- C. Providing false information on any document required during the Academy application process.
- D. For any other justifiable cause as determined by the Chief of Police.

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## Internship Program

### 342.1 PURPOSE

We aspire to give the intern a hands-on experience in the areas of patrol techniques, criminal investigations, identification and records procedures, victim assistance, and municipal court. Interns observe, and they train and work in a small capacity as well. It is hard to predict specific experiences that interns receive. Internships are typically composed of 80% observation and 20% actual work. It is our intention to provide a comprehensive learning experience; however, we cannot guarantee the exact experiences an intern will receive due to the cyclical nature of police activities and the unpredictability of criminal activity.

### 342.3 REQUIREMENTS

- A. The Moore Police Department will generally only accept internships that are associated with high school or college courses.
- B. There are no age restrictions, however, each intern should have a level of maturity and responsibility to perform appropriately within the police department work environment.
- C. A background check of each intern applicant will be conducted in order to review past criminal history and driving record.
- D. The parent or legal guardian of each juvenile intern is required to sign a Waiver of Liability for the intern prior to the intern starting the program. [See attachment: Internship Waiver of Liability.pdf](#)
- E. Interns receive no monetary compensation for participation.
- F. All interns are responsible for their own expenses.
- G. The Intern is required to adhere to the following requirements of a regular staff member before working:
  1. Adhering to agency work hours, to agency policies and procedures and to rules governing professional staff behavior.
  2. Adhering to agency policies governing the strict observance of confidentiality and the handling of confidential information.
  3. Assuming responsibility for their actions and activities.
  4. Maintaining strictly professional relationships with all clients.
  5. Being a learner by using a courteous enthusiastic, open minded, critical approach to facts, fallacies, or fantasies.
  6. Relating and using knowledge acquired in the classroom to practice in the department.
  7. Assuming a positive attitude.
  8. Developing self-awareness in regard to attitudes, values and behavior.

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#### *Internship Program*

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9. Preparing for and utilizing conferences and other opportunities for learning afforded in the department.

#### **342.4 POLICY**

The Moore Police Department shall ensure that interns are properly appointed, trained and supervised to carry out assignments in the furtherance of their education.

#### **342.4 REMOVAL FROM PROGRAM**

Interns may be removed from the program for failure to adhere to the requirements listed in 342.3.G.

## **Chapter 4 - Patrol Operations**

## Patrol

### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

### 400.2 POLICY

The Moore Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

### 400.3 FUNCTION

Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of Moore. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

- (a) Responding to emergency calls for service.
- (b) Apprehending criminal offenders.
- (c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- (d) Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
- (e) Responding to reports of both criminal and non-criminal acts.
- (f) Responding to routine calls for service, such as public assistance or public safety.
- (g) Directing and controlling traffic.
- (h) Carrying out crime prevention activities, such as residential inspections, business inspections and community presentations.
- (i) Carrying out community-oriented policing and problem-solving activities, including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.
- (j) Providing courthouse/courtroom security, including the operation of physical security equipment, searches of individuals and the facility, and development of high-risk trial plans and emergency evacuation plans.



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### Policy Manual

#### *Patrol*

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#### **400.4 INFORMATION SHARING**

To the extent feasible, all information relevant to the mission of the Department should be shared among all bureaus and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily line ups and to attend line ups of other bureaus or specialized units.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and bureaus.

#### **400.5 CROWDS, EVENTS AND GATHERINGS**

Officers may encounter gatherings of people, including, but not limited to, civil demonstrations, public displays, parades, sporting events and civic, social and business events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations, and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety concerns.

#### **400.6 STAFFING**

The Operations Bureau Commander will establish minimum staffing levels based on average calls for service, geographic areas to be covered, response time considerations, shift length and available staff for assignment.

The shift supervisor will assign staff to fill vacancies any time the vacancies result in the failure to meet established minimum staffing levels.

#### **400.7 COMMUNITY-ORIENTED POLICING SERVICES**

The Operations Bureau Commander should ensure that a community-oriented policing program is established that may include:

- (a) The mission, organizational values and management principles that support community partnerships.
- (b) A definition of community partnerships as a commitment to a philosophy rather than a program.
- (c) A list of partnerships and collaborative efforts involving the Moore Police Department and persons, groups and businesses within the community.

# Moore Police Department

## Policy Manual

### Policy Manual

#### *Patrol*

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- (d) Training for members and community leaders in the theory and concept, as well as function and operation, of community partnerships.
- (e) Recommended training for members in problem-solving models.
- (f) Materials that assist members in developing support from City officials for the concept of community-oriented policing, with the goal of City-wide adoption of the community partnership philosophy.

Reference: 806 Community Relations

## Bias-Based Policing

### 401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Moore Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

This policy meets statutory requirements requiring the adoption of an impartial policing/racial profiling policy (11 O.S. § 34-107; 22 O.S. § 34.3).

#### 401.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (22 O.S. § 34.3).

### 401.2 POLICY

The Moore Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

This policy shall be available for public inspection during normal business hours (22 O.S. § 34.3).

### 401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### 401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

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#### *Bias-Based Policing*

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##### **401.4.1 REASON FOR DETENTION**

Officers detaining a person shall be prepared to articulate sufficient reason for a lawful detention, independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the authority for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

##### **401.5 SUPERVISOR RESPONSIBILITIES**

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy (22 O.S. § 34.3).

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review available resources used to document contact between officers and the public to ensure compliance with this policy.
  - 1. Recordings or data that capture a potential instance of racial or bias-based profiling should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning racial or bias-based profiling.
- (e) Supervisors shall initiate an investigation whenever a complaint is received by the Attorney General's Office of Civil Rights Enforcement (22 O.S. § 34.4).

The Professional Standards Unit should conduct a documented annual review of the department's compliance with this policy.

##### **401.6 ADMINISTRATION**

The Operations Bureau Commander should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

##### **401.7 TRAINING**

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Coordinator.

## Line Up

### 402.1 PURPOSE AND SCOPE

This policy discusses the activity of line up and includes the tasks that should be accomplished during this short period.

### 402.2 POLICY

Line Up is intended to facilitate the accurate flow of information in order to enhance coordination of activities, improve performance and safety, and outline the expected actions of members.

### 402.3 LINE UP

All bureaus and specialized units will conduct regular line up to discuss, disseminate and exchange information among department members, work groups and other organizations. A supervisor generally will conduct line up. However, the supervisor may delegate this responsibility to a subordinate member in his/her absence or for training purposes.

Line Up should include, but is not limited to:

- (a) Providing members with information regarding daily activities, with particular attention given to changes in the status of:
  - 1. Wanted persons.
  - 2. Crime patterns.
  - 3. Suspect descriptions.
  - 4. Intelligence reports and photographs.
  - 5. Community issues affecting law enforcement.
  - 6. Major investigations.
- (b) Notifying members of changes in schedules and assignments.
- (c) Reviewing recent incidents for situational awareness and training purposes.
- (d) Providing training on a variety of subjects.
- (e) Conducting periodic personnel inspections.

Supervisors should also ensure that all members are informed about General Orders and any recent policy changes.

#### 402.3.1 RETENTION OF LINE UP TRAINING RECORDS

Line Up training materials and a curriculum or summary shall be forwarded to the Training Coordinator for inclusion in training records, as appropriate.

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#### *Line Up*

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#### **402.4 PREPARATION OF MATERIALS**

The member conducting line up is responsible for preparation of the materials necessary for a constructive line up.

#### **402.5 TRAINING**

Line Up training should incorporate short segments on a variety of subjects or topics and may include:

- (a) Review and discussion of new or updated policies.
- (b) Presentation and discussion of the proper application of existing policy to routine daily activities.
- (c) Presentation and discussion of the proper application of existing policy to unusual activities.
- (d) Review of recent incidents for training purposes.

## Crime and Disaster Scene Integrity

### 403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

### 403.2 POLICY

It is the policy of the Moore Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

### 403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, it shall be maintained until the officer is properly relieved by a supervisor or other designated person.

### 403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

## Special Weapons and Tactics (SWAT)

### 404.1 PURPOSE AND SCOPE

This policy provides guidelines for the specialized support of the Special Weapons and Tactics Team (SWAT) in handling critical field operations where special tactical deployment methods or intense negotiations are beyond the capacity of field officers.

#### 404.1.1 DEFINITIONS

Definitions related to this policy include:

**Negotiation team** - Designated officers who are specifically trained and equipped to provide skilled verbal communications to de-escalate or effect surrender in situations where suspects have taken hostages or barricaded themselves or are suicidal.

**Tactical team** - Designated officers, including those in a multi jurisdictional team, who are specifically trained and equipped to resolve critical incidents that are so hazardous, complex or unusual that they may exceed the capabilities of first responders or investigators. This includes, but is not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, a tactical team may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues necessitate such use.

### 404.2 POLICY

It shall be the policy of the Moore Police Department to maintain a SWAT, either internally or through participation in a regional team, comprised of negotiation and tactical teams, and to provide the equipment, manpower and training necessary to maintain such teams. The SWAT should develop sufficient resources to perform three basic operational functions:

- (a) Command and control
- (b) Containment
- (c) Entry/apprehension/rescue

### 404.3 CAPABILITIES

This department acknowledges that training needs may vary based on the experience level of team members, team administrators and potential incident commanders. Therefore, with the preservation of innocent human life being paramount, nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training level due to the exigency of the circumstances.

### 404.4 MANAGEMENT AND SUPERVISION

Under the direction of the Chief of Police, through the Operations Bureau Commander, the SWAT shall be managed by the appointed SWAT Commander. The SWAT Commander shall be selected by the Chief of Police upon recommendation of command staff.



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#### *Special Weapons and Tactics (SWAT)*

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##### 404.4.1 TEAM LEADERS

The negotiation team and tactical team will be under the direction of designated team leaders, who shall be selected by the Chief of Police upon specific recommendation by command staff and the SWAT Commander.

The primary responsibility of the team leaders is to oversee the operation of their teams, which includes deployment, training, first-line supervisor participation and other duties as directed by the SWAT Commander.

##### **404.5 READINESS**

An operational readiness assessment should be conducted to determine the type and extent of SWAT missions and operations appropriate to this department. The assessment should consider the capabilities, training and limitations of the SWAT and should be reviewed periodically by the SWAT Commander.

##### 404.5.1 EQUIPMENT INSPECTIONS

The SWAT Commander should appoint a team leader to perform inspections of all SWAT equipment at least quarterly. The result of the inspection will be forwarded to the SWAT Commander. The inspections will include personal equipment issued to members of the SWAT, operational equipment maintained in the SWAT facility and equipment maintained or used in SWAT vehicles.

##### **404.6 PROCEDURES**

Situations that necessitate the need for a SWAT response vary greatly from incident to incident and often demand on-scene evaluation. The guidelines allow for appropriate on-scene decision-making and development of organizational and operational procedures.

Ref: Procedure 400: SWAT

##### 404.6.1 ORGANIZATIONAL AND OPERATIONAL PROCEDURES

The Department should develop a separate written set of organizational and operational procedures for the SWAT.

##### 404.6.2 THREAT ASSESSMENT MATRIX

The SWAT Commander, with the approval of the Chief of Police, may develop a threat assessment matrix to be used as a guideline for employees to determine the need for the deployment of the SWAT for the service of arrest or search warrants. The form should normally be completed by the investigator requesting the warrant and be presented to an SWAT Commander for review. Any pre-arranged deployment of the SWAT outside training should be approved by a Bureau Commander or higher ranking police official. Nothing in this policy prevents the deployment of all or part of the SWAT when deemed necessary by a Bureau Commander or higher police official.

##### **404.7 OPERATIONAL GUIDELINES**

The following are guidelines for the operational deployment of the SWAT. Generally, the tactical team and the negotiation team will be activated together. It is recognized, however, that the teams

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#### *Special Weapons and Tactics (SWAT)*

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can be activated independently as circumstances dictate. The tactical team may be used in a situation not requiring the physical presence of the negotiation team, such as warrant service operations. The negotiation team may be used in a situation not requiring the physical presence of the tactical team, such as handling a suicidal person. Operational deployment of the specialized teams shall be at the discretion of the Chief of Police.

#### 404.7.1 APPROPRIATE USE

Incidents that may result in the activation of the SWAT include:

- (a) Barricaded suspects who refuse an order to surrender.
- (b) Incidents where hostages are taken.
- (c) Individuals who are threatening suicide and have refused to surrender.
- (d) Arrests of potentially armed or dangerous persons.
- (e) Any situation that could threaten or undermine the ability of the Department to preserve life, maintain social order and ensure the protection of persons or property.
- (f) High risk search warrants.

#### 404.7.2 ON-SCENE DETERMINATION AND NOTIFICATION

The supervisor-in-charge at the scene of a particular event will be designated as the Incident Commander and will assess whether the SWAT may need to respond to the scene. With input from the Incident Commander, final determination will be made by the Chief of Police, who shall then have the SWAT Commander notified. If the SWAT Commander is unavailable, then a specialized team leader should be notified.

#### 404.7.3 FIELD PERSONNEL RESPONSIBILITIES

While waiting for the SWAT to respond, field personnel should, if determined to be safe and practicable and sufficient resources exist:

- (a) Establish an arrest/response team in case the suspect takes action. The response team's tasks may include:
  - 1. Taking action to mitigate a deadly threat or behavior either inside or outside the location.
  - 2. Securing any subject or suspect who may surrender or attempt to escape.
- (b) Evacuate any injured persons in the zone of danger.
- (c) Evacuate or provide safety instructions to other people in the zone of danger.
- (d) Establish an inner and outer perimeter.
- (e) Establish a command post outside of the inner perimeter.

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#### *Special Weapons and Tactics (SWAT)*

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- (f) Attempt to establish preliminary communication with the suspect. Once the SWAT has arrived, all negotiations should generally be halted to allow the negotiation and tactical teams time to organize, position and assume the appropriate roles and responsibilities.
- (g) Plan for, and stage, anticipated resources.

#### **404.8 UNIFORMS AND EQUIPMENT**

SWAT specialized teams from this department should wear uniforms that clearly identify them as law enforcement members. It is recognized that certain tactical conditions may require covert movement. Attire may be selected that is appropriate to the specific mission.

##### 404.8.1 EQUIPMENT

SWAT specialized teams from this department should be adequately equipped to meet the specific missions identified by the Department.

##### 404.8.2 FIREARMS

Members of the SWAT are authorized to carry and deploy specialized weapons after approval from the Chief of Police and proper training.

Weapons and equipment used by the SWAT specialized teams and any supporting resources shall be department-issued or approved, including any modifications, additions or attachments prior to deployment.

#### **404.9 TRAINING**

The SWAT Commander shall conduct an annual SWAT training needs assessment to ensure that training correlates to the team's capabilities and department policy.

##### 404.9.1 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

##### 404.9.2 INITIAL TRAINING

Tactical and negotiation team members and team leaders should not be deployed until successful completion of a basic SWAT course or its equivalent that has been approved by this department.

- (a) To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content or topics meet or exceed requirements determined by the Department.
- (b) Untrained members may be used in a support or training capacity.

##### 404.9.3 SCENARIO-BASED TRAINING

SWAT specialized teams should participate in scenario-based training that simulates the critical field operations environment. Such training is an established method of improving performance during an actual deployment.

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#### *Special Weapons and Tactics (SWAT)*

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##### 404.9.4 TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the SWAT Commander. Such documentation shall be maintained in each member's training file. A separate department SWAT training file shall be maintained with documentation and records of all team training.

## Ride-Alongs

### 405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the Moore Police Department. This policy provides the requirements, approval process, hours of operation and member responsibilities for ride-alongs.

### 405.2 POLICY

Ride-along opportunities will be provided to the members of the public, City employees and members of this department to observe and experience, first-hand, various functions of the Moore Police Department. The term "ride-along" includes riding as a passenger with an officer on patrol or observing the work day of members engaged in other functions within the Department, such as the Communications Center.

### 405.3 ELIGIBILITY

A ride-along is available to:

- Moore residents
- Business owners
- Those employed within the City of Moore
- Friends and family of Moore Police Department employees.
- Members of the Cleveland County District Attorney's office
- Commissioned officers from other jurisdictions
- Others with approval of the Chief of Police

Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating.

#### 405.3.1 LIMITATIONS

Once approved, ride-along applicants will be allowed to participate no more than once every calendar year. Exceptions include the following:

- Cleveland County Assistant District Attorneys and commissioned officers from other jurisdictions shall be allowed to ride-along two (2) shifts each calendar month. The same procedures shall apply as those for the Citizen Ride-Along unless riding as part of their official duties.
- Civilian employees shall be allowed to ride-along one (1) shift every three (3) months.
- Spouses and other immediate family members shall be allowed to ride-along two (2) shifts each calendar month. The same procedures shall apply as those for the Citizen Ride-Along.
- Elected city officials, the City Manager, and members of the City Attorney's Office shall be exempt from the requirements of this section.

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#### *Ride-Alongs*

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- Non-commissioned employees who are assigned to ride as a part of their training program shall be exempt from the requirements of this section.
- Any others with approval of the Chief of Police.

An effort will be made to ensure that no more than one member of the public will participate in a ride-along or job observation during any given time period. Normally, no more than one ride-along participant will be allowed in department vehicles at a given time.

#### **405.3.2 DISQUALIFICATIONS**

Factors that may be considered in disqualifying an applicant include, but are not limited to:

- Being under 18 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against this department or the City
- Denial by any supervisor.
- Moore Police Officer Applicants.

#### **405.4 AVAILABILITY**

There are no restrictions on the time or day of the week a ride-along occurs.

#### **405.5 REQUESTS TO PARTICIPATE**

Generally, ride-along and job observation requests will be maintained and scheduled by the Shift Commander. The applicant will complete and sign a ride-along and hold harmless waiver form. Information requested will include a valid state-issued identification card or driver license number, birth date, address and telephone number.

If the request is denied, a representative of this department will advise the applicant of the denial.

#### **405.6 MEMBER RESPONSIBILITIES**

The assigned department member shall consider the safety of the ride-along or job observation participant at all times. The member shall maintain control over the participant and shall instruct the individual about the conditions that necessarily limit his/her participation. Instructions should include:

- (a) The participant will follow the directions of the department member.
- (b) The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handling any police department equipment.
- (c) Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties. If the ride-along is in progress, the member may return the participant to the point the ride originated.

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#### *Ride-Alongs*

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- (d) Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
- (e) Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
- (f) Participants shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.

The member assigned to provide a ride-along shall advise the dispatcher that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation. Officers with civilian passengers shall not respond to high-risk in progress calls unless exigent circumstances exist.

Officers shall not engage in pursuits while citizen/non-commissioned employee ride-alongs are passengers in their vehicles.

Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the Shift Commander. The member should enter comments regarding the reasons for terminating the ride-along on the waiver form.

Upon completion of the ride-along, the member shall return the waiver form to the Shift Commander.

#### **405.7 RIDE-ALONG REQUIREMENTS**

Participants in the Ride-Along program shall comply with the following subsections.

##### **405.7.1 PROHIBITIONS**

Passengers shall not be permitted to carry firearms while participating in the Ride-Along Program regardless of any license issued to the passenger pursuant to the provisions of the Oklahoma Self-Defense Act. The only exceptions will be for commissioned police officers.

Passengers shall not carry or use any cameras, video or audio recording devices while participating in the Ride-Along Program. Members of the press and news media may be permitted to use such equipment with prior approval of the Chief of Police.

##### **405.7.2 CRIMINAL HISTORY CHECK**

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and an Oklahoma State Bureau of Investigation criminal history check prior to approval of the ride-along.

##### **405.7.3 SUITABLE ATTIRE**

Any person approved to participate in a ride-along is required to be suitably dressed in a collared shirt, blouse or jacket, slacks and shoes. Sandals, t-shirts, tank tops, shorts and ripped or torn pants are not permitted. Hats and ball caps will not be worn without the express consent of the

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Shift Commander. The Shift Commander or a supervisor may refuse a ride-along to anyone who is not dressed appropriately.



# Hazardous Material Response

## 406.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

### 406.1.1 DEFINITIONS

Definitions related to this policy include:

**Hazardous material** - A substance which, by its nature, containment or reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

## 406.2 POLICY

It is the policy of the Moore Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

## 406.3 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill or fire. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

## 406.4 CONSIDERATIONS

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify Communications Division, appropriate supervisors, the appropriate fire department and hazardous response units.
  1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
  2. When appropriate, request the lead official designated by the City to respond to the incident (27A O.S. § 4-1-102; 27A O.S. § 4-1-103). For the City of Moore this would be the on-duty assistant fire chief.

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- (c) Wear personal protective gear, being cognizant that some hazardous material can be inhaled.
- (d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
  - 1. Placards or use of an emergency response guidebook.
  - 2. Driver's statements or shipping documents from the person transporting the material.
  - 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
    - (a) The type of material.
    - (b) How to secure and contain the material.
    - (c) Any other information to protect the safety of those present, the community and the environment.
- (f) Provide first aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
- (i) Establish a decontamination area when needed.
- (j) Activate automated community notification systems, if applicable (i.e. code red or reverse 911).
- (k) If the incident is believed to be a threat to the public health, safety or the environment, notify the Oklahoma Department of Environmental Quality as soon as reasonably possible (27A O.S. § 4-1-103).

#### **406.5 REPORTING EXPOSURE**

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Shift Commander as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

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Injury or illness caused or believed to be caused by exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report as applicable.

##### 406.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, safety equipment is available from supervisors. Safety items not maintained by this department may be available through the appropriate fire department or emergency hazmat response team.

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## Hostage and Barricade Incidents

### 407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

#### 407.1.1 DEFINITIONS

Definitions related to this policy include:

**Barricade situation** - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

**Hostage situation** - An incident where it is reasonable to believe a person is:

- Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- Unlawfully held against his/her will under threat or actual use of force.

### 407.2 POLICY

It is the policy of the Moore Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

### 407.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands, and the available resources.

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##### 407.3.1 EMERGENCY COMMUNICATIONS

A telephone company may be directed to cut, reroute or divert telephone lines in an emergency in which a hostage is being held or a suspect is barricaded to prevent telephone communications with any person other than a peace officer or a person authorized by the peace officer (21 O.S. § 747).

##### **407.4 FIRST RESPONDER CONSIDERATIONS**

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

##### 407.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. In the interim, the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt to obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

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- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

#### 407.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated, if practicable, pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

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- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer (PIO).
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

#### **407.5 SUPERVISOR RESPONSIBILITIES**

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting Special Weapons and Tactics Team (SWAT) response if appropriate and apprising the SWAT Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized assignment members, additional department members, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct nonessential personnel away from the scene unless they have been summoned by the supervisor or Communications Division.
- (i) Identify a media staging area outside the outer perimeter and have the department PIO or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

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##### **407.6 SWAT RESPONSIBILITIES**

It will be the SWAT Commander's decision, with input from the Incident Commander, whether to deploy the SWAT during a hostage or barricade situation. Once the SWAT Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical response and negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation and media access, and will support the SWAT. The Incident Commander and the SWAT Commander or the authorized designees shall maintain direct communications at all times.

##### **407.7 REPORTING**

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.



## Response to Bomb Calls

### **408.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide guidelines to assist members of the Moore Police Department in their initial response to incidents involving explosives or explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

### **408.2 POLICY**

It is the policy of the Moore Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

### **408.3 RECEIPT OF BOMB THREAT**

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Shift Commander is immediately advised and informed of the details. This will enable the Shift Commander to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

### **408.4 GOVERNMENT FACILITY OR PROPERTY**

A bomb threat targeting a government facility may require a different response based on the government agency.

#### **408.4.1 MOORE POLICE DEPARTMENT FACILITY**

If the bomb threat is against the Moore Police Department facility, the Shift Commander will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

#### **408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY**

If the bomb threat is against a county or municipal facility within the jurisdiction of the Moore Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Shift Commander deems appropriate.

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##### **408.4.3 FEDERAL BUILDING OR PROPERTY**

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

##### **408.4.4 PUBLIC OR PRIVATE SCHOOL**

- (a) Upon receiving a bomb threat at one or more of the schools, the school officials will notify the communications officer by public service.
- (b) The communications officer will alert the Criminal Investigations Division and the patrol supervisor. Non-uniformed personnel will respond to the school.
- (c) Non uniformed personnel will obtain all available facts, make an evaluation of the situation and notify the patrol supervisor.
- (d) Marked units will move to the vicinity of the school, but will not go onto school property unless school officials specifically request such action.
- (e) A Bomb Squad will be notified as soon as possible after a determination is made that the call is a legitimate bomb threat.
- (f) In the event of a bomb threat, the school officials will determine if evacuation is necessary. Upon confirmation of a bomb, or based upon the circumstances and known threat, officers may evacuate schools or areas that could be affected by the type of threat, or for traffic and pedestrian control. The Moore Police Department will order and assist evacuation. Evacuation will be at a minimum distance of 300 feet.

##### **408.5 PRIVATE FACILITY OR PROPERTY**

When a member of this department receives notification of a bomb threat at a location in the City of Moore, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied, and if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

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1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Shift Commander is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

#### **408.5.1 ASSISTANCE**

The Shift Commander should be notified when police assistance is requested. The Shift Commander will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Shift Commander determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
  1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
  2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
  1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

#### **408.6 FOUND DEVICE**

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

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- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes:
  - 1. Two-way radios.
  - 2. Cell phones.
  - 3. Other personal communication devices.
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Shift Commander including:
  - 1. The time of discovery.
  - 2. The exact location of the device.
  - 3. A full description of the device (e.g., size, shape, markings, construction).
  - 4. The anticipated danger zone and perimeter.
  - 5. The areas to be evacuated or cleared.

#### **408.7 EXPLOSION/BOMBING INCIDENTS**

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds, or any additional damage from fires or unstable structures.

##### **408.7.1 CONSIDERATIONS**

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.

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- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

#### 408.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Shift Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

#### **408.8 CROWD CONTROL**

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

#### 408.8.1 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Shift Commander should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be embedded in nearby structures or hanging in trees and bushes.

## Crisis Intervention Incidents

### 409.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

This policy meets statutory requirements requiring the adoption of a mental health policy pursuant to 11 O.S. § 34-107.

#### 409.1.1 DEFINITIONS

Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

**Urgent Intervention Incident** - a mental health or emotional crisis condition that involves any of the following:

- (a) A threat of assault or suicide attempt that involves a dangerous or deadly weapon
- (b) The application of force requiring supervisory notification as described in the Use of Force policy
- (c) The damage of property as described in the Department-Owned and Personal Property policy
- (d) The injury of a Moore Police Department member or another person
- (e) The likelihood of imminent danger as described in the Rapid Response and Deployment policy

### 409.2 POLICY

The Moore Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

### 409.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness

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- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

#### **409.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS**

The Chief of Police should designate an appropriate Bureau Commander to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

#### **409.5 FIRST RESPONDERS**

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.

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- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

#### **409.6 DE-ESCALATION**

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.



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#### **409.7 INCIDENT ORIENTATION**

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

#### **409.8 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene of any interaction with a person in crisis that rises to the level of an Urgent Intervention Incident. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Bureau Commander.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

#### **409.9 INCIDENT REPORTING**

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

##### **409.9.1 DIVERSION**

Individuals who are not being arrested should be processed in accordance with the Emergency Detentions Policy.

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### Policy Manual

#### *Crisis Intervention Incidents*

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#### **409.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS**

Civilian or clerical members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

#### **409.11 EVALUATION**

The member designated to coordinate the crisis intervention strategy for this department may ensure that a thorough review and analysis of the department response to these incidents is conducted. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

#### **409.12 TRAINING**

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

All active full-time officers shall annually complete two hours of continuing training on mental health issues that is accredited or provided by the Council on Law Enforcement Education and Training (CLEET) (70 O.S. § 3311.4).

## Emergency Detentions

### 410.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place a person under an emergency detention.

This policy meets statutory requirements requiring the adoption of a mental health policy pursuant to 11 O.S. § 34-107.

#### 410.1.1 DEFINITIONS

Definitions related to this policy include:

**Person requiring treatment** - A person who because of his/her mental illness or drug or alcohol dependency (43A O.S. § 1-103):

- (a) Poses a substantial risk of immediate physical harm to him/herself as manifested by evidence or serious threats of, or attempts at, suicide or other significant self-inflicted bodily harm.
- (b) Poses a substantial risk of immediate physical harm to another as manifested by evidence of violent behavior toward another.
- (c) Has placed another person in reasonable fear of violent behavior directed toward such person or serious physical harm to them as manifested by serious and immediate threats.
- (d) Is in a condition of severe deterioration such that, without immediate intervention, there exists a substantial risk that severe impairment or injury will result to the person.
- (e) Poses a substantial risk of immediate serious physical injury to self or death as manifested by evidence that the person is unable to provide for, and is not providing for, his/her basic physical needs.

### 410.2 POLICY

It is the policy of the Moore Police Department to protect the public and individuals through legal and appropriate use of an emergency detention process.

### 410.3 AUTHORITY

An officer should take a person into protective custody if the officer reasonably believes the person is a person requiring treatment. A reasonable effort shall be made to take the person into custody in the least conspicuous manner (43A O.S. § 1-110; 43A O.S. § 5-207).

If the person is medically stable, the officer shall either (43A O.S. § 1-110; 43A O.S. § 5-207):

- (a) Transport the person to the nearest appropriate facility within a 30-mile radius of the officer's operational headquarters for an initial assessment.
  - 1. If, subsequent to the initial assessment, it is determined that the person does not require treatment or that an emergency detention is not warranted, the officer shall immediately transport the person back to the point where the person was

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taken into protective custody and release them, or transport the person to their home or an alternative facility (43A O.S. § 5-208).

- (b) Request that the Department of Mental Health and Substance Abuse Services conduct an initial assessment of the person at the point of initial contact either by telemedicine or in person by a member of a mobile crisis response team.
  - 1. If, subsequent to the initial assessment, it is determined that an emergency detention is warranted, the officer shall transport the person to the nearest appropriate facility with bed space available within a 30-mile radius of the officer's operational headquarters.

#### 410.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for an emergency detention, they may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. If the person so desires, the officer should:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

If at any point the person changes his/her mind regarding voluntary evaluation, the officers should proceed with the emergency detention, if appropriate.

#### **410.4 CONSIDERATIONS AND RESPONSIBILITIES**

Any officer handling a call involving a person who may qualify for detention for the purpose of an emergency detention should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques
- (d) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Emergency detentions should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

#### 410.4.1 CERTAIN PERSONS NOT REQUIRING TREATMENT

43A O.S. § 1-103.13 c. States:

Unless a person also meets the criteria for treatment, person requiring treatment or an assisted outpatient shall not mean:

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- (a) a person whose mental processes have been weakened or impaired by reason of advanced years, dementia, or Alzheimer's disease,
- (b) a mentally retarded or developmentally disabled person as defined in Title 10 of the Oklahoma Statutes,
- (c) a person with seizure disorder,
- (d) a person with a traumatic brain injury, or
- (e) a person who is homeless.

#### **410.5 TRANSPORTATION**

When transporting any individual for an emergency detention, the transporting officer should have Communications Division notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Shift Commander approval is required before transport commences.

#### **410.6 TRANSFER TO APPROPRIATE FACILITY**

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written statement for an emergency detention and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

#### **410.7 DOCUMENTATION**

When a person is taken into protective custody upon the officer's personal observations, the officer shall prepare a written affidavit indicating the basis for the belief that the person is a person requiring treatment and the circumstances under which the officer took the person into protective custody. Upon request, a copy of the affidavit shall be provided to the person or the person's attorney (43A O.S. § 5-207).

If the determination to take the person into protective custody is not based on the officer's personal observation, the officer is not required to prepare an affidavit. However, if the officer takes a person into protective custody based on third-party information that a person is mentally ill, alcohol-dependent or drug dependent, the officer shall have the third party sign a third-party statement indicating the basis for such belief that the person is a person requiring treatment. A person should not be taken into protective custody if the third party does not sign the statement (43A O.S. § 5-207).

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The officer should also provide the written statement and a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

##### **410.7.1 NOTIFICATION**

A person who is in protective custody for an emergency detention shall be asked to designate any person they would like informed of the detention. If the person is incapable of making such a designation, the officer shall, within 24 hours, notify any of the following of the detention:

- A person other than the person initiating the request for protective custody which may include the person's:
  - Attorney
  - Parent
  - Spouse
  - Guardian
  - Sibling
  - Child (18 years or older)

Failure to locate the requested person to be notified shall be reported to the administrator of the facility where the person is being detained (43A O.S. § 5-209).

##### **410.8 CRIMINAL OFFENSES**

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody through an emergency detention should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for an emergency detention has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the detention.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for an emergency detention.

In the supervisor's judgment, the individual may be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

##### **410.9 FIREARMS AND OTHER WEAPONS**

Whenever a person is taken into custody for an emergency detention, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon. Officers

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should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

#### **410.10 TRAINING**

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, emergency detentions and crisis intervention pursuant to 70 O.S. § 3311.4.

## Citation Releases

### 411.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Moore Police Department with guidance on a citation to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail for a municipal non-traffic offense.

Additional release restrictions may apply to those detained for domestic abuse, as outlined in the Domestic Abuse Policy.

This policy meets statutory requirements requiring the adoption of an arrest and alternatives to arrest policy pursuant to 11 O.S. § 34-107.

### 411.2 POLICY

The Moore Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation or promise to appear in court when authorized to do so.

### 411.3 RELEASE

A suspected offender may be released as follows:

- (a) An officer who has arrested a person without a warrant on a misdemeanor charge or violation of an ordinance may issue the person a citation to appear in court unless release is otherwise prohibited by law or policy (22 O.S. § 209).
- (b) An officer who has arrested a person without a warrant solely for a misdemeanor violation of an Oklahoma traffic law or municipal traffic ordinance shall release the person on a signed promise to appear (including electronic signatures) when (22 O.S. § 1115.1; 22 O.S. § 1115.1A):
  - (a) The person has a valid driver's license (not required if the person was a passenger).
  - (b) The person's identity is not in question.
  - (c) The person is not unconscious or too injured to complete the process.
  - (d) The violation does not constitute :
    - (a) A felony.
    - (b) Negligent homicide.
    - (c) Driving while impaired.
    - (d) Eluding or attempting to elude.
- (c) An officer who detains a person with an outstanding cost cite-and-release warrant should not take the person into custody. The officer shall issue the person a warning/notice to appear in court within 10 days and shall promptly transmit the warning/notice to the proper court pursuant to 22 O.S. § 983.



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#### **411.4 PROHIBITIONS**

The release of a suspected offender on a citation or promise to appear in court is not permitted when:

- (a) A felony arrest warrant was issued on the charge and the court does not authorize release (22 O.S. § 176).
- (b) The arrest is for (22 O.S. § 1105):
  1. A violation of an ex parte or final protective order as provided in 22 O.S. § 60.2 and 22 O.S. § 60.3.
  2. An act constituting domestic abuse, domestic assault and battery, or domestic assault and battery with a deadly weapon as specified in 21 O.S. § 644.
  3. An act constituting domestic abuse, stalking, or harassment as defined by 22 O.S. § 60.1.
  4. Any violation of 63 O.S. § 2-401(G) (manufacturing controlled substances).

An offender arrested without a warrant for any other felony offense should not be released unless authorized by the court in the jurisdiction in which the arrest is made and a required bond is posted by the offender (22 O.S. § 1105).

##### **411.4.1 RELEASE FOR PETIT LARCENY FROM A BUSINESS**

Moore Police officers are authorized to cite and release any adult, who has been arrested for the municipal offense of petit larceny from a business. The arrestee may be afforded the opportunity to sign a non-traffic citation and be released in accordance with department procedure.

Reference: Procedure 900: Petit Larceny from a Business.

##### **411.4.2 RELEASE FOR POSSESSION OF MARIJUANA**

Moore Police officers are authorized to cite and release any person found to be in criminal violation of the marijuana ordinance, whether the person has a medical marijuana license or not. The release will be in accordance with department procedure.

Reference: Procedure 403: Marijuana

#### **411.5 CONSIDERATIONS**

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

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##### 411.5.1 DEVIATION FROM NORMAL CHARGING PROCEDURES

Supervisors may authorize deviations to normal charging procedures under unusual circumstances. Offenses that would normally require an arrest can be resolved with a citation and release or an application for a warrant, whichever is appropriate.

The Court Clerk's office shall be notified of any deviations from normal charging procedures with an explanation of why there was a deviation. The officer will also need to document the circumstances in the report.

Caution: If a person is allowed to sign a citation and be released with a court date, the officer shall not apply for a warrant.

# Foreign Diplomatic and Consular Representatives

## 412.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Moore Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

## 412.2 POLICY

The Moore Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

## 412.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol or, in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) As soon as practicable, contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll-free at 866-217-2089, or at another current telephone number, and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed (47 O.S. § 6-202.1).

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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#### **412.4 ENFORCEMENT ACTION**

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
  - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving, may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
  - 1. Diplomatic-level staff of missions to international organizations and recognized family members
  - 2. Diplomatic agents and recognized family members
  - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
  - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
  - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents
  - 2. Support staff of missions to international organizations
  - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries
  - 4. Honorary consular officers

#### **412.4.1 STATE-REQUIRED REPORTING**

When an officer contacts a vehicle operator and has probable cause to believe the person has committed a violation, and is presented a driver license issued by the DOS or the person otherwise claims immunities, the officer shall (47 O.S. § 6-202.1):

- (a) Record all relevant information from any driver license or identification card.

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- (b) Within five working days, forward the following to the Oklahoma Department of Public Safety:
1. A vehicle collision report if the driver was involved in a vehicle collision
  2. A copy of any citation issued to the driver
  3. If a citation was not issued to the driver, a written report of the incident

#### **412.5 DOCUMENTATION**

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

#### **412.6 DIPLOMATIC IMMUNITY**

Reference table on diplomatic immunity:

<b>Category</b>	<b>Arrested or Detained</b>	<b>Enter Residence Subject to Ordinary Procedures</b>	<b>Issued Traffic Citation</b>	<b>Subpoenaed as Witness</b>	<b>Prosecuted</b>	<b>Recognized Family Members</b>
<b>Diplomatic Agent</b>	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Member of Admin and Tech Staff</b>	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Service Staff</b>	Yes (note (a))	Yes	Yes	Yes	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
<b>Career Consul Officer</b>	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note (a))	No immunity or inviolability
<b>Honorable Consul Officer</b>	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability

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<b>Consulate Employees</b>	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
<b>Int'l Org Staff (note (b))</b>	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts Yes otherwise (note (c))	No immunity or inviolability
<b>Diplomatic-Level Staff of Missions to Int'l Org</b>	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
<b>Support Staff of Missions to Int'l Orgs</b>	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table represents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety or the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

## **Rapid Response and Deployment (Active Assailants)**

### **413.1 PURPOSE AND SCOPE**

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist officers in situations that call for rapid response and deployment.

### **413.2 POLICY**

The Moore Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those who are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

### **413.3 CONSIDERATIONS**

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

### **413.4 FIRST RESPONSE**

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably possible, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to incidents at other locations.

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When deciding on a course of action officers should consider:

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advancement or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.
- (h) Whether to request Communications Division to initiate a public alert (see the Public Alerts Policy) to prevent additional potential victims from entering the area.

In the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, officers should consider covering escape routes and evacuating persons as appropriate, while summoning and waiting for additional assistance (e.g., special tactics and/or hostage negotiation team response).

#### **413.5 PLANNING**

The Operations Bureau Commander should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.



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- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

#### **413.6 TRAINING**

The Training Coordinator should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

## Immigration Issues

### 414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Moore Police Department relating to immigration and interacting with federal immigration officials.

### 414.2 POLICY

It is the policy of the Moore Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public, regardless of their immigration status. The Moore Police Department will support the role of the Federal Government in managing immigration.

### 414.3 IMMIGRATION VIOLATIONS

The Moore Police Department does not generally take a lead role in enforcing federal immigration laws. Members of the Department may provide support services such as traffic control and peacekeeping upon request of federal agents in the performance of their immigration enforcement. Requests for assistance shall be approved by a police supervisor.

#### 414.3.1 IMMIGRATION CHECKS

Immigration status may be determined through any of the following sources:

- (a) A law enforcement officer who is authorized by the federal government under 8 USC § 1357 to verify or ascertain an alien's immigration status (sometimes referred to as a 287(g) certified officer)
- (b) Immigration and Customs Enforcement (ICE)
- (c) U.S. Customs and Border Protection (CBP)

### 414.4 U VISA AND T VISA NON-IMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as U and T visas, to victims and witnesses of certain qualifying crimes ((8 USC § 1101(a)(15)(U)) and (8 USC § 1101(a)(15)(T))). The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

## Utility Service Emergencies

### 415.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for addressing City utility service emergencies. This policy will address calls for service that are directed to the Police Department.

### 415.2 POLICY

It is the policy of the Moore Police Department to appropriately respond to City emergency utility service requests received by this department.

### 415.3 UTILITY SERVICE EMERGENCY

A current contact list of City personnel to be notified in the event of a utility service emergency should be available in Communications Division.

#### 415.3.1 WATER LINES

The City's responsibility for water lines ends at the water meter; any break or malfunction in the water system from the water meter to a residence or business is the responsibility of the customer.

If a water line break occurs on the City side of the water meter, public works personnel should be notified as soon as practicable.

#### 415.3.2 ELECTRICAL LINES

When a power line poses a hazard, a member of this department should be dispatched to the reported location to protect against personal injury or property damage that might be caused by the power line. The fire department, electric company and/or the public works department should be promptly notified, as appropriate.

#### 415.3.3 RESERVOIRS, PUMPS, WELLS

In the event of flooding or equipment malfunctions involving City reservoirs, pumps or wells, the public works department should be contacted as soon as practicable.

#### 415.3.4 NATURAL GAS LINES

All reports of a possible leak of natural gas or damage to a natural gas line shall promptly be referred to the fire department and the local entity responsible for gas lines. A member of this department should be dispatched to the reported location if it appears that assistance such as traffic control or evacuation is needed.

#### 415.3.5 TRAFFIC SIGNALS

A member of this department should be dispatched upon report of a damaged or malfunctioning traffic signal in order to protect against personal injury or property damage that might occur as the result of the damaged or malfunctioning signal. The member will advise Communications Division of the problem with the traffic signal. The dispatcher should make the necessary notification to the appropriate traffic signal maintenance agency as soon as practicable.

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A decision to place a signal on flash should include a consultation with the appropriate traffic signal maintenance agency, unless exigent circumstances exist.

## Aircraft Accidents

### 416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

#### 416.1.1 DEFINITIONS

Definitions related to this policy include:

**Aircraft** - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

### 416.2 POLICY

It is the policy of the Moore Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

### 416.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

### 416.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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#### **416.5 NOTIFICATIONS**

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA) and, when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

#### **416.6 CONTROLLING ACCESS AND SCENE AUTHORITY**

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Medical Examiner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

#### **416.7 DANGEROUS MATERIALS**

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.

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- Pressure vessels, compressed gas bottles, accumulators and tires.
- Fluids, batteries, flares and igniters.
- Evacuation chutes, ballistic parachute systems and composite materials.

#### **416.8 DOCUMENTATION**

All aircraft accidents occurring within the City of Moore shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of MPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

##### **416.8.1 WRECKAGE**

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
  1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

##### **416.8.2 WITNESSES**

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

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#### **416.9 MEDIA RELATIONS**

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.



## Officer in Training Program

### 417.1 PURPOSE AND SCOPE

This policy provides guidelines for on-the-job training that ensure standardized training and evaluation; facilitate the transition from the academic setting to the actual performance of general law enforcement duties; and introduce the policies, procedures, and operations of the Moore Police Department. The policy addresses the administration of training and the selection, supervision, training, and responsibilities of the Training Officer (TO).

### 417.2 POLICY

It is the policy of the Moore Police Department that all newly hired or appointed Officers In Training (OIT) in the Officer in Training Program will participate in training that is staffed and supervised by trained and qualified TOs.

### 417.3 TRAINING PROGRAM

The Department shall establish minimum standards for training, which should be of sufficient duration to prepare OITs for law enforcement duties. The training is designed to prepare OITs for a patrol assignment and ensure they acquire the skills needed to operate in a safe, productive, and professional manner, in accordance with the general law enforcement duties of this department.

- A. Procedures for training, include, but are not limited to:
  1. Issuance of training materials to each OIT at the beginning of his/her training.
  2. Daily training and documentation of the OIT's performance to be completed at the end of each shift.
    - (a) The evaluation will be reviewed with the OIT and the TO, then filed in the training documents.
  3. A multi-phase structure that includes:
    - (a) A formal evaluation progress report completed by the TOs involved with the OIT and submitted to the Training Officer Supervisor (TOS) and Training Officer Commander (TOC).
    - (b) Assignment of the OIT to a variety of shifts and geographical areas.
    - (c) Assignment of the OIT to a rotation of TOs to provide for an objective evaluation of the trainee's performance.
  4. The OIT's confidential evaluation of his/her assigned TOs and the training process.
  5. Retention of all training documentation in the OIT's training file including:
    - (a) All performance evaluations.
    - (b) A certificate of completion or a memorandum upon completion of the final training phase certifying that the OIT has successfully completed the required number of training hours / days.

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6. Newly certified or inexperienced officers must complete all phases of the training program before operating as a "solo" officer.
7. Recently hired experienced officers may have the phases reduced according to the OIT Training Manual but training should include at a minimum, operational procedures and directives specific to the agency.
8. All training should be in accordance with the OIT manual and should not be less than EIGHT (8) weeks in duration.

#### 417.3.1 GENERAL PROHIBITIONS

- A. OITs will be treated fairly at all times. If a non-training officer observes an issue with an OIT, the non-training officer must address it with the OIT's training officer, training supervisor, or training commander and not with the OIT directly. OITs will not be harassed, intimidated, intentionally embarrassed, or treated in a demeaning manner by any officer of the department.
- B. Due to the importance of the learning process, an OIT's performance shall not be discussed with any non-supervisory personnel outside of the Officer in Training Program.

#### 417.4 TRAINING OFFICER COMMANDER (TOC), TRAINING OFFICER SUPERVISOR (TOS), AND OFFICER IN TRAINING COORDINATOR

- A. The Chief of Police shall delegate certain responsibilities to a TOC.
- B. The TOC will be responsible for the OIT program.
- C. The TOC shall be appointed by the Chief of Police and should report to the Operations Bureau Commander or the Chief of Police.
- D. The TOC may appoint a TOS, senior TO, or other designee to assist in the coordination of TOs and their activities in whole or in part. This selected individual will serve as an Officer in Training Coordinator (OTC). If no OTC is appointed, the TOC will fulfill the duties of the OTC.
- E. The responsibilities of the coordinator include, but are not limited to:
  1. Assignment of OITs to TOs.
  2. Conducting TO meetings.
  3. Maintaining and ensuring OIT and TO performance evaluations are completed.
  4. Maintaining, updating and issuing department training materials to each TO and OIT.
  5. Developing ongoing training for TOs.
  6. Mentoring and supervising TOs and individual TO performance.
  7. Monitoring the overall performance of training.
  8. Keeping the TOS's and TOC informed through periodic evaluation reports about the OIT's progress.

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9. Performing other activities as may be directed by the TOC or authorized designee.
  10. Ensuring the completed OIT records are forwarded to the TOC for retention.
- F. The TOC should be required to successfully complete a training course approved by this department that is applicable to the supervision of the Officer in Training Program.

#### **417.5 TRAINING OFFICER SELECTION, TRAINING, AND RESPONSIBILITIES**

##### 417.5.1 SELECTION PROCESS

TO, TOS, TOC, and OTC positions are considered special assignments in accordance with Policy 1002 (Special Assignments and Promotions)

- A. The selection of a TO will be at the discretion of the Chief of Police. The Chief of Police may use the officer's:
1. Desire to be a TO
    - (a) Expressed by submitting a letter of intent to the immediate supervisor.
    - (b) The immediate supervisor will submit a letter to the TOC, indicating whether they would or would not recommend the applicant.
  2. Demonstrated knowledge of Moore Police Department policy, ordinances of the City of Moore, and statutes of the State of Oklahoma.
  3. Demonstrated ability as a positive role model.
  4. Successful completion of an internal oral interview process and / or a board interview, however, the Chief of Police may directly select TO's with or without a selection committee, depending on scheduling and the needs of the department.
  5. Evaluation and recommendation by supervisors and current TO's.
  6. Trained in, or ability to obtain department approved TO certification.
  7. Any other considerable factors include the officer's productivity, attendance, ability to train, certifications, instructor experience, personnel file, and overall suitability for the position.
- B. A TO must remain in good standing and may be relieved from TO duties due to discipline, conduct that is inappropriate or in violation of the agencies Mission, Vision, and Values, or due to poor performance.
- C. The Chief of Police will have the final decision on officers selected to be TO's.

##### 417.5.2 TRAINING OFFICER TRAINING

- A. An officer selected as a TO shall successfully complete the MPD training officer course prior to being assigned an OIT.
- B. All TO's must complete periodic TO update courses approved by this department while assigned to the position of TO.

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##### 417.5.3 TRAINING MATERIALS

The TO shall receive training materials outlining the requirements, expectations, and objectives of the TO position. TOs should refer to their training materials, the TOS or the TOC regarding specific questions related to the Officer in Training Program.

##### 417.5.4 TRAINING OFFICER RESPONSIBILITIES

- A. The responsibilities of the TO include, but are not limited to:
1. Issuing his/her assigned OIT training materials.
    - (a) The TO should ensure that the OIT is provided the opportunity to become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.
    - (b) The TO should sign off on all completed topics contained in the training materials, noting the methods of learning, and evaluating the performance of his/her assigned OIT.
  2. Establishing a rapport with the OIT to facilitate any counseling that is needed during the training phase.
  3. Being a positive role model to the OIT through relentless adherence to the Mission, Vision, and Values of the Moore Police Department, code of conduct, and code of ethics.
  4. Coordinating and directing daily training, motivating the OIT to achieve the best performance possible, and communicating in a manner that facilitates learning.
  5. Providing on-going training and instruction to the OIT, utilizing all practical and accepted techniques available.
  6. Completing and reviewing daily performance evaluations with the OIT.
  7. Completing a Daily Training Report (DTR) utilizing the current "Standardized Evaluation Guidelines", documenting the performance of his/her assigned OIT on a daily basis.
  8. Submitting the Daily Training Report (DTR) to the TOS, documenting the performance of his/her assigned OIT, daily. (TOS's shall forward all DTRs to the TOC for final review).
  9. Providing the TOS with a verbal synopsis of the OIT's activities during any unusual occurrence needing guidance or clarification;
  10. Participate in a weekly meeting with his / her assigned OIT and TOS.
  11. Completing an end of phase report of his / her OIT.
- B. In addition to the training duties the TO shall:
1. Maintain a strictly professional relationship with the OIT.
  2. Not socialize with the OIT off-duty, have any dating or intimate relationship with the OIT, or engage in any conduct that would compromise the TO's ability to impartially assess the OIT's performance.

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3. Not enter into any financial arrangement with the OIT.

#### 417.5.5 TRAINING OFFICER EVALUATION, RETENTION AND REMOVAL

- A. TO's and the OTC should be evaluated after each assigned trainee has completed the program and at least annually, in instances when no TO's were assigned. TO's should be evaluated on their conduct and performance and as a field training officer separately from normal annual evaluations. TOs should be evaluated by the TOS's, who may consult other supervisors who have observed their performance. The Officer in Training Coordinator should be evaluated on his/her overall ability to lead and manage the program by the assigned Training Officer Commander or the Operations Bureau Commander. Criteria for evaluation may be established in a standard operating procedure.
- B. A TO must remain in good standing and may be suspended or relieved from TO duties due to violation of the TO policy, discipline, inappropriate conduct, poor performance, or at the discretion of the Chief of Police in accordance with Special Assignments policy 1002.

#### **417.6 OFFICER IN TRAINING RESPONSIBILITIES**

OITs assigned to the training program are expected to dedicate time and effort to fully comprehend all material assigned them. Learning this material is essential for the OIT to competently perform his/her duties as a police officer. OITs are expected to observe and learn from the TO's and be actively involved in the training process. Any questions, concerns, or problems the OIT may encounter, when practicable should be discussed with the assigned TO. Any further concerns are to be discussed with a TOS, OTC, or the TOC. The OIT is not to discuss any aspect of his/her training with any non-supervisory officer not assigned to the Officer in Training Program.

- A. The OIT is also responsible for, but not limited to:
  1. Being respectful to all officers.
  2. Avoiding any obligations such as college, secondary jobs, etc. that interfere with the training process;
  3. Accepting and following all lawful directions of the TO.
  4. Completing all assignments efficiently and thoroughly.
  5. Studying and following all policies, procedures, and rules of the City of Moore and the Moore Police Department.
  6. Completing all OIT assignments and being responsible for learning and retaining training received.
  7. Working various shifts and assignments which may include working beyond the assigned hours to complete assignments and reports.
  8. Remaining open-minded to training and feedback provided by TO's and responding in a professional and respectful manner.
  9. Adhering to the Mission, Vision, and Values of the Moore Police Department at all times.

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- B. While off-duty the OIT will:
  - 1. Not respond to calls unless specifically directed to do so.
  - 2. Not take any official police action unless it is necessary to prevent imminent great bodily injury or death. Any actions taken must be immediately reported to the TOC at first opportunity.
    - (a) This does not apply to an OIT that has been released to solo assignment.
  - 3. Adhere to the Moore Police Department Code of Ethics and Code of Conduct.

#### **417.7 MENTORS**

- A. Selected TO's should be assigned to OITs as TO Mentors.
- B. TO Mentors should be assigned to OITs during the mini-academy and provide mentoring to OITs throughout the OITP and the OITs 12-month probationary period.
- C. The responsibilities of a TO Mentor include, but are not limited to:
  - 1. Mentoring and Coaching the OIT.
  - 2. Maintaining open communication with OITs and their assigned TOs.
  - 3. Participating in OIT trainings during the mini-academy and Basic Police Officer Academy when able.
  - 4. Communicating any concerns with the TOS and TOC.
  - 5. Conducting routine follow ups with the assigned OIT.
  - 6. Completing monthly mentoring reports / evaluations regarding the OITs performance.
    - (a) Provide completed reports to the TOS for review.
    - (b) Monthly reports to be completed only after an OIT has advanced to Mentoring Phase VII and is operating in a Solo Assignment.
    - (c) Reports completed through an OITs completion of their 12-month probationary period and the OITP.
- D. The OIT has a responsibility to maintain communication with the assigned TO Mentor.

#### **417.8 PROCESS REVIEW**

- A. The Training Officer Commander or designated Officer Training Coordinator should conduct and document two Officer in Training Program Process Review meetings per year. A summary of the meetings and an attendance roster will be documented and at least include any changes in directives or procedures.
- B. The "Process Review" should be a meeting of all active TOs for discussion, training, refreshing, and updating in changes in departmental policy or modifications to the OIT program operation. The meeting should also serve as an opportunity for TOs to discuss training concerns and to offer input toward program improvement.

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- C. The meetings should be scheduled as near to every six (6) months as possible but may allow for 'called' meetings when specific issues arise.
- D. Training Officers should attend at least one such meeting/review throughout the calendar year to remain active within the Officer in Training Program. The OTC or his/her designee may permit a TO to meet with and discuss the same topics with the OTC in lieu of attending at the OTC's discretion.

## Air Support

### 418.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies situations where the use of air support may be requested and the responsibilities for making a request.

### 418.2 POLICY

It is the policy of the Moore Police Department to prioritize requests for air support to enhance law enforcement objectives and provide additional safety to officers and the community.

### 418.3 REQUEST FOR AIR SUPPORT

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support may be made.

#### 418.3.1 CIRCUMSTANCES FOR REQUESTS

Law enforcement air support may be requested under conditions that include, but are not limited to:

- (a) When the safety of officers or the community is in jeopardy and the presence of air support may reduce such hazard.
- (b) When the use of air support will aid in the capture of a fleeing suspect.
- (c) When air support is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (d) Vehicle pursuits.
- (e) Pre-planned events or actions that require air support.
- (f) Due to a request under an existing mutual aid agreement.
- (g) When the Shift Commander or equivalent authority determines a reasonable need exists.

#### 418.3.2 AREA AGENCY REQUEST

After consideration and approval of the request for air support, the Shift Commander will ensure the closest agency having available air support will be apprised of the specific details of the incident prompting the request. The agency should be advised of the known presence of any drones or other unmanned aerial vehicles (UAVs) in the area include city owned, media, or privately owned UAVs.



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## Contacts and Temporary Detentions

### 419.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

#### 419.1.1 DEFINITIONS

Definitions related to this policy include:

**Consensual encounter** - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

**Field interview (FI)** - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

**Field photographs** - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

**Pat-down search** - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

**Reasonable suspicion** - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

**Temporary detention** - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

### 419.2 POLICY

The Moore Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

All temporary detentions conducted by Moore Police officers shall be documented with a field interview card, citation, warning or an appropriate report.

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#### **419.3 FIELD INTERVIEWS**

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Moore Police Department to strengthen community involvement, community awareness and problem identification.

##### **419.3.1 INITIATING A FIELD INTERVIEW**

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

#### **419.4 PAT-DOWN SEARCHES**

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

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- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

#### **419.5 FIELD PHOTOGRAPHS**

##### **419.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT**

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent.

##### **419.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT**

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted properly and retained in compliance with this policy.

##### **419.5.3 DISPOSITION OF PHOTOGRAPHS**

All detainee photographs must be adequately labeled and submitted following current digital evidence procedures.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

##### **419.5.4 SUPERVISOR RESPONSIBILITIES**

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

#### **419.6 WITNESS IDENTIFICATION AND INTERVIEWS**

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

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- (a) Identifying all persons present at the scene and in the immediate area.
  - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
  - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
  - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

## Shift Commanders

### 420.1 PURPOSE AND SCOPE

This policy provides guidelines for the designation of a Shift Commander and, as needed, an acting Shift Commander for each shift.

### 420.2 POLICY

Each shift will be directed by a Shift Commander capable of making decisions and managing in a manner consistent with the mission of the Moore Police Department. To accomplish this, a Captain shall be designated as the Shift Commander for each patrol shift.

### 420.3 DESIGNATION AS SHIFT COMMANDER

Generally when a Captain is unavailable for duty as Shift Commander, the senior on-duty Lieutenant shall be designated as acting Shift Commander for the patrol shift in accordance with the terms of applicable employment agreements and the Temporary Supervisors subsection of the Supervision Staffing Levels Policy.

### 420.4 SHIFT COMMANDER RESPONSIBILITIES

The Shift Commander shall have overall responsibility and accountability for the patrol division of this department on an assigned shift. Duties may include, but are not limited to:

- (a) Ensuring at least one uniformed patrol supervisor is deployed during each shift.
- (b) Ensuring sufficient members are on-duty to accomplish the mission of the Moore Police Department.
- (c) Providing command-level oversight of major crime scenes, tactical situations or disasters.
- (d) Establishing service-level priorities.
- (e) Providing job-related training and guidance to subordinates.
- (f) Acquiring outside resources or providing assistance to other agencies, when applicable.
- (g) Overseeing service inquiries or complaints from the public.
- (h) Acting as the Public Information Officer when appropriate.
- (i) Managing risk exposure.
- (j) Ensuring the security of all department facilities.
- (k) Ensuring the proper equipment and vehicles are available for member use.
- (l) Representing the Department at community functions.
- (m) Serving as a temporary Bureau Commander when so designated.

## Portable Audio/Video Recorders

### 421.1 PURPOSE AND SCOPE

- (a) This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties, so that police personnel may reliably record their contacts with the public in accordance with existing policy and the applicable law.
- (b) This policy is intended to serve as an operational guideline for recording, storage, and access to recordings made by Moore Police Department personnel.
- (c) This policy addresses release of recordings and information with the purpose of balancing transparency and the protection of privacy with intent of conforming to the Oklahoma Open Records Act, applicable laws and other Moore Police policy.
- (d) This policy does not apply to interviews or interrogations conducted at any Moore Police Department facility, scene photographs, unmanned aerial vehicle (UAV) images, thermal or other special imaging, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

### 421.2 POLICY

The Moore Police Department may provide members with portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public. Members of the Moore Police Department shall adhere to the guidelines within this policy.

#### 421.2.1 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department and be retained according to Moore Police Policy and applicable law. Members shall have no expectation of privacy or ownership interest in the content of any of these recordings.

### 421.3 DEFINITIONS

*Data Uploading and Downloading:* For the purposes of this policy shall refer to the transfer of recorded data from a PAV to the Moore Police computer system.

*Portable audio/ video recording equipment (PAV):* Includes all department assigned and personally owned equipment designed primarily for, or capable of portable or mobile audio/ video recording; including but not limited to dash cameras, remote microphones, tape or digital recorders, and Body Worn Cameras (BWC).

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#### *Portable Audio/Video Recorders*

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#### **421.4 PROCEDURES**

Officers assigned a BWC shall wear the camera at all times while in uniform, both on duty and while working off duty. Officers shall adhere to the following procedures when utilizing PAV recording equipment.

##### **421.4.1 EQUIPMENT**

- (a) With the exception of tape or digital audio recorders, only PAVs provided by The Moore Police Department will be used by officers, other personally owned PAVs or other recording devices are not permitted for normal use.
- (b) Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention, documentation, and release requirements.
- (c) PAV equipment is the responsibility of the officer using it and will be maintained according to manufacturer's recommendations.
- (d) Officers shall not alter or modify department owned or issued PAV equipment in any way.
- (e) Prior to each shift officers shall determine whether their PAV equipment is working satisfactorily. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable.

##### **421.4.2 USE**

Where possible, uniformed, on-duty PAV equipped officers shall ensure:

- (a) Any assigned PAV is activated while en-route to all calls, on traffic stops, and official contacts.
- (b) Any PAV video camera is positioned and adjusted to record events.
- (c) That PAVs are not deactivated until the officer's involvement is completed or as set forth in this policy.
- (d) In some situations, it may be impractical or unreasonable for officers to activate their PAV before taking police action. It is expected that once the immediacy of the situation is over, officers will activate their PAV to record the remainder of the incident.
- (e) Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

When possible, any member assigned to a non-uniformed position may carry an assigned BWC and portable audio recorder at any time the member conducts official investigative contacts outside of the recorded interview rooms. Non-uniformed officers should record any incident likely to involve a verbal confrontation, use of force, or other enforcement action.

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#### *Portable Audio/Video Recorders*

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Officers working off-duty jobs in police uniform, are using police credentials, or are identified as a Moore Police officer shall carry, if available a PAV and shall record any incident likely to involve a verbal confrontation, use of force, or other enforcement action.

Once the PAV system is activated it shall remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when:

- (a) All arrests have been made and arrestees have been transported; and
- (b) All witnesses and victims have been interviewed.
- (c) In situations in which an investigation is ongoing and the scene which is being worked is secured, controlled and static.

When the recording ends the officer should state that on the recording or, if there is a break in the recording of a case related incident, the officer's report shall explain why that break occurred.

Officers shall select an event category when ending a recording to indicate whether the video is to be saved or deleted per the department's retention policy. [Moore Police Department Procedures Manual: 404.2.1 Event Categories](#)

#### 421.4.3 GENERAL PROHIBITIONS

Oklahoma law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (13 O.S. § 176.4). Members shall only use PAVs in conjunction with official law enforcement duties and off-duty jobs where police department credentials are used (e.g. security jobs). The PAV shall not be used:

- (a) To secretly record communications with other police personnel without the permission of the Chief of Police;
- (b) To record encounters with undercover officers or confidential informants;
- (c) To record when on break or otherwise engaged in personal activities; or
- (d) To record in any location where individuals have an enhanced reasonable expectation of privacy, such as a restroom or locker room.

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in an official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.



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#### *Portable Audio/Video Recorders*

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Requests for deletion of recordings or portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or his/ her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.

#### 421.4.4 DATA UPLOADING/ DOWNLOADING AND STORAGE

Uploading of all PAVs will be done in accordance with manufacturer specifications and departmental training. PAV evidence will be stored in a departmental designated secure location, including but not limited to:

- (a) An approved web based server, whether that is maintained by the city or an approved outside vendor.
- (b) An approved, on-site departmental server.
- (c) Physical digitally recorded storage devices such as CDs, DVDs, or other digital storage devices.
- (d) PAVs shall not be attached or uploaded/ downloaded to any non-approved device or system.

Officers will upload all manual PAV recordings by the end of the current work day and only to an approved computer system. Officers will not intentionally delay automatic uploads/ downloads from vehicle or other cameras.

Officers will note in appropriate reports when audio/video recordings were made during an incident.

Officers shall not erase, alter, or delete any recording made by the PAV.

Officers are encouraged to inform their supervisor of any recorded sequences that may be of value for training purposes.

#### 421.4.5 REVIEW AND RELEASE OF RECORDINGS

PAV Recordings may be reviewed:

- (a) By an employee to make sure the PAV system is working.
- (b) By an employee to assist with the writing of a report, supplement, or memorandum.
- (c) By authorized persons for the purpose of reviewing evidence.
- (d) By a supervisor investigating a specific act of employee conduct or by authorized department personnel participating in an official investigation, such as, a personnel complaint, administrative inquiry, or a criminal investigation.
- (e) Recordings may be shown for the purpose of training. If an involved employee objects to showing a recording, his objection will be submitted to his supervisor to determine if the training value outweighs the employee's objection.
- (f) Randomly, by supervisors as specified in this policy.

Employees shall not obtain, attempt to obtain, or convert for their personal use or for the unauthorized use of another person, any information obtained by a PAV system. Employees shall

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#### *Portable Audio/Video Recorders*

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not make personal copies or attempt to upload recordings to social networking sites (e.g., YouTube, Facebook).

Supervisory personnel shall ensure that personnel equipped with PAV devices utilize them in accordance with this policy and procedures defined herein. At least on a monthly basis, Supervisors will randomly review PAV recordings to ensure that the equipment is operating properly and that personnel are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required. Minor policy and procedural violations noted during the random review of a PAV recording will be the subject of counseling and training only. It is not the intention of this policy for the video recordings to be a substitute for the personal observations and interactions of the field supervisors for the preparation of their employees' performance evaluations.

The public release of PAV video or other recordings will be conducted in accordance with current Moore Police policy on Open Records and in compliance with the Oklahoma Open Records Act and applicable law.

#### **421.5 RETENTION OF RECORDINGS**

All recordings shall be retained for a period consistent with the requirements of the established records retention schedule but in no event for a period less than 90 days.

## Public Recording of Law Enforcement Activity

### 422.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

### 422.2 POLICY

The Moore Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

### 422.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
  - 1. Tampering with a witness or suspect.
  - 2. Inciting others to violate the law.
  - 3. Being so close to the activity as to present a clear safety hazard to the officers.
  - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officer, him/herself or others.

### 422.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For

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#### *Public Recording of Law Enforcement Activity*

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example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

#### **422.5 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of department members, such as how and where to file a complaint.

#### **422.6 SEIZING RECORDINGS AS EVIDENCE**

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person. Or there is probable cause to believe the recording is evidence and there are articulable exigent circumstances to believe it would be erased or destroyed if not seized immediately.
  1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
  1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
  2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the

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#### *Public Recording of Law Enforcement Activity*

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evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Evidence and Property Management Unit Policy.

## Motorcycles

### 423.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Moore Police Department to safely and effectively use motorcycles for the purpose of enhancing field patrol efforts in the community.

### 423.2 POLICY

It is the policy of the Moore Police Department that motorcycles may be used for traffic enforcement and special events. The use of motorcycles will emphasize traffic safety in the community.

### 423.3 OPERATIONS

Officers are required to have a motorcycle endorsement on their driver licenses and pass an approved motorcycle training course before performing enforcement duties. Motorcycles will normally be used for enforcement operations during day light. Officers assigned to operate motorcycles may use a patrol vehicle in inclement weather. Motorcycles are not to be used in winter weather where uncontrolled sliding is a possibility. Passengers are not allowed on the motorcycle. Motorcycles shall be stored in a secured parking area or in a garage when not in use, this includes motorcycles taken home as part of the take-home-car program.

### 423.4 EQUIPMENT

Officers operating motorcycles are required to wear a helmet, have a face shield or other eye protection, and wear at least ankle-high boots.

### 423.5 PURSUITS

See: [Moore Police Department Policy Manual: 306.4 PURSUIT VEHICLES](#)

## Bicycle Patrol

### 424.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Moore Police Department to safely and effectively use bicycle patrol for the purpose of enhancing field patrol efforts in the community.

### 424.2 POLICY

It is the policy of the Moore Police Department that patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. The use of the patrol bicycle will emphasize officer mobility and department visibility in the community.

### 424.3 OPERATIONS

Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas, and the quiet operation of the patrol bicycle can facilitate a tactical approach to crimes in progress. Patrol bicycles may be deployed to any area, at any hour of the day or night, according to department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers should be coordinated through the Support Services Lieutenant.

### 424.4 TRAFFIC RULES

#### 424.4.1 OFFICER RESPONSIBILITIES

Officers should operate the bicycle in compliance with the Oklahoma Highway Safety Code under normal operation, unless their duties require otherwise (47 O.S. § 11-1202).

Officers may operate the bicycle without lighting equipment during hours of darkness only when it reasonably appears necessary for officer safety or tactical considerations. Officers must use caution and care when operating bicycles without lighting equipment or when they are operating in violation of the rules of the road.

Officers are exempt from the rules of the road while using an audible siren or warning lights under the following conditions (47 O.S. § 11-106):

- (a) In response to an emergency call
- (b) While engaged in rescue operations
- (c) In the immediate pursuit of an actual or suspected violator of the law

#### 424.4.2 EXCEPTION TO THE USE OF EMERGENCY EQUIPMENT

Officers operating a bicycle may exceed maximum speed limits and disregard regulations governing turning in specified directions without using audible and visual signals, provided that the actions do not endanger life or property, when the officer is following a suspected violator of the law and has probable cause to believe that (47 O.S. § 11-106):

- (a) Knowledge of the presence of the officer will cause the suspect to:

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#### *Bicycle Patrol*

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1. Destroy or lose evidence of a suspected felony.
  2. End a suspected continuing felony before the officer has obtained sufficient evidence to establish grounds for an arrest.
  3. Evade apprehension or identification of the suspect or the vehicle of the suspect.
- (b) Because of traffic conditions, there is a potential increased risk of a collision involving vehicles moving in response to the emergency lights and siren.

#### **424.5 PATROL BICYCLE**

Bicycle patrol officers will be assigned a specially marked and equipped patrol bicycle.

Patrol bicycles shall be primarily black or white in color with a "Police" decal affixed to each side of the crossbar or the bicycle's gear bag. Every patrol bicycle shall be equipped with:

- (a) Front and rear reflectors.
- (b) A siren and horn.
- (c) A steady or flashing blue and red warning light that is visible from the front, sides or rear of the bicycle.
- (d) A rear rack and/or gear bag sufficient to carry all necessary equipment to handle routine patrol calls, including report writing, vehicle storage and citations.
- (e) A gear bag that shall include a first-aid kit, tire pump, repair tool, tire tube, security lock, high-visibility vest and equipment information and use manuals. These items are to remain with/on the patrol bicycle at all times.

Patrol bicycles shall be properly secured when not in the officer's immediate presence.

##### **424.5.1 TRANSPORTING THE PATROL BICYCLE**

The patrol bicycle should be transported using a vehicle bicycle rack. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a law enforcement vehicle push-bumper is discouraged.

##### **424.5.2 MAINTENANCE**

- (a) Bicycle patrol officers shall conduct an inspection of the patrol bicycle and equipment prior to use to ensure proper working order of the equipment.
- (b) Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).
- (c) Officers shall not modify the patrol bicycle or remove, modify or add components to the patrol bicycle except with the express approval of the Chief of Police, or in the event of an emergency.
- (d) If a needed repair is beyond the ability of the bicycle patrol officer, a repair work order will be completed and forwarded to the Support Services Supervisor for repair by a technician approved by the Department.



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#### *Bicycle Patrol*

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- (e) At the end of a patrol bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

#### **424.6 UNIFORMS AND EQUIPMENT**

Officers shall wear uniforms and safety equipment in accordance with the Uniforms and Civilian Attire Policy. Approved helmets shall be worn while operating police bicycles.

Bicycle patrol officers shall carry the same equipment on their duty belts as they would on regular patrol assignments. Assignment-specific safety equipment should include, but is not limited to, department-approved helmet, a radio headset and microphone, riding gloves, protective eyewear and approved footwear.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

#### **424.7 TRAINING**

Officers must complete an initial department-approved bicycle-training course prior to assignment to bicycle patrol.

## Segway Personal Transporter

### 425.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Moore Police Department to safely and effectively use Segway personal transporters (Segway) for the purpose of enhancing community relations and supplementing field patrol efforts in the community and during special events.

### 425.2 POLICY

It is the policy of the Moore Police Department that Segways may be used for specialized patrol duty, school resources, parking control, special events, or community relations. The use of the Segways will emphasize officer mobility and department visibility in the community.

### 425.3 OPERATION

It is the discretion of the on duty supervisor to request the Segway during special events or other duties that would benefit from the Segways use. A supervisor can also request the use of the Segway for directed patrols around businesses, residential areas, or in parks. A request for the use of a Segway should be made through the chain of command to a Bureau Commander.

Segways are not authorized to be used for off-duty employment without express consent of the Chief of Police.

Operators will notify their supervisor of any accidents or injuries involving Segways while at the scene of the accident or injury.

#### 425.3.1 CARE AND MAINTENANCE

The officer assigned to a Segway will conduct an inspection of the Segway at the beginning of the assigned patrol or function and again at the completion of the use.

Officers will notify the supervisor of any operational deficiencies or damage as soon as practicable. It is the operator's responsibility to ensure that the Segway is plugged in when not in use.

### 425.4 CONSIDERATIONS

Segways will generally be transported to the location of the deployment and should only be transported in authorized department vehicles.

Officers should be mindful of public perception and should operate the Segway in a way that projects a positive and professional image of the department.

#### 425.4.1 SAFETY

- (a) Only persons who have received department approved training are allowed to operate departmental Segways.
- (b) Officers will wear an appropriate helmet anytime they are operating a Segway unless there are extenuating circumstances.
- (c) Segways will be operated in a conservative and conscientious manner with due regard for the safety of all.

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#### *Segway Personal Transporter*

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- (d) Segways should be operated at a speed reasonable and proper for the conditions present.
- (e) Extreme care should be used when passing others.
- (f) When riding the Segway at night, the appropriate lights will be turned on while on public streets and roadways.
- (g) No citizens or children are allowed to operate or stand on the Segway.

#### **425.4.2 SECURITY**

If a Segway must be left unattended while in service, it should be properly secured and parked in a way which will not impede others and the remote key should not be left with the Segway

#### **425.4.3 WEATHER**

Due to unpredictable handling and risk of damage and injury, Segways should not be used in inclement weather.

Officers should avoid operating the Segway through puddles or standing water to avoid moisture accumulating on the motor or batteries.

#### **425.5 TRAINING**

The Moore Police Department will maintain an approved Segway Officer training course. Only officers who have successfully completed the department approved training are allowed to operate departmental Segways in a duty function.

## Automated License Plate Readers (ALPRs)

### 426.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

### 426.2 POLICY

The policy of the Moore Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

### 426.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Moore Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

The Moore Police Department is a user on the system. The system is administered by the District 21 Task Force.

### 426.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped vehicles to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access confidential department, state or federal data unless authorized to do so.

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#### *Automated License Plate Readers (ALPRs)*

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- (f) If practicable, the officer should verify an ALPR response through the appropriate official law enforcement database before taking enforcement action that is based solely on an ALPR alert.
- (g) ALPR may be used in conjunction with the Uninsured Vehicle Enforcement Program upon approval of the Chief of Police and in accordance with 47 O.S. § 7-606.1.

#### **426.5 DATA COLLECTION AND RETENTION**

The System Administrator is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. The system is designed to transfer data automatically by laptop internet connection. The operator should monitor the system to ensure it is transferring the data.

All stored ALPR data should be retained in accordance with the District 21 guidelines.

#### **426.6 ACCOUNTABILITY**

All data will be closely safeguarded and protected by both procedural and technological means. The Moore Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

#### **426.7 RELEASING ALPR DATA**

Any requests for ALPR data must be submitted to the District 21 Task Force.

##### **426.7.1 UNINSURED VEHICLE ENFORCEMENT PROGRAM DATA**

Information required for prosecutions may be released through sworn affidavits in conjunction with the Uninsured Vehicle Enforcement Program (47 O.S. § 7-606.1).

Data related solely to the Uninsured Vehicle Enforcement Program shall be retained as evidence of a violation of the Compulsory Insurance Law, but should be purged when no longer needed as evidence of the offense. Data related solely to the Uninsured Vehicle Enforcement Program shall not be sold or shared in manner that is not authorized by 47 O.S. § 7-606.1.

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## Homeless Persons

### 427.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department members understand the needs and rights of the homeless, and to establish procedures to guide them during all contacts with the homeless, whether consensual or for enforcement purposes.

### 427.2 POLICY

It is the policy of the Moore Police Department to protect the rights, dignity and private property of all members of the community, including people who are homeless. Abuse of authority to harass any member of the community will not be permitted. The Moore Police Department will address the needs of homeless persons in balance with the overall mission of this department.

Homelessness is not a crime and members will not use homelessness as the sole basis for detention or law enforcement action.

### 427.3 LIAISON TO THE HOMELESS COMMUNITY

The Chief of Police may delegate certain responsibilities to the Community Services Unit as a liaison to the homeless community.

The Community Services Unit responsibilities may include, but are not limited to:

- (a) Maintaining and making available to all department members a list of assistance programs and other resources that are available to homeless persons.
- (b) Meeting with social services and representatives of other organizations that render assistance to the homeless community.
- (c) Maintaining a list of the areas within and near the jurisdiction of this department that are used as frequent homeless encampments.
- (d) Remaining abreast of laws dealing with homelessness, including personal property rights.
- (e) Being present during any clean-up operation conducted by this department that involves the removal of personal property of the homeless.
- (f) Developing training to assist members in understanding current legal and social issues relating to the homeless.

### 427.4 FIELD CONTACTS

Officers are encouraged to contact a homeless person to render aid, offer assistance or to check on the person's welfare. Officers also will take enforcement action when information supports a reasonable and articulable suspicion of criminal activity..

Officers should provide homeless persons with resources and assistance information whenever it is reasonably apparent that such services may be appropriate.

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#### *Homeless Persons*

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##### **427.4.1 CONSIDERATIONS**

A homeless person will receive the same level and quality of service provided to other members of the community. The fact that a victim, witness or suspect is homeless can, however, require special consideration for a successful investigation and prosecution. When handling investigations involving victims, witnesses or suspects who are homeless, officers should consider:

- (a) Documenting alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Documenting locations the person may frequent.
- (c) Providing victim/witness resources, when appropriate.
- (d) Obtaining sufficient statements from all available witnesses in the event that a victim cannot be located and is unavailable for a court appearance.
- (e) Arranging for transportation for investigation-related matters.
- (f) Whether the person may be an adult abuse victim and, if so, proceed in accordance with the Adult Abuse Policy.

##### **427.5 MENTAL HEALTH ISSUES**

When mental health issues are evident, officers should consider referring the person to the appropriate mental health agency or providing the person with contact information for mental health assistance, as appropriate. In these circumstances, officers may provide transportation to a mental health facility for voluntary evaluation if it is requested or offered and accepted by the person, and approved by a supervisor. Officers should consider detaining the person under an emergency detention when facts and circumstances reasonably indicate such a detention is warranted (see the Emergency Detentions Policy).

##### **427.6 ECOLOGICAL ISSUES**

Sometimes homeless encampments can have an impact on the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or City departments when a significant impact to the environment has or is likely to occur. A significant impact to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

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## Medical Aid and Response

### 428.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

### 428.2 POLICY

It is the policy of the Moore Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

### 428.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Communications Division and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Communications Division with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
  1. Signs and symptoms as observed by the member.
  2. Changes in apparent condition.
  3. Number of patients, sex, and age, if known.
  4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
  5. Whether the person is showing signs of extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment and should defer medical decisions to the appropriate medical personnel.



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#### **428.4 TRANSPORTING ILL AND INJURED PERSONS**

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

#### **428.5 PERSONS REFUSING EMS CARE**

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with an emergency detention in accordance with the Emergency Detentions Policy.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment. Officers may sign as a witness to any refusal.

#### **428.6 MEDICAL ATTENTION RELATED TO USE OF FORCE**

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Conducted Energy Device policies.

#### **428.7 AIR AMBULANCE**

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

If an air ambulance is responding, officers will coordinate with EMS and fire department members to establish a safe and appropriate landing zone.

Members shall follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.

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- Wear eye protection during the landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

#### **428.8 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION**

Members who have been trained may administer opioid overdose medication (63 O.S. § 1-2506.1).

##### 428.8.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired.

##### 428.8.2 OPIOID OVERDOSE MEDICATION REPORTING

Requirements:

- (a) A supervisor shall be notified as soon as practicable after administering overdose medication.
- (b) Any member administering opioid overdose medication should detail its use in an incident report.
- (c) The supervisor should ensure that an "Overdose Prevention Program Report-Back Form" is completed and emailed in accordance with the instructions on the form to get replacement medication. This information is to be documented in the incident report.
- (d) The "Overdose Prevention Program Report-Back Form" is to be attached to the incident report.

##### 428.8.3 OPIOID OVERDOSE MEDICATION TRAINING

The Training Coordinator should ensure training is provided to members authorized to administer opioid overdose medication.

#### **428.9 SICK OR INJURED ARRESTEE**

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems

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or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

#### **428.10 FIRST AID TRAINING**

Subject to available resources, the Training Coordinator should ensure officers receive periodic first aid training appropriate for their position.

## First Amendment Assemblies

### 429.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

### 429.2 POLICY

The Moore Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

### 429.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets, or walkways, generally have the right to assemble, rally, demonstrate, protest, or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills, leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential.

The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life, and to prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones, or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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##### 429.3.1 PHOTOGRAPHS, VIDEO RECORDINGS AND OTHER INFORMATION

Photographs, video recordings and other information may be collected at assemblies and demonstrations as they can serve a number of purposes, such as support of criminal prosecutions, assistance in evaluating department performance, serving as training material, recording the use of dispersal orders and facilitating a response to allegations of improper law enforcement conduct.

Photographs, video recordings and other information shall not be maintained on the political, religious or social activities, views or associations of any individual, group or organization unless those activities, views or associations directly relate to an investigation of criminal activity and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

##### **429.4 UNPLANNED EVENTS**

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to:

- Location.
- Number of participants.
- Apparent purpose of the event.
- Leadership (whether it is apparent and/or whether it is effective).
- Any initial indicators of unlawful or disruptive activity.
- Indicators that lawful use of public facilities, streets or walkways will be impacted.
- Ability and/or need to continue monitoring the incident.

Initial assessment information should be promptly communicated to Communications Division, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

##### **429.5 PLANNED EVENT PREPARATION**

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

##### 429.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.

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- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

#### 429.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (helmets, shields, etc.).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) An established liaison with demonstration leaders and external agencies.
- (h) An established liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

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##### **429.5.3 MUTUAL AID AND EXTERNAL RESOURCES**

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

##### **429.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS**

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander should make a clear, standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

##### **429.7 USE OF FORCE**

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and the Conducted Energy Device policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

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Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

#### **429.8 ARRESTS**

The Moore Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

#### **429.9 MEDIA RELATIONS**

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media, to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

#### **429.10 DEMOBILIZATION**

When appropriate, the Incident Commander should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

#### **429.11 POST EVENT**

The Incident Commander should designate a member to assemble full documentation of the event, to include:

- (a) Operational plan.
- (b) Any incident logs.



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- (c) Any assignment logs.
- (d) Vehicle, fuel, equipment and supply records.
- (e) Incident, arrest, use of force, injury and property damage reports.
- (f) Photographs, audio/video recordings, Communications Division records/tapes.
- (g) Media accounts (print and broadcast media).

#### 429.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used, to include:

- (a) Date, time and description of the event.
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests, costs).
- (c) Problems identified.
- (d) Significant events.
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

#### 429.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

#### 429.12.1 CIVIL DISTURBANCE TEAM

The Moore Police Department has established an assigned unit to respond to planned and unplanned public assemblies. The Moore Police Department Civil Disturbance Team is specifically trained and equipped to respond to incidents of this nature. When necessary the Civil Disturbance Team may be activated by the Chief of Police. They will be responsible for operations during the event and under the control of the incident commander.

## Civil Disputes

### 430.1 PURPOSE AND SCOPE

This policy provides members of the Moore Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Abuse Policy will address specific legal mandates related to domestic abuse court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Oklahoma law.

### 430.2 POLICY

The Moore Police Department recognizes that civil disputes are best resolved amicably or through court proceedings. Police involvement in civil disputes should be avoided, but when necessary, involvement should be limited to maintaining the peace.

### 430.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While the following is not intended to be an exhaustive list, members should give consideration to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice; however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.

### 430.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

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##### **430.4.1 STANDBY REQUESTS**

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

If the officer believes there is a need to accompany the person to the location of the property, they should contact a supervisor. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

##### **430.5 VEHICLES AND PERSONAL PROPERTY**

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

Officers shall not physically assist in the removal of any property during any civil standby, even with apparent consent of any or all parties, without legal basis for a governmental seizure.

##### **430.5.1 REPOSSESSION DISPUTES**

In repossession disputes involving vehicles or other property, the officer's responsibility is first to restore and maintain order. The party attempting to repossess the property should produce documentation authorizing the repossession but the officer shall not order or otherwise coerce the property to be given to the repossession agent. In order to comply with Oklahoma State Statutes regarding repossession, the repossession must be made in a peaceful manner without dispute between the parties.

##### **430.6 REAL PROPERTY**

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

## Medical Marijuana

### 431.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production, or use of marijuana under Oklahoma's medical marijuana laws (63 O.S. § 420 et seq.; OAC 442:10-1-1 et seq.).

#### 431.1.1 DEFINITIONS

Definitions related to this policy include:

**Allowable amount** - A licensee is able to have possession of the following (63 O.S. § 420; OAC 442:10-2-8):

- (a) Up to 3 ounces or 84.9 grams of marijuana on the licensee's person
- (b) 6 mature marijuana plants and the marijuana harvested from those plants
- (c) 6 seedling plants
- (d) 1 ounce or 28.3 grams of concentrated marijuana
- (e) 72 ounces or 2,037.6 grams of edible marijuana
- (f) Up to 8 ounces or 226.4 grams of marijuana in the licensee's residence
- (g) 72 ounces of topical marijuana

**Licensee** – A person who has been properly issued any medical marijuana license (e.g., adult/minor patient, caregiver, out-of-state) by the Oklahoma Medical Marijuana Authority (OMMA) (OAC 442:10-1-4).

**Medical marijuana** – Marijuana that is grown, processed, dispensed, tested, possessed, or used for a medical purpose (OAC 442:10-1-4).

### 431.2 POLICY

It is the policy of the Moore Police Department to prioritize resources to avoid making arrests related to marijuana that the arresting officers reasonably believes would not be prosecuted by state or federal authorities.

Oklahoma medical marijuana laws are intended to provide protection from prosecution to those who possess medical marijuana to mitigate the symptoms of a medical condition for which the medical marijuana provides therapeutic or palliative benefits. However, Oklahoma medical marijuana laws do not affect federal laws, and there is no medical exception under federal law for the possession or distribution of marijuana. The Moore Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Oklahoma law and the resources of the Department.

### 431.3 INVESTIGATION

Investigations involving the possession, delivery, production, or use of marijuana generally fall into one of several categories:

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- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a medicinal claim is made by a licensee.
- (c) Investigations when a medicinal claim is made by a non-licensee.
- (d) Investigations related to the unlawful sale or transfer of medical marijuana.

#### 431.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production, or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the officer should proceed with a criminal investigation. A medicinal claim may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

#### 431.3.2 INVESTIGATIONS INVOLVING MEDICINAL CLAIM BY LICENSEE

Officers should not take enforcement action against a licensee who is in possession of the allowable amount of medical marijuana. Officers may utilize the system established by the OMMA to confirm the authenticity and validity of the person's license (OAC 442:10-2-7).

When a person makes a medicinal claim and has an allowable amount of medical marijuana but does not have a license in the person's possession, if the officer can otherwise determine the person is a valid license holder, no enforcement action should be taken.

Possession of up to 1.5 ounces or 42.45 grams of marijuana by a person who claims a medical condition but is not in possession of a valid license is a misdemeanor offense with a fine prescribed by 63 O.S. § 420(B).

Under these circumstances, an arrest shall not be made and a citation shall be issued unless there has been a violation of another provision of law (63 O.S. § 420(B)).

#### 431.3.3 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana possession, delivery, production, or use:

- (a) Because enforcement of medical marijuana laws can be complex, time-consuming, and can call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
  - 1. The suspect has been identified and can be easily located at another time.
  - 2. The case would benefit from review by a person with expertise in medical marijuana investigations.
  - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
  - 4. Any other relevant factors exist, such as limited available department resources and time constraints.

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5. The case involves the sale or transfer of medicinal marijuana or medical marijuana products or otherwise involves a violation of OAC 442:10-2-9.
- (b) Whenever the initial investigation reveals an amount of marijuana greater than that specified by law, officers should consider and document, in anticipation of an affirmative defense:
1. The amount of marijuana recommended by a medical professional to be ingested.
  2. The quality of the marijuana.
  3. The method of ingestion (e.g., smoking, eating, nebulizer).
  4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
  5. Whether the marijuana is being cultivated indoors or outdoors, the climate.
- (c) Before proceeding with enforcement related to dispensaries, commercial growers, or processors, officers should consider conferring with appropriate legal counsel and the OMMA.

#### **431.4 FEDERAL LAW ENFORCEMENT**

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

## **Chapter 5 - Traffic Operations**

## Traffic

### 500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

### 500.2 POLICY

It is the policy of the Moore Police Department to educate the public on traffic-related issues and to enforce traffic laws. Any enforcement action taken by a Moore Police Officer will be accomplished in a fair and equitable manner. The ultimate goal of traffic law enforcement and education is to increase public safety.

### 500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors may be considered in the development of deployment schedules for department members. State and local data on traffic collisions are a valuable resource. Factors for analysis include, but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic collisions, and also will consider the hours and locations where traffic collisions tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic collisions frequently occur.



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#### **500.4 ENFORCEMENT**

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or citations issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Several methods are effective in the reduction of traffic collisions (22 O.S. § 1115.1; 22 O.S. § 1115.1A).

##### 500.4.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a non-hazardous, non-moving or minor violation was inadvertent. Generally, all warnings should be written. Written warnings should be made using the appropriate electronic ticket writer or printed form.

##### 500.4.2 CITATIONS

Generally, citations should be issued when a member believes it is appropriate. A citation shall be issued to release a person who is arrested solely for a misdemeanor violation of a state traffic law or a municipal traffic ordinance, if (11 O.S. § 27-117; 11 O.S. § 27-117.1; 11 O.S. § 28-114.1; 22 O.S. § 1115.1; 22 O.S. § 1115.1A):

- (a) The officer is satisfied as to the identity of the arrested person.
- (b) The arrested person signs a written promise to appear, unless the person is unconscious or injured and requires immediate medical treatment as determined by a treating physician.
- (c) The violation does not constitute an offense for which a physical arrest should be made.

When issuing a citation for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, the arresting officer shall include on the citation:

- An explanation of the violation or charge.
- The court appearance procedure, including the optional or mandatory appearance by the motorist.
- A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.
- Notice that failure to timely appear for arraignment will result in the suspension of his/her driving privilege and driver license in Oklahoma or, for nonresidents, pursuant to the Nonresident Violator Compact (47 O.S. § 790).

Ref: [Moore Police Department Procedures Manual: 502.2.6 No State Driver License/Driving Under Suspension, Revocation, Denial, Cancellation](#)

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##### **500.4.3 PHYSICAL ARREST**

Physical arrest can be made on a number of criminal traffic offenses. These cases usually deal with, but are not limited to (22 O.S. § 1115.1; 22 O.S. § 1115.1A):

- (a) A felony.
- (b) Negligent homicide.
- (c) Driving or being in actual physical control of a motor vehicle while impaired or under the influence of alcohol or other intoxicating substances, unless the person is unconscious or injured and requires immediate medical treatment as determined by a treating physician.
- (d) Eluding or attempting to elude a law enforcement officer.
- (e)
- (f) An arrest based upon an outstanding warrant.

##### **500.4.4 PUBLIC CARRIERS AND COMMERCIAL VEHICLES**

Public carriers, commercial vehicles and other vehicles for which a commercial driver license is required should be handled in accordance with state law, which may include issuance of citations, warnings or other appropriate actions.

##### **500.4.5 GRACE PERIOD**

A grace period in which warnings should be issued in lieu of citations of no more than 30 days should be observed when a new law is implemented or when a traffic control device is installed, unless the violation is flagrant or dangerous.

##### **500.4.6 PEDESTRIANS, BICYCLES OR NON-REGISTERED CONVEYANCES**

Violations of traffic laws involving pedestrians, bicycles or other non-registered conveyances should be cited based upon local ordinances. The age and ability of the pedestrian, bicycle rider or other user should be considered in issuing citations.

##### **500.5 SUSPENDED OR REVOKED LICENSES**

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should follow the procedures set out in [Moore Police Department Procedures Manual: 502.2.6 No State Driver License/Driving Under Suspension, Revocation, Denial, Cancellation, Disqualification](#).

##### **500.6 HIGH-VISIBILITY VESTS**

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

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##### **500.6.1 REQUIRED USE**

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic collision investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

##### **500.7 HAZARDOUS CONDITIONS**

Officers encountering hazardous road conditions should assess the severity of the hazard and take appropriate action.

##### **500.8 VEHICLE CHECKPOINTS**

The Chief of Police or authorized designee may establish guidelines for roadside vehicle checkpoints based upon reasonable criteria (e.g., holidays, traffic injuries or fatalities, community requests). Operational decisions should be made by supervising officers. Guidelines for checkpoints should include, but are not limited to:

- (a) Reasonable location and duration.
- (b) Neutral criteria for stopping motorists.
- (c) Clear indicators of the official nature of the checkpoint.
- (d) Clearly identified officers and equipment.
- (e) Adequate safety precautions.
- (f) Minimal detention of motorists.
- (g) Advance public notice.

##### **500.9 TRAFFIC STOPS**

Officers shall perform traffic stops only when there is an articulable reason to do so. The safety of the officer, the driver of the vehicle and the public shall be considered prior to the conducting a traffic stop.

Routine traffic stops shall only be performed by a uniformed officer operating a police emergency vehicle. This does not prevent officers from making stops pursuant to the take home vehicle rules or emergencies.

Officers initiating a traffic stop shall follow department-approved safety procedures.

##### **500.10 TRAFFIC CONTROL**

- (a)
- (b)

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- (c)
- (d)
- (e)
- (f)

#### **500.11 ESCORT SERVICES**

All requests for on-duty escort services provided by the Moore Police Department shall be approved by the Chief of Police.

If a request is granted, the Traffic Supervisor should be responsible for:

- (a) Identification of required department resources.
- (b) Coordination with outside agencies.
- (c) Identification of safety and security risks.
- (d) Reasonable precautions to ensure public safety.

Only marked vehicles equipped with emergency lights and sirens shall be used to provide escort services.

##### **500.11.1 OFF-DUTY FUNERAL ESCORTS**

Funeral escorts will normally be handled as off-duty employment.

## Traffic Collisions

### 501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic collisions.

### 501.2 POLICY

It is the policy of the Moore Police Department to respond to traffic collisions and render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of collisions by attempting to identify the cause of the collision and through enforcing applicable laws. Unless restricted by law, traffic collision reports will be made available to the public upon request.

### 501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be notified when the incident:

- (a) Is within the jurisdiction of this department and there is:
  - 1. A life-threatening injury.
  - 2. A fatality.
  - 3. A City vehicle involved.
  - 4. A City official or employee involved.
  - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
  - 1. A City of Moore vehicle involved.
  - 2. A City of Moore official involved.
  - 3. Involvement of an on-duty member of this department.

#### 501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.

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- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.
- (g) Control of property belonging to collision victims. If the vehicle is towed at the direction of the member, property will be handled in accordance with the Vehicle Towing and Evidence and Property Management Unit policies.

#### **501.4 NOTIFICATION ACCIDENT SPECIALIST**

If a traffic collision involves a life-threatening injury or fatality, the responding officer shall notify a supervisor. The supervisor will notify an accident specialist supervisor who will assign the appropriate specialists to investigate the collision. The on-scene supervisor will ensure notification is made in accordance with the Major Incident Notification Policy.

##### 501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, department chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic collision should not be released until notification is made to the victim's immediate family.

#### **501.5 MINIMUM REPORTING REQUIREMENTS**

A written collision report shall be taken when:

- (a) A fatality, any injury (including complaint of pain) or total property damage of \$500 or more is involved (47 O.S. § 40-102).
- (b) Driving under the influence or hit-and-run is involved.
- (c) An on-duty member of the City of Moore is involved.
- (d) The collision results in any damage to any City-owned or leased vehicle.
- (e) The collision involves any other public agency driver or vehicle.
- (f) There is damage to public property.
- (g) There is damage to any vehicle to the extent that towing is required.
- (h) Prosecution or follow-up investigation is contemplated.
- (i) Hazardous materials are involved.
- (j) The persons in the collision dispute the facts of the collision.
- (k) Directed by a supervisor.

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##### **501.5.1 PRIVATE PROPERTY**

Generally, reports should not be taken when a traffic collision occurs on private property unless it involves an injury or fatality, a hit-and-run violation or other traffic law violation, DUI/APC, or the vehicle is the property of the state or a political subdivision of the state. Members may provide assistance to motorists as a public service, such as exchanging information and arranging for the removal of the vehicles. (47 O.S. § 10-108 and 47 O.S. § 40-102)

##### **501.5.2 CITY VEHICLE INVOLVED**

A traffic collision report shall be taken when a City of Moore vehicle is involved in a traffic collision that results in property damage or injury.

A general information report may be taken in lieu of a traffic collision report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

The responding officer shall notify an on-duty supervisor who will ensure proper notifications are made including the vehicle operators supervisor and Moore Risk Management. Both representatives should be allowed reasonable time to respond to the scene.

Whenever there is damage to a City police vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Bureau Commander. The traffic investigator or supervisor at the scene should determine what photographs should be taken of the scene and the vehicle damage.

##### **501.5.3 INJURED ANIMALS**

Department members should refer to the Animal Control Policy when a traffic collision involves the disposition of an injured animal.

#### **501.6 INVESTIGATION**

When a traffic collision meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence, reporting) on the appropriate forms.

##### **501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY**

The Traffic Supervisor or on-duty Shift Commander may request that the Oklahoma Department of Public Safety (DPS) or other outside law enforcement agency investigate and complete a traffic collision investigation when a life-threatening injury or fatal traffic collision occurs within

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the jurisdiction of the Moore Police Department and involves an on or off-duty member of the department.

Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic collision. The collision investigation and report shall be completed by the agency having jurisdiction.

#### **501.7 ENFORCEMENT ACTION**

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the collision, authorized members should issue a citation or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

##### **501.7.1 FATALITY OR GREAT BODILY INJURY COLLISIONS**

Any driver of a vehicle involved in a collision, who could be cited for any traffic offense, which results in immediate death or great bodily injury of any person (as defined in 21 O.S. § 646.B) shall submit to drug and alcohol testing as soon as practicable after the collision occurs. Absent consent of the driver a warrant should be sought before obtaining blood samples. The procedures in 47 O.S. § 752 shall be followed to determine the presence of alcohol or controlled dangerous substances in the driver's system. (47 O.S. § 10-104)

This process should be conducted or overseen by an accident specialist.

##### **501.7.2 PRIVATE PROPERTY ENFORCEMENT**

The following violations may be enforced when motor vehicle collisions occur on public access private property or on a private road, driveway or parking area:

- (a) Leaving the scene of a motor vehicle collision
- (b) DUI/APC
- (c) Reckless Driving
- (d) Failure to Provide Security Verification

#### **501.8 REPORTS**

Department members shall utilize state-approved forms as required for the reporting of traffic collisions (OAC 595:65-1-2). All such reports shall be forwarded to the Patrol Division for approval and filing.

##### **501.8.1 REPORT MODIFICATION**

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.



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##### 501.8.2 RECORDS DIVISION RESPONSIBILITIES

The responsibilities of the Records Division include but are not limited to:

- (a) Ensuring that reports of traffic collisions are forwarded to the appropriate state agency (OAC 595:65-1-2).
- (b) Ensuring the monthly and quarterly reports on traffic collision information and statistics are forwarded to the Operations Bureau Commander or other persons as required.

## Vehicle Impound and Towing

### 502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

### 502.2 POLICY

The Moore Police Department will tow vehicles and conduct inventories of impounded vehicles when appropriate and in accordance with the law.

### 502.3 AUTHORITY FOR IMPOUNDMENT AND TOWING OF VEHICLES

Moore Police Officers are authorized to tow or impound vehicles under the following conditions:

- (a) Incident to arrest;
- (b) Driver does not have a valid license;
- (c) Improperly registered vehicles;
- (d) Missing or altered vehicle identification number (VIN);
- (e) Stolen vehicles;
- (f) Accident scenes;
- (g) Abandoned vehicles or hazardous vehicles;
- (h) When the vehicle is, or contains evidence, or is subject to seizure;
- (i) Vehicle has been “red tagged” for more than 48 hours;
- (j) Vehicle is not insured;
- (k) Otherwise when permitted by the Oklahoma State Statute (47 O.S. § 955) or City of Moore Ordinances (15-1901. A.).

#### 502.3.1 INCIDENT TO ARREST

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by having the vehicle towed.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest.

An officer may also impound a vehicle if there is probable cause that the person operating the vehicle has not been granted driving privileges or that the driving privileges of the person are currently suspended, revoked, canceled, denied, or disqualified (47 O.S. § 955).

#### 502.3.2 IMPROPERLY REGISTERED OR MISSING/ ALTERED VIN

Officers may impound a vehicle:

- (a) After ninety (90) days from the expiration date for annual registration of the vehicle. A hold will be placed on the vehicle until owner presents proof that the vehicle registration is current (This does not apply to personalized tags, only to the original issued tag).

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- (b) When a license plate(s) is displayed on the vehicle not assigned to that vehicle and it is reasonable to believe the owner/operator of the vehicle intended to circumvent or violate the law.
- (c) When a Vehicle Identification Number (VIN) has been removed, replaced, or purposely modified and there is probable cause to believe the owner or operator of the vehicle intended to circumvent or violate the law.

#### 502.3.3 RECOVERED STOLEN VEHICLES

Impoundment of stolen vehicles or suspected stolen vehicles is appropriate when the following circumstances exist:

- (a) The owner or agent of the owner cannot be contacted;
- (b) The owner or agent of the owner is contacted and cannot or will not respond in a reasonable amount of time;
- (c) Immediate removal is necessary for safety reasons;
- (d) The vehicle was used in the commission of a crime and impoundment is necessary to collect evidence.

Officers shall document reasonable efforts to contact owners or agents of the owners of the vehicles.

#### 502.3.4 ACCIDENT SCENES

A vehicle may be towed, when at the scene of an accident, the owner or driver is not in a position to take charge of the vehicle and direct or request its proper removal.

#### 502.3.5 IMPOUND FOR EVIDENCE/ SEIZURE

A vehicle may be impounded for:

- (a) Evidence: When the vehicle was used as an instrument of crime or the vehicle contains evidence of a crime that can not be processed at the scene and/ or it must be secured to ensure evidentiary integrity.
- (b) Seizure: When the officer intends to initiate forfeiture proceedings as specified by Oklahoma State Statutes or pursuant to a seizure warrant.

In the event that a commercial rotation wrecker service is used to tow a vehicle to a secure location for processing (such as the police station), the same wrecker service will be contacted to tow the vehicle to storage. Vehicles released from evidence or seizure will be released from the wrecker service yard and not from the police station in compliance with the release of impounded vehicles section of this policy. Any associated towing costs are the responsibility of the owner or agent of the vehicle. Costs associated with the towing of a vehicle that is retained for seizure are the responsibility of the City.

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##### 502.3.6 RED TAGGED VEHICLES

A vehicle may be impounded when a red sticker has been affixed to a vehicle warning the vehicle will be impounded after forty-eight (48) hours if not removed for violation of a municipal ordinance or state law.

##### 502.3.7 IMPOUNDMENT FOR FAILURE TO BE INSURED

A vehicle may be impounded when the officer has probable cause to believe that the vehicle is not insured as required by the Compulsory Insurance Law of this state as documented by one of the following:

- (a) An admission by the driver or other occupant of the vehicle;
- (b) Confirmation through the Oklahoma Tax Commission records;

#### **502.4 TOWING SERVICES**

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation or other system established by the Department for tow services should be followed.

##### 502.4.1 ROTATION LOGS

The Department shall keep rotation logs on all requested tows unless there are an insufficient number of licensed wrecker or towing services available to rotate after a competitive bid process. Rotation logs shall be made available for public inspection upon request (47 O.S. § 952) (Municipal Ordinance Chapter 12 9-1207-1209).

Calls made from cell phones or two-way radios by department members to any wrecker service shall be listed on the rotation or call logs and made available for public inspection.

#### **502.5 VEHICLE INVENTORY**

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.
- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.
- (c) Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers should be inventoried, provided the keys are available or they can be opened without damage.

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- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will be opened for inventory purposes.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. When practicable and appropriate, such items should be removed from the vehicle and given to the owner, or booked into property for safekeeping. Examples include wallets, purses, cell phones, portable computers and tablets, and keys not belonging to the vehicle.

The inventory should be conducted in the presence of the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

#### **502.6 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY**

If the impound of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator or occupant who is present at the time to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or his/her agent to request a hearing to contest the tow.

#### **502.7 RECORDS AND COMMUNICATIONS**

Records Unit and Communications members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

##### **502.7.1 VEHICLE STORAGE REPORT**

Department members towing a vehicle shall complete a vehicle tow report. The report should be submitted to the Records Unit as soon as practicable after the vehicle is towed. Communications will also complete necessary OLETS vehicle storage information.

##### **502.7.2 NOTICE OF TOW**

As soon as practicable, and in any event within 72 hours of a vehicle being towed, the Records Unit shall send a notice of tow to the Department of Public Safety. The notice shall include (47 O.S. § 903):

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- (a) The name and address of the owner, if known.
- (b) The date and location where the vehicle is stored.
- (c) A description of the vehicle, including:
  - 1. Make and model.
  - 2. License plate number, registration number and vehicle identification number (VIN).
- (d) The estimated value of the vehicle as determined by the officer who directed the impoundment.

#### **502.8 RELEASE OF IMPOUNDED VEHICLES**

An impounded vehicle without a hold shall be released by the Moore Police Department to the owner of the vehicle, or other person lawfully entitled during normal business hours subject to the following:

- (a) If the person seeking the release has a valid title or the vehicle is currently registered, which registration can be verified, and that the person has a valid driver license or a temporary one issued when that person surrenders his license or other proper photo identification and valid insurance as required by the Compulsory Insurance Law of this state.
- (b) If the person has a bill of sale from a local automobile dealer, dated within 30 days of the date of impound, the person has a valid driver's license or other proper photo identification and valid insurance.
- (c) If the registered owner is unable to be present, but sends the title or registration, a notarized statement describing the vehicle and giving the police department the owner's permission to release the vehicle to the person presenting the title or registration and letter and that person has proper photo identification and a copy of valid insurance for the vehicle. For out of state owners, their local police department may electronically notify the Moore Police Department for verification of ownership. The police department shall keep on file the original letter or notification.
- (d) The person attempting to obtain the release must sign a hold harmless agreement releasing the city and wrecker service from any and all liability in releasing said vehicle. The police department shall provide the forms.

During non-business hours a vehicle should only be released when the owner shows a valid title registered in their name, or a registration receipt, which has been updated within the previous thirty (30) days. Owners/Agents who do not meet these criteria wishing to have their vehicles released should be referred to normal business hours.

Vehicles impounded at the direction of officers shall not be released to an owner without proof of valid insurance or an affidavit of nonuse on the roadway. An impounded vehicle may be released to an insurer who accepts liability for the vehicle without proof of valid insurance or an affidavit of nonuse (OAC 595:25-7-2).

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Members shall not authorize the release of vehicles when there is a legitimate reason to preserve the secured status of an impounded or stored vehicle, including but not limited to:

- (a) Failure to pay taxes due to the state.
- (b) Forfeiture proceedings under the Uniform Controlled Dangerous Substances Act (63 O.S. § 2-506).
- (c) Evidentiary proceedings.
- (d) Failure to provide proof of insurance.
- (e) The vehicle was used in the commission of a felony offense (47 O.S. § 955).

#### **502.8.1 HOLDS**

A hold should only be placed on vehicles impounded for evidence and/or seizure, or are improperly registered in any form including, an out of date license tag, the absence of a license tag, or any other form of improper registration. In the event an officer determines a need exists to preserve the secured status of an impounded or stored vehicle, the officer may direct the operator of the towing service or storage facility to place a hold on the vehicle.

Vehicles held as/for evidence will only be held until the evidence is collected. The vehicle will then be released.

Only a supervisor can authorize a hold on a vehicle.

#### **502.9 REMOVAL OF VEHICLES DUE TO HAZARD**

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through Communications Division to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (47 O.S. § 955).

Vehicles that are not the property of the City should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs.

## Vehicle Tow Hearings

### 503.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for vehicle tow hearings.

### 503.2 POLICY

When a vehicle is towed at the direction of any member of the Moore Police Department, a hearing will be conducted upon request pursuant to 47 O.S. § 903A (Municipal Ordinance 15-1901. C.).

### 503.3 HEARING OFFICER

The Chief of Police will identify the person who will act as a hearing officer when the decision of a member to tow a vehicle is contested. The hearing officer in any case must be a person other than the member who directed the vehicle to be towed.

### 503.4 HEARING PROCESS

The registered or legal owner of the vehicle or his/her agent may request a hearing when a vehicle is towed or stored at the direction of any member of the Moore Police Department (47 O.S. § 903A). Provided, however, the city shall not be required to provide a hearing if the request is received more than ten (10) days following actual or constructive notice to the owner or driver of the vehicle that said vehicle has been so removed or stored.

A timely requested hearing shall be scheduled within 72 hours of the request, excluding weekends and holidays. If the registered or legal owner consents, the hearing may be conducted via a telephone conference call.

Any relevant evidence may be submitted and reviewed by the hearing officer to determine the validity of the tow or storage of the vehicle.

Failure of either the registered or legal owner, or his/her agent, to timely request or to timely appear at a scheduled hearing shall be considered a waiver of and satisfaction of the hearing.

### 503.5 DECISION

After consideration of all the evidence, the hearing officer shall determine whether the Department has established the validity of the tow or storage by a preponderance of the evidence (47 O.S. § 903A).

- (a) If a decision is made that reasonable grounds for the tow and storage have been established, the hearing officer shall advise the requesting party of the decision.
- (b) If a decision is made that reasonable grounds for the tow or storage have not been established, the vehicle shall be released immediately. Towing fees will be the responsibility of the Department and storage fees will be waived by the operator of the towing service or storage facility.



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##### 503.5.1 DE NOVO HEARING

The owner of a stored vehicle may file a petition in the district court of the county where the vehicle is stored to conduct a de novo hearing and determine the validity of a tow and storage either in lieu of or after a department hearing (47 O.S. § 903A).

## Driving Under the Influence

### 504.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI). For the purposes of this policy DUI also includes other impaired driving offenses including but not limited to DUI-drugs (DUI-D), driving while impaired (DWI), and actual physical control (APC).

### 504.2 POLICY

The Moore Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Oklahoma's impaired driving laws.

### 504.3 INVESTIGATIONS

All officers are expected to enforce DUI laws with due diligence.

### 504.4 FIELD TESTS

Standardized field sobriety tests (SFST) should be utilized and recorded on video when practicable as evidence in suspected DUI cases.

Only personnel who are trained in SFST or approved alternate tests will administer the test.

Only personnel certified as Drug Recognition Experts (DRE) are authorized to administer DRE evaluations.

#### 504.4.1 SCREENING DEVICES

With the approval of the Chief of Police, screening devices may be used to detect the presence of alcohol or drugs in a person suspected of DUI. Members shall use approved devices in accordance with the rules prescribed by the Board of Tests for Alcohol and Drug Influence and have proper training, if required (OAC 40:55-1-1 et seq.; OAC 40:55-2-1 et seq.; OAC 40:10-5-1).

Procedures shall be established to properly maintain screening devices in accordance with the manufacturer's instructions (OAC 40:55-1-3; OAC 40:55-2-3).

### 504.5 CHEMICAL TESTS

A person is deemed to have consented to a chemical test or tests, and to providing the associated chemical sample, when the person has been arrested by an officer who has probable cause to believe that the person was operating or in actual physical control of a motor vehicle while DUI (47 O.S. § 751).

If a person withdraws this implied consent, the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

Any person who is unconscious or otherwise incapable of refusing to submit to a test of such person's blood or breath to determine the alcohol concentration thereof, or to a test of such person's blood, saliva or urine to determine the presence or concentration of any other intoxicating

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substance therein, shall be deemed not to have withdrawn the consent and such test may be administered.

##### 504.5.1 STATUTORY NOTIFICATIONS

Officers arresting a person for DUI should read the implied consent advisory prior to administering a chemical test. If a blood sample will be requested, the officer shall inform the person that the withdrawal will be performed by authorized medical personnel (47 O.S. § 751).

##### 504.5.2 BREATH SAMPLES

The assigned supervisor should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the assigned supervisor.

##### 504.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (47 O.S. § 752). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

All blood samples shall be collected, packaged, and transferred as required by OAC 40:20-1-3.

In addition to the blood sample collected for analysis (referred to as the state's blood specimen), an additional and separate blood specimen of sufficient quantity to enable the person to have it tested at his/her own expense shall be collected at the same time, without any additional punctures, whenever possible, and by the same qualified person. This will be the retained blood specimen, and it should be retained by the laboratory for a minimum of 60 days from the date of the collection (47 O.S. § 752; OAC 40:20-1-3).

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

##### 504.5.4 ADDITIONAL TESTS

In addition to any test administered at the direction of an officer, a person arrested for DUI has the right to request an additional test be administered. The cost of the test shall be at the expense of the arrested person, and a sufficient quantity of the additional specimen taken shall be available to the Moore Police Department (47 O.S. § 751).

##### 504.5.5 TYPE OF TEST

The test administered to an arrested person shall be a breath test unless (47 O.S. § 751):

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- (a) The officer reasonably believes that the person's intoxication is caused by a substance other than alcohol or by a combination of alcohol and other intoxicating substances.
- (b) A breath test cannot be administered due to the unavailability of an approved device or a qualified person to administer a breath test.
- (c) A breath test cannot be administered in accordance with the rules established by the Board.
- (d) The person whose breath is to be tested is incapable of submitting to and successfully completing a breath test by reason of illness, injury or disability.
- (e) The person was transported to a medical facility for treatment or examination before a breath test could be administered.

#### **504.6 REFUSALS**

When an arrestee refuses to provide a chemical sample, officers shall:

- (a) Advise the arrestee of the requirement to provide a sample.
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

##### **504.6.1 BLOOD SAMPLE WITHOUT CONSENT**

A blood sample may be obtained from a person who refuses to submit to a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist and has probable cause to believe that the person arrested for DUI caused the death or serious physical injury of another person (47 O.S. § 753). Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay resulting from a collision investigation or medical treatment of the person. Blood can only be drawn for exigency if the person is refusing the blood draw, but does not indicate by word or action that he/she will physically resist a blood draw. See Forced Blood Sample.
- (c) The hospital staff may refuse to draw blood from a refusing person.
- (d) When it is not practicable to obtain a blood sample, consider requesting that the hospital save any unused blood samples they collect. [See attachment: Blood Retention Request Letter to Hospital.pdf](#)

#### [Moore Police Department Procedures Manual: 402.2.4 CRIMINAL CHARGE PROCEDURES](#)

##### **504.6.2 FORCED BLOOD SAMPLE**

A forced blood sample shall only occur under authorization of a search warrant.

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

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The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer), and attempt to persuade the individual to submit to providing such a sample without physical resistance.
  - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure that the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
- (g) Force should generally be limited to handcuffing or similar restraint methods.
  - 1. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
  - 2. When acting under a valid warrant, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (h) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform the duties of a supervisor, as set forth above.

#### **504.7 ADMINISTRATIVE HEARINGS**

Any officer who receives notice of required attendance at an administrative license suspension hearing should promptly follow the requirements on the notification.

#### **504.8 MEDICAL CARE**

Officers should take a person arrested for DUI to be medically evaluated if the person is:

- (a) Vomiting.
- (b) Talking incoherently.
- (c) Unconscious.
- (d) Unable to stand.
- (e) Showing a blood alcohol level of .24 or higher.

## Traffic and Parking Citations

### 505.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing, correcting, voiding and dismissing traffic and parking citations.

### 505.2 POLICY

It is the policy of the Moore Police Department to enforce traffic laws fairly and equally. Authorized members may issue a traffic citation, parking citation, or written or verbal warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

### 505.3 RESPONSIBILITIES

The Information Technology Department shall supply and maintain electronic ticket writers and printers with current software for issuing citations and warnings. The software will have security and accounting features for auditing purposes. Issued citations will be automatically sent to the municipal court.

Paper copies of numbered citation books and warning books will be available to members as a backup to the electronic writers. Members will sign for the citation books when issued or upon return of unused citations. Written municipal citations will be forwarded to the Municipal Court Clerk for entry into the data system and processing.

Members of the Moore Police Department shall only use department-approved traffic and parking citation devices or forms.

#### 505.3.1 WRITTEN OR VERBAL WARNINGS

Written or verbal warnings may be issued when the department member believes it is appropriate. The Records Management System should maintain information relating to traffic stops in which a written warning is issued. Handwritten warnings will be turned in to the records division for manual data entry. Written warning information is retained by this department in accordance with the established records retention schedule.

### 505.4 TRAFFIC CITATIONS

#### 505.4.1 CORRECTION

When a traffic citation is issued but is in need of correction, the member issuing the citation shall submit the citation number (or citation if paper) and a letter to his/her immediate supervisor requesting a specific correction. Once approved, the citation and letter shall then be forwarded to the appropriate Court Clerk for consideration.

#### 505.4.2 VOIDING

Voiding a traffic citation may occur when the citation has not been completed or when it is completed but not issued. All copies of the voided citation shall be presented to a supervisor for approval. The citation and copies shall then be forwarded to the Municipal Court Clerk .

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##### 505.4.3 DISMISSAL

Members of this department do not have the authority to dismiss a traffic citation once it has been issued. Only the court has that authority. Any request from a recipient to dismiss a citation shall be referred to the Traffic Supervisor. Upon a review of the circumstances involving the issuance of the traffic citation, the Traffic Supervisor may request the Operations Bureau Commander to recommend dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

Prior to a court hearing, a member may submit a request for dismissal of a traffic citation to his/her supervisor. The request must be in writing and should include the reason for dismissal (i.e., in the interest of justice, prosecution is deemed inappropriate). Upon a review of the circumstances involving the issuance of the traffic citation, the supervisor may forward the request to the Operations Bureau Commander to recommend dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal.

Should a member determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the member may request the court to dismiss the citation. Upon such dismissal, the member shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required, and forward it to the Operations Bureau Commander for review.

##### 505.4.4 DISPOSITION

All electronic ticket writers shall be docked at the end of each shift. The court and file copies of all written traffic citations issued by members of this department shall be forwarded to the member's immediate supervisor for review by the end of each shift. The citation copies shall then be filed with the appropriate Court Clerk.

Upon separation from appointment or employment with this department, all members who were issued traffic citation books shall return any unused citations to the Records Unit.

## Disabled Vehicles

### 506.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for department members who provide assistance to motorists in disabled vehicles within the primary jurisdiction of the Moore Police Department.

### 506.2 POLICY

It is the policy of the Moore Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

### 506.3 RESPONSIBILITIES

When an on-duty, or an off-duty member in a marked vehicle, sees a disabled vehicle on the roadway, the member should make a reasonable effort to provide assistance. If this is not reasonably possible, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another department member to respond as soon as practicable.

### 506.4 ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department members will be contingent on the time of day, the location, the availability of department resources and the vulnerability of the disabled motorist.

#### 506.4.1 MECHANICAL REPAIRS

Department members shall not make mechanical repairs to a disabled vehicle. Changing a tire or providing a jump start with a jump pack are not considered mechanical repairs. Police vehicles should not be used to jumpstart other vehicles.

#### 506.4.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle. Members may use a department vehicle equipped with push bars to push another vehicle.

#### 506.4.3 RELOCATION OF MOTORIST

The relocation of a motorist with a disabled vehicle should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the motorist or transport him/her to a safe area to await pickup.



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##### 506.4.4 OTHER ASSISTANCE

Members who come into contact with motorists in need of medical assistance should provide assistance in accordance with the Medical Aid and Response Policy.

## **Chapter 6 - Investigation Operations**

## Investigation and Prosecution

### 600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and dispositions of criminal investigations.

### 600.2 POLICY

It is the policy of the Moore Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

### 600.3 INITIAL INVESTIGATION

Many investigations can be initiated and completed by the Patrol Division. Certain types of investigations or investigations that are beyond the time and/or scope of the Patrol Officer may be conducted by investigators of the Criminal Investigations Division (CID). The CID will ensure that investigators will be available on a 24-hour basis to conduct investigations.

#### 600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
  1. An initial statement from any witnesses or complainants.
  2. A cursory examination for evidence.
  3. Documentation of any pertinent information including:
    - (a) The weather and environmental conditions.
    - (b) Events associated with the incident.
    - (c) The officer's factual observations.
- (b) If information indicates a crime has occurred, the officer shall:
  1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  2. Determine whether additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
  3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Commander.
  4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
  5. Collect any evidence.

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6. Take any photographs, sketches or use other methods necessary to record the crime scene.
  7. Take any appropriate law enforcement action, including but not limited to apprehending suspects.
  8. Complete and submit the appropriate reports and documentation.
  9. Assist in the prosecution of the case.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary and what other resources may be available, and advise the informant or complainant of this information.

#### **600.3.2 CRIMINAL INVESTIGATIONS DIVISION (CID)**

The Criminal Investigations Division consists of trained and experienced investigators that carry out advanced investigations into crimes such as robbery, rape, murder. or based on their scope, complexity, length, or location, require special expertise.

The CID supervisor should be notified as soon as practicable after the occurrence, or attempted occurrence if applicable, of any of the following types of incidents:

- (a) Homicides
- (b) Suicides
- (c) Drownings
- (d) Unattended Deaths with suspicious circumstances
- (e) Rapes
- (f) Armed Robberies with suspect information
- (g) Bombings
- (h) Missing persons that are either at risk or may qualify for a public alert
- (i) Any other unusual situation as determined by the patrol supervisor

The CID supervisor will then determine the CID response to the incident. If CID assigns an investigator or investigators for an incident, the lead CID investigator will assume control of the investigation.

#### **600.4 CUSTODIAL INTERROGATION REQUIREMENTS**

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

##### **600.4.1 AUDIO/VIDEO RECORDINGS**

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety when possible.

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Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Criminal Investigations Division supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete, and are made only for authorized and legitimate law enforcement purposes.

#### 600.4.2 STATUTORY AUDIO/VIDEO RECORDING REQUIREMENTS

Any custodial interrogation conducted at a law enforcement facility of any person suspected of having committed a homicide or a felony sex offense shall follow the direction in this policy for the recording of any violent offense. Additionally, in these cases (22 O.S. § 22):

- (a) Officers are required to make an audio/video recording when feasible rather than just an audio recording.
- (b) Officers are required to record the making of any signed or written statement obtained.
- (c) Obtaining a recording is mandatory, except when:
  - 1. There was an equipment malfunction and replacement equipment was not immediately available.
  - 2. There was a good faith, inadvertent failure to operate recording equipment properly.
  - 3. The recording equipment malfunctioned or stopped recording without the officer's knowledge.
  - 4. The suspect affirmatively asserted the desire to speak without being recorded.
  - 5. Multiple interrogations took place simultaneously that exceeded the available recording capacity.
  - 6. A statement was made spontaneously and not in response to interrogation.
  - 7. A statement was made during questioning that was routinely asked during booking.
  - 8. The statement was made at a time the officer was unaware of the suspect's involvement in a homicide or a felony sex offense.
  - 9. Exigent circumstances made recording impractical.
  - 10. At the time of the interrogation, the officer, in good faith, was unaware of the type of offense involved.
  - 11. The recording was damaged or destroyed without bad faith.
  - 12. Other unusual circumstances occurred that may reasonably have prevented a recording from being obtained.

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The Criminal Investigations Division supervisor should verify these recordings are being addressed appropriately in the department's retention schedule and property storage procedures (22 O.S. § 22).

#### **600.5 DISCONTINUATION OF INVESTIGATIONS**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, there is no reasonable belief that the person who committed the crime can be identified and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
  - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor; charges have been filed; further investigation is not reasonable, warranted or requested; and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proved that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).
- (g) The suspect is deceased.
- (h) Victim location is unknown.
- (i) The victim declines to prosecute.
- (j) Other exceptional reasons.

The Domestic Abuse, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

#### **600.6 COMPUTERS AND DIGITAL EVIDENCE**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

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##### 600.6.1 DIGITAL FORENSIC EXAMINATIONS

Electronic devices such as computers and cellular phones may contain data that can be extracted by use of specialized tools and software. This data may be retrieved by designated department examiners.

- (a) Examiners are required to be trained and certified in the tools authorized by the department if formal training and certification is available.
- (b) Validation and verification logs are to be maintained
- (c) The supervisor should periodically examine the practices of the examiner(s) to ensure the latest accepted practices are being followed.
- (d) Each examiner shall properly secure any electronic evidence when not being examined in either the provided locking cabinets in his/her office or with the Property Division.
- (e) The examiner shall follow his/her training and certification and/or any established procedures of this department to ensure that the evidence is processed in a manner that does not alter or destroy it, when practicable.

##### **600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release policy).

##### 600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

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##### 600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.



# Sexual Assault Investigations

## 601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

### 601.1.1 DEFINITIONS

Definitions related to this policy include:

**Sexual assault** - Any crime or attempted crime of a sexual nature, including, but not limited to, offenses defined in Title 21, Chapter 45 of the Oklahoma Statutes Annotated.

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

## 601.2 POLICY

It is the policy of the Moore Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

## 601.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

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##### **601.4 REPORTING**

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

##### **601.5 RELEASING INFORMATION TO THE PUBLIC**

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Criminal Investigations Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

##### **601.6 TRAINING**

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
  1. Initial response to sexual assaults.
  2. Legal issues.
  3. Victim advocacy.
  4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
  1. Interviewing sexual assault victims.
  2. SART.
  3. Medical and legal aspects of sexual assault investigations.
  4. Serial crimes investigations.
  5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
  6. Techniques for communicating with victims to minimize trauma.

##### **601.7 VICTIM INTERVIEWS**

The primary considerations in sexual assault investigations, which begin with the initial call to Communications Division, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART should be included in the initial victim interviews (21 O.S. § 142C-3).

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change

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of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Victims should not be asked or required to take a polygraph examination (34 USC § 10451).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

#### **601.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE**

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

##### **601.8.1 DNA TEST RESULTS**

Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable.

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

##### **601.8.2 COLLECTION AND TESTING REQUIREMENTS**

Members investigating sexual assaults or handling related evidence are required to do the following:

- (a) A sexual assault evidence kit, or other DNA evidence if a kit is not collected, should be submitted to the appropriate laboratory for forensic testing within 20 days after receipt

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unless the victim requests that the sexual assault evidence kit not be tested (74 O.S. § 150.28b).

- (b) Use trackable sexual assault evidence collection kits that comply with the requirements of the statewide electronic tracking system (74 O.S. § 150.28a).
- (c) Additional guidance regarding evidence retention and destruction is found in the Evidence and Property Management Unit Policy.

#### **601.9 DISPOSITION OF CASES**

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Criminal Investigations Division supervisor.

Classification of a sexual assault case as unfounded requires the Criminal Investigations Division supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

#### **601.10 CASE REVIEW**

The Criminal Investigations Division supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

## Asset Forfeiture

### 602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

#### 602.1.1 DEFINITIONS

Definitions related to this policy include:

**Fiscal agent** - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Moore Police Department seizes property for forfeiture or when the Moore Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

**Forfeiture** - The process by which legal ownership of an asset is transferred to a government or other authority.

**Forfeiture reviewer** - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and acting as the liaison between the Department and the forfeiture counsel.

**Property subject to forfeiture** - May include the following:

- (a) Proceeds from misdemeanors or felonies under Oklahoma law or equivalent out of state offenses (21 O.S. § 2001; 21 O.S. § 2002).
- (b) Property forfeitable for violations of the Oklahoma Uniform Controlled Dangerous Substances Act including (63 O.S. § 2-503):
  - 1. Containers used or intended to hold a controlled substance.
  - 2. Conveyances used to transport, conceal or cultivate controlled substances for distribution.
  - 3. Things of value furnished or intended to be furnished in exchange for a controlled dangerous substance.
  - 4. Real property used to commit a controlled substance offense that is punishable by more than one year imprisonment.
  - 5. Weapons used to facilitate controlled substance violations.
- (c) Other items authorized by statute.

**Seizure** - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

### 602.2 POLICY

The Moore Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential of

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revenue shall not be allowed to jeopardize the effective investigation and prosecution of criminal offenses, officer safety, the integrity of ongoing investigations or any person's due process rights.

It is the policy of the Moore Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeitures.

#### **602.3 ASSET SEIZURE**

Property may be seized for forfeiture as provided in this policy.

##### **602.3.1 PROPERTY SUBJECT TO SEIZURE**

The following property may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

- (a) Property seized under the authority of a valid court order.
- (b) Property subject to forfeiture under the Oklahoma Uniform Controlled Dangerous Substances Act may be seized without a court order when (63 O.S. § 2-504):
  - 1. The seizure is incident to arrest or other lawful evidence collection.
  - 2. Probable cause exists to believe the property is dangerous to the health or safety of the public.
  - 3. Probable cause exists to believe the property is subject to forfeiture under the Oklahoma Uniform Controlled Dangerous Substances Act and that a nexus between the property and the Act's violation can be articulated.
- (c) Property seized under the following circumstances:
  - 1. Vehicles, airplanes, vessels, or other conveyances used in the commission of certain crimes (21 O.S. § 1738 and 2002/2001).
  - 2. Weapons and instruments used to commit an act of domestic abuse (22 O.S. § 60.8).
  - 3. Equipment used to record, display, distribute, etc. obscene material or child pornography (21 O.S. § 1040.54).
  - 4. Other items authorized by statute.

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

##### **602.3.2 PROPERTY NOT SUBJECT TO SEIZURE**

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds

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- (b) Property where there is reason to suspect the owner was not consenting or aware of the relation of the property and the offense (21 O.S. § 2002; 63 O.S. § 2-503)

#### **602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS**

When property or cash subject to this policy is seized, the officer making the seizure should ensure:

- (a) The seized items are properly logged into the reporting system indicating the items are seized for forfeiture.
- (b) Complete and submit a report and seizure forms to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation on any property tag, "Seized Subject to Forfeiture."

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere; the whereabouts of the property is unknown; it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

#### **602.5 MAINTAINING SEIZED PROPERTY**

The Evidence and Property Management Unit supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine whether the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.
- (e) Forfeitable property is retained until such time as its use as evidence is no longer required.

#### **602.6 FORFEITURE REVIEWER**

The Chief of Police may appoint a forfeiture reviewer (normally the investigations commander).

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly the provisions of the Oklahoma Uniform Controlled Dangerous Substances Act pursuant to 63 O.S. § 2-503 et seq.,

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the forfeiture of unlawful proceeds under 21 O.S. § 2002 and the forfeiture policies of the forfeiture counsel.

- (b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
  - 1. Names and contact information for all relevant persons and law enforcement officers involved.
  - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
- (g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or General Orders. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
  - 1. Written documentation of the seizure and the items seized is in the case file.
  - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
  - 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
  - 4. Property is promptly released to those entitled to its return.
  - 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
  - 6. Any cash received is deposited with the fiscal agent.



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7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
8. Current minimum forfeiture thresholds are communicated appropriately to officers.
9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
  - (i) Ensuring that a written plan is available that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement personnel and attorneys who may assist in these matters is available.
  - (j) Ensuring that the process of selling or adding forfeited property to Department inventory is in accordance with all applicable laws and consistent with the use and disposition of similar property.
  - (k) Upon completion of any forfeiture process, ensuring that no property is retained by the Moore Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures (63 O.S. § 2-506).

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives.

#### **602.7 DISPOSITION OF FORFEITED PROPERTY**

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

## Informants

### 603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

This policy does not apply to, regulate, or prohibit payments made through "Crime Stoppers" or other similar programs, nor does it cover privately funded rewards.

#### 603.1.1 DEFINITIONS

Definitions related to this policy include:

**Informant** - A person who covertly interacts with other individuals or suspects at the direction or request of, or by agreement with, the Moore Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Moore Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

### 603.2 POLICY

The Moore Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

#### 603.2.1 TASK FORCE OFFICERS

Moore Police personnel assigned to multi-agency or multi-jurisdictional task force positions shall follow the informant policy of the assigned task force as well as the Informant Integrity sections of this policy.

### 603.3 USE OF INFORMANTS

#### 603.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

#### 603.3.2 JUVENILE INFORMANTS

In all cases, a juvenile 13 years of age or older may only be used in rare situations as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians, and;
- (b) The juvenile's attorney, if any, and;
- (c) The court in which the juvenile's case is being handled, if applicable, and;

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- (d) The Chief of Police.

During an operation in which a juvenile is being used, an officer should maintain visual or auditory observation of the juvenile informant. An officer shall be assigned to the juvenile and shall remain in close enough proximity to the juvenile to intervene for his/her protection, based upon the type of operation involved.

#### **603.3.3 INFORMANT AGREEMENTS**

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

#### **603.4 INFORMANT INTEGRITY**

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Bureau Commander, Special Investigations supervisor or their authorized designees.
  - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Reasonable steps shall be taken to ensure the security and safety of informants, including, but not limited to:
  - 1. Meetings and transactions with the informant should include precautions that minimize the probability of revealing the informant's identity to subjects of the investigation.
  - 2. If the informant's identity is revealed or suspected to have been revealed and there is a threat of violence or harm against the informant, the Moore Police Department will take appropriate and reasonable action to mitigate the threat.
- (c) Criminal activity by informants shall not be condoned and shall be noted in the informant file. Criminal activity should be presented to the prosecutor's office for consideration of charges.
- (d) Informants shall be told they are not acting as police officers, employees or agents of the Moore Police Department, and that they shall not represent themselves as such.
- (e) The relationship between department members and informants shall always be ethical and professional.
  - 1. Members shall not become intimately involved with an informant.
  - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Special Investigations supervisor.

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3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (f) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Special Investigations supervisor.
    1. Officers may meet informants alone in an occupied public place, such as a restaurant.
  - (g) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
  - (h) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
  - (i) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.
  - (j) Officers should be mindful that written and/ or digital messages to informants is discoverable evidence. Any written or digital messages i.e. text messages should be printed, copied and retained in the case file.

#### 603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.

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- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

#### **603.5 INFORMANT FILES**

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area. The Special Investigations supervisor shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Bureau Commander, Special Investigations supervisor or their authorized designees.

The Support Services Bureau Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Special Investigations supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

##### **603.5.1 FILE SYSTEM PROCEDURE**

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability

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1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
  - (j) Name of the officer initiating use of the informant
  - (k) Signed informant agreement
  - (l) Update on active or inactive status of informant
  - (m) Criminal history

#### **603.6 INFORMANT PAYMENTS**

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

The Special Investigations supervisor will discuss the above factors with the Support Services Bureau Commander and recommend the type and level of payment, subject to approval by the Chief of Police.

##### **603.6.1 PAYMENT PROCESS**

Approved payments to an informant should be in cash using the following process:

- (a) Payments of \$500 and under may be paid in cash from the Special Investigations buy/expense fund.
  1. The Special Investigations supervisor shall sign the voucher for cash payouts from the buy/expense fund.
- (b) Payments exceeding \$500 shall include:
  1. A written statement of the informant's involvement in the case shall be placed in the informant's file.
  2. The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
  3. Authorization signatures from the Chief of Police and the City Manager.
- (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.
  1. The cash transfer form shall include:

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- (a) Date.
  - (b) Payment amount.
  - (c) Moore Police Department case number.
  - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
2. The cash transfer form shall be signed by the informant.
  3. The cash transfer form will be kept in the informant's file.

#### 603.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as "other income" and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant's file.

#### 603.6.3 AUDIT OF PAYMENTS

The Special Investigations supervisor shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

## Eyewitness Identification

### 604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

#### 604.1.1 DEFINITIONS

Definitions related to this policy include:

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live lineup** - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

### 604.2 POLICY

The Moore Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

### 604.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

The interpreter should be someone not related to the case or the witness.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

### 604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Criminal Investigations Division supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (22 O.S. § 21):

- (a) The date, time, and location of the eyewitness identification procedure.



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- (b) The name and identifying information of the witness.
- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary.

See attachment: [Field Show-up Form.pdf](#)

#### **604.5 EYEWITNESS IDENTIFICATION**

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

#### **604.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS**

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders, or using a computer program to order the persons in the lineup (22 O.S. § 21).

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Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out (22 O.S. § 21). In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

#### **604.7 FIELD IDENTIFICATION CONSIDERATIONS**

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identification. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
  1. The length of time the witness observed the suspect.
  2. The distance between the witness and the suspect.
  3. Whether the witness could view the suspect's face.
  4. The quality of the lighting when the suspect was observed by the witness.
  5. Whether there were distracting noises or activity during the observation.
  6. Any other circumstances affecting the witness's opportunity to observe the suspect.
  7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

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- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect, or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies a subject of a show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow-up, if necessary.
- (i) If a show-up cannot be conducted within a reasonably short time frame following the offense, a photographic or live lineup should be considered (22 O.S. § 21).
- (j) This process should be audio and or video recorded.

#### **604.8 DOCUMENTATION**

A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report (22 O.S. § 21).

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

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## Brady Information

### 605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

#### 605.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the Moore Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

### 605.2 POLICY

The Moore Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Moore Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

### 605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

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#### **605.4 BRADY PROCESS**

The Chief of Police may select a member of the Department to coordinate requests for *Brady* information. This person shall be directly responsible to the Support Services Bureau Commander or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the City Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady* information in their files or backgrounds.
  1. Updating this list whenever potential *Brady* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.

#### **605.5 DISCLOSURE OF REQUESTED INFORMATION**

If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member whose file is related to the motion shall be notified of the potential presence of *Brady* information.
- (b) The prosecuting attorney or City Attorney should be requested to file a motion in order to initiate an in camera review by the court.
  1. If no motion is filed, the authorized designee should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The authorized designee shall accompany all relevant personnel files during any in camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (d) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
  1. Prior to the release of any information pursuant to this process, a protective order should be requested from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in a member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

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##### **605.6 INVESTIGATING BRADY ISSUES**

If the Department receives information from any source that a member may have issues of credibility or dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

##### **605.7 SUBPOENA PROCESSING**

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed member's name against the current list of those who are known to have *Brady* information in their files or background, and shall alert the coordinator if a person on the list is subpoenaed.

##### **605.8 TRAINING**

Department personnel should receive periodic training on the requirements of this policy.

## Unmanned Aerial System (Drone)

### 606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

#### 606.1.1 DEFINITIONS

Definitions related to this policy include:

**Unmanned aerial system (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

### 606.2 POLICY

A UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

### 606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., inside residence, or permanent enclosure).

### 606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).

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- Developing protocols for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing operational protocols governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

#### **606.5 USE OF UAS**

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted consistent with FAA regulations.

#### **606.6 PROHIBITED USE**

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.



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- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

#### **606.7 RETENTION OF UAS DATA**

Data collected by the UAS shall be retained as provided in the established records retention schedule.

## Warrant Service

### 607.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

### 607.2 POLICY

It is the policy of the Moore Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

### 607.3 OPERATIONS DIRECTOR

The designated operations director is the Operations Bureau Commander, or Command Duty Officer after hours.

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

### 607.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant. He/she will also complete the threat assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor, if there are low or no threat factors no further review is necessary. If there are threat factors the SWAT Team Commander and the operations director should be contacted for review and classification of risk (see the Operations Planning and Deconfliction Policy).

### 607.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the threat assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

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If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

#### 607.5.1 MISDEMEANOR WARRANT SERVICE

Misdemeanor arrest warrants and bench warrants may be served only during the hours of 0600 hours (6:00 a.m.) and 2200 hours (10:00 p.m.), except as otherwise may be directed by the magistrate endorsed upon the warrant. Provided, a misdemeanor warrant may be served at any time of the day or night if the defendant is in a public place or on a public roadway.

#### 607.6 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains, as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Information Policy).
- (i) When informants are used the reliability of the informant and information provided shall be specified. Whenever possible, officers shall corroborate informant information using another source.

#### 607.6.1 WARRANT APPLICATION

The warrant application may be processed as follows:

- A. Be dropped off with the screening ADA for processing.

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- B. The detective may "walk" the warrant through the process.
  - 1. General steps:
    - (a) Have the warrant application reviewed by the screening ADA.
    - (b) Have the DA's Office clerk process the appropriate charge documents.
    - (c) Have the charging documents and warrant signed by a district judge.
    - (d) File the signed warrant with the District Court Clerk's Office.
    - (e) Take the filed warrant to the Cleveland County Sheriff's Office to be entered into NCIC.
- C. After hours warrant:
  - (a) Have the warrant application signed by a district judge.
  - (b) The warrant can then be served.
  - (c) The warrant, when practicable, must be filed with the District Court Clerk's office the next business day.

#### 607.6.2 ELECTRONIC WARRANT

See Procedure 600.

#### **607.7 HIGH-RISK WARRANT SERVICE**

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and should confer with the SWAT Team Commander and/ or Bureau commanders in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

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- (g) A list is made of all items seized.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

#### **607.8 DETENTIONS DURING WARRANT SERVICE**

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

#### **607.9 ACTIONS AFTER WARRANT SERVICE**

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant or in accordance with 22 O.S. § 1231.

#### **607.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS**

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Moore Police Department are utilized appropriately. Any concerns regarding the requested use of Moore Police Department members

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should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Shift Commander should assume this role.

If officers intend to serve a warrant outside Moore Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Moore Police Department when assisting outside agencies or serving a warrant outside Moore Police Department jurisdiction.

#### **607.11 MEDIA ACCESS**

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

#### **607.12 TRAINING**

The Training Coordinator should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

## Operations Planning and Deconfliction

### 608.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

#### 608.1.1 DEFINITIONS

Definitions related to this policy include:

**High-risk operations** - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

### 608.2 POLICY

It is the policy of the Moore Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

### 608.3 OPERATIONS DIRECTOR

The Chief of Police designates the Operations Bureau Commander as the operations director.

The operations director will develop and maintain a threat or risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

### 608.4 RISK ASSESSMENT

#### 608.4.1 THREAT OR RISK ASSESSMENT FORM PREPARATION

Officers preparing the warrant affidavit shall complete a risk assessment form. [See attachment: Moore PD Risk Threat Assessment.pdf](#)

Any officer assigned as operational leads for any operation that may qualify as a high-risk operation shall review the form prior to completing an operational plan.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

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#### *Operations Planning and Deconfliction*

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The officer should gather available information that includes, but is not limited to:

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

#### 608.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor, operations director, and SWAT Commander shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

#### 608.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
  - 1. Special Weapons and Tactics Team (SWAT)
  - 2. Additional personnel
  - 3. Outside agency assistance
  - 4. Special equipment
  - 5. Medical personnel
  - 6. Persons trained in negotiation



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7. Additional surveillance
  8. Canines
  9. Evidence and Property Management Unit or analytical personnel to assist with cataloguing seizures
  10. Forensic specialists
  11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
  - (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
  - (d) Coordinate the actual operation.

#### **608.5 DECONFLICTION**

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

#### **608.6 OPERATIONS PLAN**

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
  1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
  2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other

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- hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
  4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
  2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.
- (k) Communications plan.
- (l) Responsibilities for writing, collecting, reviewing and approving reports.

#### **608.6.1 OPERATIONS PLAN RETENTION**

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

#### **608.7 OPERATIONS BRIEFING**

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

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- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
  - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
  - 1. It is the responsibility of the operations director to ensure that Communications Division is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
  - 2. If the radio channel needs to be monitored by Communications Division, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
  - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

#### **608.8 SWAT PARTICIPATION**

If the operations director determines that SWAT participation is appropriate, the director and the SWAT supervisor shall work together to develop a written plan. The SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

#### **608.9 MEDIA ACCESS**

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

#### **608.10 OPERATIONS DEBRIEFING**

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.

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##### **608.11 TRAINING**

The Training Coordinator should ensure officers and SWAT team members who participate in operations subject to this policy receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

## **Chapter 7 - Equipment**

## Department-Owned and Personal Property

### 700.1 PURPOSE AND SCOPE

This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another person or department-owned property is damaged or lost.

### 700.2 POLICY

Members of the Moore Police Department shall properly care for department property assigned or entrusted to them. Department-owned property that becomes damaged shall be reported as soon as practicable. Members' personal property that becomes damaged during the performance of assigned duties may be reimbursed in accordance with this policy and applicable sections of the collective bargaining agreement.

### 700.3 DEPARTMENT-ISSUED PROPERTY

All property and equipment issued by the Department shall be documented. Except for retirement as defined in the collective bargaining agreement, upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

#### 700.3.1 CARE OF PROPERTY

Members shall be responsible for the safekeeping, serviceable condition, proper care, proper use and replacement of department property that has been assigned or entrusted to them.

Intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Members shall report, as soon as practicable, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
  - 1. A supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Bureau Commander, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.
  - 2. A review by command staff should determine whether additional action is appropriate.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or otherwise reasonable by circumstances, department property shall only be used by those to whom it was

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assigned. Use should be limited to official purposes and in the capacity for which it was designed.

- (d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.
- (e) A supervisor's approval is required before any attempt to repair damaged or unserviceable property is made by a member.

#### **700.4 PERSONAL PROPERTY**

Carrying and/or using personal property or equipment on-duty requires prior written approval by the Chief of Police or appropriate Bureau Commander. The member should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried by persons who are not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

The Department will not replace or repair costly items (e.g., jewelry, expensive watches, exotic equipment) that are not reasonably required as part of work unless otherwise specified in the collective bargaining agreement.

##### **700.4.1 FILING CLAIMS FOR PERSONAL PROPERTY**

Claims for reimbursement for damage to, or loss of, personal property must be made in writing. This request should be submitted to the member's immediate supervisor. The supervisor may require a separate written report.

The supervisor receiving such a report shall investigate and direct a memo to the appropriate Bureau Commander, which shall include the result of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Upon review by command staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, who will then forward the claim to the City department responsible for issuing payments.

#### **700.5 DAMAGE TO PROPERTY OF ANOTHER PERSON**

Anyone who intentionally or unintentionally damages or causes to be damaged the real or personal property of another person while performing any law enforcement function shall promptly report the damage through his/her chain of command.

The supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Bureau Commander, which shall include the result of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

A review of the incident by command staff to determine whether misconduct or negligence was involved should be completed.

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##### 700.5.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY

Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of the City of Moore or of another person while performing their duties within the jurisdiction of this department. It shall be the responsibility of the department member present or the member responsible for the property to report the damage as follows:

- (a) A verbal report shall be made to the member's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the member goes off-duty or as otherwise directed by the supervisor.

The supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Bureau Commander, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.



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## Personal Communication Devices

### 701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

### 701.2 POLICY

The Moore Police Department allows members to utilize department-issued PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

### 701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance.)

### 701.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue a PCD for the member's use to facilitate on-duty performance. Department-issued PCDs may not be used for operating a personal business either on- or off-duty unless authorized by the Chief of Police. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

### 701.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

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- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of Moore Police policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD except as outlined in the collective bargaining agreement.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense
- (d) The device shall not be utilized to record or disclose any department business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Chief of Police except in extraordinary circumstances where Department equipment cannot reasonably be made available.
- (e) Members using a personally owned PCD for work-related business will ensure they provide any data to the Department which may include litigation, records retention and release obligations and internal investigations.
- (f) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Moore Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.
- (g) Members using personally owned PCD will not permanently store, transmit, transfer, or disclose to any unauthorized person or device, any Department-related information or other material obtained or accessed as a result of employment with the Department.

Except to be recalled to duty or with prior express direction and/ or authorization from the Chief of Police, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty.

#### **701.6 USE OF PCD**

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) The Department may restrict the use or possession of a PCD while within identified work areas or while performing specific duties.
- (b) Use of a PCD should be limited when used to conduct personal business while on-duty. Members shall endeavor to limit their personal use of PCDs to authorized break times.
- (c) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (d) If a member uses a PCD to communicate with on duty dispatch personnel for any department related business they will call in on a recorded phone line.

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- (e) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police, may result in discipline.
- (f) Members will not post any department related information to any social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

#### **701.7 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.

#### **701.8 OFFICIAL USE**

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

#### **701.9 USE WHILE DRIVING**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Members operating department vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Members operating department vehicles shall ensure that use of a PCD does not prevent them from devoting their full time and attention to driving (47 O.S. § 11-901b).

Members shall not use a PCD to compose, send or read electronic text messages while driving unless the communication is between other law enforcement or emergency services personnel and involves an imminent emergency (47 O.S. § 11-901d).

## Vehicle Maintenance

### 702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

### 702.2 POLICY

The Moore Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

### 702.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

### 702.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. The Proper vehicle repair request forms shall be promptly completed by the member who becomes aware of the defective condition and forwarded for action.

#### 702.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

#### 702.4.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

#### 702.4.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured prior to the vehicle being released for maintenance, service or repair.

### 702.5 VEHICLE EQUIPMENT

Equipment and items issued with vehicles shall be maintained in proper working order.

### 702.6 LINE OR STAFF VEHICLE REFUELING

Absent emergency conditions or supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles should not be retired at the end of shift with less than three-quarters tank of fuel.

### 702.7 CLEANLINESS OF VEHICLES

Vehicles shall be kept clean, inside and out, at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the Department.

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Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

## Vehicle Use

### 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are issued and used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall be in conjunction with the Collective Bargaining Agreement (CBA Article 32).

### 703.2 POLICY

The Moore Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations. All department vehicles shall be used in a reasonable matter with due regard for safety and security.

### 703.3 VEHICLES: GENERAL

Each member is required to wear the seatbelt system when travelling in any vehicle while on-duty or any city vehicle while off-duty, if the seatbelt system is available.

#### 703.3.1 PATROL SHIFT ASSIGNED VEHICLES

The Shift Commander shall ensure a copy of the patrol shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

#### 703.3.2 OTHER USE OF VEHICLES

Members utilizing a marked line or staff vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event, off duty job) shall document the vehicle use on a vehicle use log and utilize any vehicle sign out board, indicating date, time, the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

#### 703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as soon as practicable.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported to ensure there are no contraband items, potential weapons, personal property or other items accessible to unauthorized persons.

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All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents. Supervisors should conduct inspections of their officer's assigned vehicles at least once each month.

#### 703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is temporarily unattended. Members shall ensure all weapons, portable radios, and computer tablets are removed from the vehicle when it is parked out of service.

#### 703.3.5 MCS

Members assigned to vehicles equipped with a Mobile Computer System (MCS) shall log onto the MCS with the required information when going on-duty. If the vehicle is not equipped with a working MCS, the member shall notify Communications Division. Use of the MCS is governed by the Mobile Computer System Use Policy.

#### 703.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Bureau Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

#### 703.3.7 ALCOHOL AND DRUGS

Vehicles will not be utilized by members under the influence of alcohol or drugs, or who have consumed any alcohol during the previous six (6) hours, or who would have taken drugs or any substance that would impair the ability of the driver to operate the police vehicle. The only exception is if it is required by and part of the official duty assignment (e.g., task force, authorized

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undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

#### 703.3.8 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

#### 703.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories inside or outside the vehicle without written permission from the Chief of Police.

### **703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. With consideration of the CBA, assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

#### 703.4.1 TAKE HOME VEHICLE PROGRAM

The Moore Police Department may assign police vehicles to individual officers for take home use.

Members selected for the vehicle take-home program will be assigned a Police Department vehicle for both on-duty and off-duty use. As the sole operator of this vehicle, the assigned member will be responsible for its care and use in accordance with this policy and any Moore Police Department Rules, Regulations, Guidelines and/or Policies not covered by this article. Officers shall adhere to the CBA Take Home Vehicle Program (Article 32).

#### 703.4.2 ENFORCEMENT ACTIONS

When driving a take-home vehicle outside of the jurisdiction of the Moore Police Department while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

When off-duty driving a take-home vehicle in the city limits officers are expected to:

- (a) Have vehicle police radios turned on at all times when the vehicle is in operation.
- (b) Provide assistance to any and all persons in need, including motorists.
- (c) Adhere to the following rules regarding dispatched calls:
  1. Priority Calls: Officers are required to respond to any life threatening police call in their immediate vicinity while operating the police vehicle in an off-duty capacity, keeping in mind the safety of any passengers in the vehicle.
  2. Routine Calls: Officers may voluntarily respond to routine calls while operating the vehicle in an off-duty capacity.



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3. Traffic Violations: Officers may stop and cite motorists for traffic violations. Officers should keep in mind that the general public expects an Officer in a marked police vehicle to take enforcement action when a flagrant violation is committed in the member's presence.

Officers driving take-home vehicles shall be armed and appropriately attired and shall carry their department-issued identification card/Commission Card. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

#### **703.4.3 MAINTENANCE**

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) All weapons shall be removed from any vehicle left for maintenance.

#### **703.5 UNMARKED VEHICLES**

Unmarked vehicles are assigned to various bureaus and their use is restricted to the respective bureau and the assigned member, unless otherwise approved by a supervisor.

#### **703.6 DAMAGE, ABUSE AND MISUSE**

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collisions Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered and documented in memorandum format, which shall be forwarded to the Shift Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

#### **703.7 TOLL ROAD USAGE**

Law enforcement vehicles are not routinely exempt from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

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- (a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit for reimbursement from the City for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Bureau Commander within five working days explaining the circumstances.

#### **703.8 ATTIRE AND APPEARANCE**

When operating any department vehicle while off-duty, dress will be appropriate to effectively perform a police function, while at the same time presenting a favorable image to the public. Discretion will be used when wearing any stenciled-type shirt or sweatshirt. Uniforms, when worn, will be in accordance with current department guidelines. When a member exits the vehicle to conduct any official police function, they will display their police badge to the person(s) involved and will identify themselves as a member of the Moore Police Department.

#### **703.9 NORMAL VEHICLE OPERATION**

All vehicles operated by members in situations not involving an emergency response shall be operated in a safe manner and in due regard of all traffic regulations.

For emergency vehicle operations refer to [Moore Police Department Policy Manual: 306.3 \[Officer\\_Deputy\] RESPONSIBILITIES](#) and [Moore Police Department Policy Manual: 308.3.1 EMERGENCY CALLS](#)

#### **703.10 SPECIALIZED VEHICLES**

**Definition:** Special purpose vehicles are watercraft, aircraft, bicycles, mobile command vehicles, motorcycles, buses, tactical vehicles (SWAT, bomb disposal, etc.), all-terrain vehicles, personal transport vehicles, or other motorized or non-motorized vehicles for which the agency requires special training for the operator. Special purpose vehicles do not include passenger cars, light duty vans, trucks or sport utility vehicles.

The Moore Police Department may utilize specialized vehicles as necessary to fulfill the operational needs of the department.

##### **703.10.1 ALL-TERRAIN VEHICLES (ATV)**

1. ATV's may be utilized to assist patrolling events such as parades, Independence Day, Haunt Old Town, etc. The ATV's can also be utilized for search and rescue, accessing areas that cannot be reached by larger vehicles, or any other purpose as determined by a supervisor.
2. Members that are operating an ATV should familiarize themselves with the vehicle's operation prior to driving it.
  - (a) Members should also understand that an ATV is not as stable as other police vehicles.

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- (b) There is a greater risk of loss of control and rollovers.
- 3. Members shall operate an ATV in a responsible manner at all times.
- 4. Seatbelts shall be worn by all occupants when an ATV is in operation.
- 5. No safety equipment shall be removed or modified without approval of the Chief of Police. Any safety equipment that requires preparation prior to operation shall be done before the vehicle is to be operated. Roll bars capable of being folded down for storage and clearance for example must be folded up and secured.

#### **703.10.2 MINE-RESISTANT AMBUSH PROTECTED (MRAP)**

The MRAP is a heavy armored vehicle assigned to the SWAT Team. The vehicle's primary function is for dealing with hostage incidents, barricaded suicidal subjects, high-risk warrant services, standoffs of any kind, blocking of vehicles and any other situation the SWAT Team may need to utilize for the protection of life.

Other functions of the MRAP will include high water rescues, assistance during disaster situations, use during parades, special functions such as touch a truck and other situations as needed.

#### Operation:

- (a) Members of the SWAT Team and Hostage Negotiation Team will be trained on the MRAP and must be approved prior to operating the MRAP for any deployment.
- (b) Other members of the department may also be trained and approved to operate the MRAP as necessary.
- (c) All approved operators of the MRAP will operate the vehicle periodically to stay familiar with it.
- (d) All operators should be trained on deployment best practices to better advise supervisors during emergency situations.
- (e) Due to the limited visibility and lengthened stopping distance of the MRAP, the MRAP, when practicable, should be escorted by a marked police unit while traveling on the roadway.
- (f) Except in emergency situations, the MRAP operator shall adhere to all roadway and bridge weight limitations.

#### **703.11 TRANSPORTATION**

The purpose of this section is to provide guidelines for the transportation of civilians and persons in custody. Necessary precautions should be taken during transportation to protect lives and safety of the officers, public, and person(s) being transported. Refer to guidelines in policy 405 Ride-Alongs that are specifically applicable to persons participating in the program.

"Civilians" for this policy refers to persons that are not in custody or under suspicion of criminal activity.

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When a member is transporting a passenger of the opposite sex, the member will notify Dispatch at the beginning of transport the unit number and mileage. The member will again notify Dispatch at the end of the transport the unit number and the mileage.

##### 703.11.1 CIVILIANS

1. May be transported in a vehicle designed to carry passengers and is equipped with a complete and functional seatbelt system.
2. The passenger is required to wear the seatbelt system as designed anytime the vehicle is in motion regardless of position in vehicle.
3. Civilians should not be transported during emergency vehicle operations.
4. Civilians should not be transported into dangerous locations.
5. Injured person:
  - (a) Only in exigent circumstances, where delay may mean loss of life, will injured individuals be transported by a member. If time permits a supervisor should be consulted prior to emergency transport.

##### 703.11.2 PERSONS UNDER SUSPICION OF CRIMINAL ACTIVITY

1. The best practice is to transport the person in the caged rear seat of an emergency vehicle.
2. When it is necessary to transport the person in an uncaged vehicle, the person should be restrained with handcuffs and should be accompanied by a second officer.

##### 703.11.3 PRISONERS

1. Prisoners should be transported in the caged rear seat of a marked emergency vehicle. Refer to Policy 301 Handcuffing and Restraints.
2. A juvenile prisoner should not be placed in the same vehicle with an adult prisoner unless they are related or are otherwise acquainted and there is no indication that one will harm the other.

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## Fiscal Management

### 704.1 PURPOSE AND SCOPE

This policy does not address cash-handling issues specific to the Evidence and Property Management Unit and Informants policies.

This policy meets statutory requirements requiring the adoption of an inventories and audits policy pursuant to 11 O.S. § 34-107.

### 704.2 POLICY

It is the policy of the Moore Police Department to properly manage and audit fiscal operations, including budget preparation, cash transactions, fund expenditures and disposition of assets, and to maintain accurate records of fiscal transactions, in order to protect the integrity of department operations and ensure the public trust.

### 704.3 FISCAL MANAGEMENT

The operation and control of the overall budget is managed by the City's Finance Department. The Chief of Police is responsible for the Police Department budget and may designate a person as the fiscal manager responsible for maintaining and managing fiscal accountability. The fiscal manager may appoint others to oversee specific portions of the fiscal operations. All purchase requests shall be forwarded to the Chief of Police for approval before purchase is made.

All financial transactions shall be recorded in the City's fiscal computer program following the Finance Department's guidelines.

### 704.4 ROUTINE CASH HANDLING

Members who handle cash as part of their regular duties (e.g., evidence technicians, the Special Investigations supervisor, those who accept payment for department services) will discharge those duties in accordance with the procedures established for those tasks (see the Evidence and Property Management Unit and Informants policies).

### 704.5 OTHER CASH HANDLING

Members who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Evidence and Property Management Unit Policy.

Cash in excess of \$1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

### 704.6 AUDITS

Each Bureau Commander shall monitor fiscal activities and the budget related to their area of responsibility using a procedure and forms approved by the fiscal manager. Internal control

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procedures shall be established and shall include evaluation of staff member's fiscal management functions. Any discrepancies shall be immediately reported to the fiscal manager and the Chief of Police.

Full audits will be conducted by the City.

A review of funds or other fiscal areas of responsibility should be completed on a random date, approximately once each year, by the Chief of Police, or the City.

#### **704.6.1 PETTY CASH AUDITS**

Each member overseeing a petty cash fund shall perform an audit no less than once every six months. This audit requires that the fund manager and at least one command staff member, selected by the Chief of Police or the fiscal manager, review the transaction ledger and verify the accuracy of the accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the fiscal manager and the Chief of Police.

Transference of fund management to another member shall require completion of a separate petty cash audit and involve a command staff member.

#### **704.7 INVENTORY CONTROL OF PROPERTY, EQUIPMENT AND OTHER ASSETS**

Members overseeing a fiscal responsibility for the acquisition, management or distribution of any capital or major items of equipment; the issue of any equipment and supplies; or the assignment of control numbers and proper markings are responsible for compliance with inventory control procedures. Such members are also responsible for ensuring:

- (a) Required inventory verification in compliance with a process authorized by the fiscal manager.
- (b) Appropriate documentation in compliance with a process authorized by the fiscal manager and inclusion in inventory of items purchased or obtained for use by the Department.
- (c) Appropriate documentation and deletion from inventory of items properly authorized for disposal by the fiscal manager or the Chief of Police.
- (d) Reporting and disposition of damaged, excess and surplus property in compliance with a process authorized by the fiscal manager.
- (e) Maintenance of complete records for all department property, equipment and other assets.

#### **704.8 PURCHASING**

All purchasing of department supplies and equipment will be in compliance with the City purchasing rules and in compliance with a process authorized by the fiscal manager.

Small-item or emergency purchases or rental of equipment during periods when normal purchasing procedures cannot be followed will be in compliance with a process authorized by the fiscal manager.

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All purchases for the City made by an employee will require submission of a receipt and appropriate documentation necessary for reimbursement and will be in compliance with a process authorized by the fiscal manager.

#### **704.9 CONTRACTUAL AGREEMENTS**

Only the Chief of Police may sign official memorandums of understanding or contracts with outside entities.

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# Personal Protective Equipment

## 705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

### 705.1.1 DEFINITIONS

Definitions related to this policy include:

**Personal protective equipment (PPE)** - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

**Respiratory PPE** - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

## 705.2 POLICY

The Moore Police Department endeavors to protect employees by supplying certain PPE to members as provided in this policy.

## 705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

## 705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection should meet or exceed industry standards for use at firing ranges (29 CFR 1910.95; OAC 380:40-1-2).

## 705.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.



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The Rangemaster should ensure eye protection meets or exceeds consensus standards set by the American National Standards Institute (29 CFR 1910.133; OAC 380:40-1-2).

#### **705.6 HEAD AND BODY PROTECTION**

Members assigned to the Civil Disturbance Team or who are assigned to make arrests or control crowds should be provided head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any employment agreement.

Patrol officers of the Moore Police Department are issued heavier duty bullet resistant vests and helmets. These should be donned when there is an increased risk of encountering an armed violent subject and on any active assailant call.

#### **705.7 RESPIRATORY PROTECTION**

The Command Staff Bureau Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan should include procedures for (29 CFR 1910.134; OAC 380:40-1-2):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

##### **705.7.1 RESPIRATORY PROTECTION USE**

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's

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degree of exposure or stress may affect respirator effectiveness, the scene commander shall reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (29 CFR 1910.134; OAC 380:40-1-2):

- (a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.
- (c) The member needs to replace the respirator, filter, cartridge or canister.

#### 705.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (29 CFR 1910.134; OAC 380:40-1-2):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.
- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

#### 705.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (29 CFR 1910.134; OAC 380:40-1-2).

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

- (a) They smell, taste or are irritated by a contaminant.

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- (b) They experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.

#### 705.7.4 SELF-CONTAINED BREATHING APPARATUS

Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

- (a) Entering the hot zone of a hazardous materials incident.
- (b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
- (c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander.

#### 705.7.5 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; OAC 380:40-1-2).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; OAC 380:40-1-2):

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

#### 705.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; OAC 380:40-1-2):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

#### 705.8 RECORDS

The Training Coordinator is responsible for maintaining records of all:

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.

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- (c) Annual fit testing.

Respirator medical evaluation questionnaires and any subsequent physical examination results shall be sent to the City's Risk Management Department.

- (a) These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule, 29 CFR 1910.1020 and OAC 380:40-1-2.

#### **705.9 TRAINING**

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132; OAC 380:40-1-2).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134; OAC 380:40-1-2).

# Fingerprint Identification Devices

## 706.1 PURPOSE

The Fingerprint Identification Device (FID) is provided to aid in the identification of suspects, the mentally incompetent, deceased, or any other person when there exists a justifiable law enforcement purpose.

## 706.2 OPERATION

The Fingerprint Identification Devices shall be operated in accordance with the department policies and procedures, training, and agreements with the Oklahoma State Bureau of Investigation and Federal Bureau of Investigation.

## 706.3 IDENTIFICATIONS

### 706.3.1 USE CRITERIA

- A. FID's shall be used solely for law enforcement purposes and only under the following circumstances:
  - 1. When an officer has probable cause to believe the person to be identified has committed a particular crime;
  - 2. When an officer has reasonable suspicion to believe the person to be identified has committed, is committing, or is about to commit a crime and the use of the FID is necessary in establishing or dispelling the suspicion;
  - 3. When the person to be identified is an otherwise unidentifiable mental health consumer in police custody in need of treatment, evaluation, or police transport;
  - 4. When specifically authorized by a valid search warrant or court order;
  - 5. When the person to be identified is deceased, unconscious, incapacitated, or the identification is pertinent or critical to a particular law enforcement purpose, and no other reasonable means of timely identifying the person are available;
  - 6. When a person to be identified knowingly and voluntarily consents to submit to fingerprint identification; prior consent must be obtained from a parent or guardian when the person to be identified is a juvenile;
  - 7. With supervisor approval, at the request of another law enforcement agency, when any of the above conditions verifiably exist within the requesting agency's jurisdiction.
- B. The FID's shall not be used under the following circumstances, for example:
  - 1. Identify a passenger in a vehicle merely because he/she refuses to provide identifying information;
  - 2. Identify a patient at the request of hospital staff;
  - 3. Merely because another officer asked for an identification;
  - 4. Solely because a call was generated.

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##### 706.3.2 OSBI RECORDS SEARCH RESULT

The OSBI's results are similar to the FBI's "Red", "Yellow", and "Green" responses. The OSBI records search is to find an identification match and give a return.

- A. Red Response-Probable match.
- B. Yellow Response-Possible match.
- C. Green Response-No match.

##### 706.3.3 FBI RECORDS SEARCH RESULT

The FBI records search is more narrowly focused than the OSBI search.

FBI's Rapid Search of the Repository for Individuals of Special Concern (RISC) records. These records include wanted persons, sexual offender registry subjects, or known or appropriately suspected terrorists.

The RISC responses will be either "Red", "Yellow", "Green", or "Reject".

###### A. Red Response:

1. A red response is a hit, indicating identification of a highly probable candidate in the RISC. However, a red response is not to be considered a positive identification, but rather the candidate score from the RISC search indicates a high likelihood of identification. (The term "positive identification" currently is reserved for the results of a complete ten-print search and/or confirmation of a match by trained fingerprint examiners.) It will be incumbent on the submitting agency to supplement the RISC response with other information to confirm whether or not the candidate returned is indeed the person whose prints were submitted.
2. A red response will contain the following additional information from NGI: the category of hit (e.g., wanted person, sexual offender registry subject, or known or appropriately suspected terrorist), the identified subject's FBI Number (FNU) and master file name, and if requested by the law enforcement official, any available photos of the subject maintained in the NGI Interstate Photo System (IPS).
3. Furthermore, for red responses where underlying details of the hit may be important to officer/public safety (e.g., wanted persons or known or appropriately suspected terrorists), the RISC will cascade an automated inquiry of the National Crime Information Center (NCIC) person files using the matched subject's FNU. If matching NCIC data is located, the RISC response will contain pertinent data fields from the relevant NCIC file(s), including NCIC excerpts indicating the nature of any offenses and any applicable warnings or cautions.

###### B. Yellow Response:

1. A yellow response is a possible hit, indicating identification of a possible candidate (or candidates) in the RISC but one below the level of confidence established for a highly probable match (red response). The yellow response

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may thus only be used as an investigative tool providing leads for further investigative inquiries.

2. Yellow responses may contain the same type of supplemental information as red responses pertinent to the person(s) identified as a possible match (i.e., yellow responses may contain information from NGI regarding the category of the possible hit and underlying details, name and associated system numbers, and available photos). This may, for instance, include photos or other biographic data of possible candidates that could assist the requestor in ascertaining if the candidate is, or is not, a match.
- C. Green Response:
1. A green response indicates no hit (i.e., the search did not locate a viable candidate in the RISC).
- D. Reject Response:
1. The RISC will return a reject response when the quality of the RISC submission is too low to be used for a RISC search.

#### **706.4 REPORTING**

Each use of the FID must be documented:

1. A Fingerprint ID Log is on the computer tablet for the FID. The log shall be completed for each subject whose fingerprints are checked.
2. The use of the FID should be documented in any incident report, if completed.

#### **706.5 CARE AND MAINTENANCE**

If the equipment becomes damaged or inoperable, the officer shall report it to his/her supervisor as soon as practicable. The supervisor shall ensure the proper notifications are made to get the device repaired or replaced.

#### **706.6 OPEN RECORDS REQUESTS**

The OSBI shall promptly be notified of any Open Records requests received by this agency in reference to the Fingerprint Identification Devices. The requestor shall be referred to the OSBI.

#### **706.7 RIGHT TO AUDIT**

Representatives of the State Auditor's Office, the OSBI, or other authorized representatives of the State or OSBI, shall have access to, and the right to audit, examine, or reproduce, any and all records of our agency pertaining to the use of the Fingerprint Identification Devices.

#### **706.8 LOST, STOLEN, OR INOPERABLE DEVICE**

- A. Any FID that is lost or stolen shall be reported as soon as practicable to a supervisor. The Supervisor shall then notify the Information Technology Department as soon as practicable to disable the device.
- B. The OSBI shall be notified within 24 hours of any device that is stolen, lost, or disabled.

## Surveillance Equipment

### 707.1 PURPOSE AND SCOPE

This policy provides guidance for the use, placement and monitoring of department covert, search, and tactical surveillance equipment. This policy does not apply to overt, marked public safety video surveillance systems, if implemented, patrol type body cameras, car video cameras, or unmanned aerial systems.

### 707.2 POLICY

The Moore Police Department utilizes audio/visual and night vision surveillance equipment to complement covert criminal investigations, and search and tactical operations. This equipment is provided to aid in crime detection and prevention, as well as, searching for missing persons or suspects. It can also be utilized to enhance the visibility of possible threats to the safety of department personnel or others.

The use of this equipment will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

### 707.3 OPERATIONAL GUIDELINES

Only department-approved surveillance equipment shall be utilized. Personnel, when practicable, shall notify their supervisor prior to using the equipment. Personnel should not exceed the designed safe operational limits of the equipment.

### 707.4 COVERT AUDIO/VISUAL SYSTEM

- A. The Moore Police Department may utilize covert Audio/Visual Systems to enhance the capabilities of the Criminal Investigative Division and in furtherance of other legitimate law enforcement purposes. The systems may record and/or be monitored remotely.
- B. The system shall not be mounted in a Constitutionally protected area without a warrant or consent.
- C. The system will not be intentionally used to monitor areas where a reasonable expectation of privacy exists without first obtaining a warrant or consent.
- D. The system may be used, for example:
  1. To prevent, deter, and identify criminal activity
  2. To target identified areas of gang and illicit drug complaints or activity
  3. To assist in identifying, apprehending, and prosecuting offenders
  4. To augment resources in a cost-effective manner

### 707.5 TACTICAL AUDIO/VISUAL SYSTEM

The tactical division may utilize specialized audio/visual systems to enhance their capabilities during emergency operations. The equipment includes, but is not limited to, audio/visual systems



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affixed to a robotic device, pinhole cameras, infrared cameras, pole cameras, flexible inspection cameras,

The use of these systems to watch or listen into Constitutionally protected areas must be supported by exigent circumstances or a warrant authorizing the use.

## **Chapter 8 - Support Services**

## Crime Analysis

### 800.1 PURPOSE AND SCOPE

This policy provides guidelines for utilizing crime analysis to support the overall law enforcement efforts of the Moore Police Department. It addresses the collection and dissemination of crime analysis data that is useful to long-range planning and that can assist in identifying enforcement priorities, strategies and tactics.

### 800.2 POLICY

It is the policy of the Moore Police Department to utilize crime analysis as a tool in crime control and prevention efforts. This entails gathering, analyzing and correlating data to effectively deploy the resources of this department.

### 800.3 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports.
- Field Interview (FI) cards.
- Parole and probation records.
- Activity records from Communications Division.
- Oklahoma Automated Criminal History System (ACHS).
- Juvenile On-Line Tracking System (JOLTS).
- Department of Public Safety State Computer Files (SCOM).
- Oklahoma Tax Commission Vehicle Registration Files (VREG).

### 800.4 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

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#### **800.5 CRIME ANALYSIS DISSEMINATION**

Information developed through crime analysis should be disseminated to the appropriate bureaus or members on a timely basis. Information that is relevant to the operational or tactical plans of specific line members should be sent directly to them. Information relevant to the development of department strategic plans should be provided to the appropriate command staff members.

When information pertains to tactical and strategic plans, it should be provided to all affected members.

## Evidence and Property Management Unit

### 801.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and identifies those persons authorized to remove and/or destroy property.

This policy meets the statutory requirements of adopting an evidence and property management policy pursuant to 11 O.S. § 34-107.

Reference: Property/Evidence in the Procedures Manual.

#### 801.1.1 DEFINITIONS

Definitions related to this policy include:

**Property** - All articles placed in secure storage within property storage areas, including the following:

- Evidence - Items taken or recovered in the course of an investigation that may be used in the prosecution of a case, including photographs and latent fingerprints.
- Found property - Items found by members of the Department or the public that have no apparent evidentiary value and where the owner cannot be readily identified or contacted.
- Safekeeping - Items received by the Department for safekeeping, such as a firearm, the personal property of an arrestee that has been not taken as evidence and items taken for safekeeping under authority of law.

### 801.2 POLICY

It is the policy of the Moore Police Department to process and store all property in a manner that will protect it from loss, damage or contamination, while maintaining documentation that tracks the chain of custody, the location of property and its disposition.

### 801.3 PROPERTY STORAGE SECURITY

The Evidence and Property Management Unit shall maintain secure storage and control of all property in the custody of this department. Property Technicians shall be appointed by and will be directly responsible to the Support Services Bureau Commander. The evidence technicians are responsible for the security of the Evidence and Property Management Unit.

Security measures include ensuring 24-hour security of the property storage areas through appropriate measures.

#### 801.3.1 REFUSAL OF PROPERTY

The evidence technician has the obligation to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the evidence technician refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker

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or other safe location and inform the submitting member's supervisor of the reason for refusal and the action required for acceptance into the property storage area.

#### 801.3.2 KEY CONTROL

Evidence and Property Management Unit keys should be maintained by the evidence technician and members assigned to the Evidence and Property Management Unit. Property keys shall not be loaned to anyone and shall be maintained in a secure manner. If any property key is lost, all access points shall be re-keyed and new keys issued as necessary. After-hours access to the property storage area requires the presence of an Property Technician or assigned supervisor and the access must be documented.

#### 801.3.3 ACCESS

Only authorized members assigned to the Evidence and Property Management Unit shall have access to property storage areas. Any individual who needs to enter a property storage area (e.g., maintenance or repair contractors) must be approved and accompanied by the evidence technician. Each individual must sign the property storage area access log and indicate:

- (a) The date and time of entry and exit.
- (b) The purpose for access, including the specific case or property number.

Each access log entry shall be initialed by the accompanying department member.

#### **801.4 PROPERTY HANDLING**

The member who first comes into possession of any property is generally responsible for the care, custody and control of such property until it is transferred to the evidence technician and/or processed and placed in a temporary property locker or storage area. Care shall be taken to maintain the chain of custody for all items of evidence.

#### 801.4.1 PROCESSING AND PACKAGING

All property must be processed by the responsible member prior to the member going off-duty, unless otherwise approved by a supervisor. Members shall process and package property as outlined in the property procedures including but not limited to:

- (a) All items of evidence or property shall be identified with the appropriate incident number.
- (b) Every item placed in property shall be entered into the records management system's property section.
- (c) When turned in, all property shall be placed in a locker or appropriate area and secured.
- (d) Temporary lockers may be used to secure items for a short time but items will be removed and placed into property before the officer goes off-duty, unless otherwise approved by a supervisor. Any items left while the officer is off-duty will require notation in the official report.

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- (e) Items that are logged in to be processed for biological evidence shall be kept separate and packaged separately to avoid cross-contamination.

#### 801.4.2 EXCEPTIONAL PROCESSING

The following items require special consideration and shall be processed as follows, unless special conditions dictate a reasonable deviation:

**Bicycles** - Bicycles and bicycle frames shall have a property tag securely attached and should be placed in the bicycle storage area.

**Biological and related items** - Evidence that may contain biological samples shall be indicated as such on the property form.

Property stained with bodily fluids, such as blood or semen, shall be air-dried in a secure location (e.g., locked drying cabinet) prior to processing.

Items of evidence collected from a crime scene that require specific storage requirements pursuant to laboratory processing shall have such storage requirements clearly indicated on the property form.

Items that are potential biohazards shall be appropriately packaged and marked "Biohazard" to reduce the risk of exposure or contamination.

**Cash** - Cash shall be counted in the presence of another member. The cash shall be placed in a property envelope and initialed by both members. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall witness the count, initial and date the envelope, and specify any additional security procedures that may be necessary. Cash shall be stored in a safe or other secure locked container or facility.

- (a) Body cameras should be activated during the cash count
- (b) The cash count should be conducted in a controlled, lighted environment like the police station, when practicable.

**Explosives and fireworks** - Explosives will not be retained in the police facility. Fireworks that are considered stable and safe, as well as road flares or similar signaling devices, may be stored in proper containers in an area designated for storage of flammable materials.

The evidence technician is responsible for ensuring the proper disposal of, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

**Firearms and other weapons** - Firearms shall be unloaded and packaged separately from ammunition.

**Government property** - License plates that have not been reported stolen or are of no evidentiary value should be placed in the designated container for return to the Oklahoma Tax Commission, Motor Vehicle Division (MVD).

City property that is of no evidentiary value should be released directly to the appropriate City department. No formal property processing is required.

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If no responsible City personnel can be located, the property should be held for safekeeping.

**Jewelry** - Jewelry identified as having significant value shall be stored in a safe or other secure locked container or facility.

**Other valuable items** - Other valuable items identified as having significant value (e.g., collectibles, rare artifacts) shall be stored in a safe or other secure locked container or facility.

**Sharps** - Syringe tubes should be used to package syringes and needles that are evidence. syringes for destruction should be placed in appropriate sharps containers.

#### 801.4.3 CONTROLLED DANGEROUS SUBSTANCES

- (a) Controlled dangerous substances shall not be packaged with other property, but shall be processed separately.
- (b) The member processing controlled dangerous substances shall retain such property in his/her possession until it is weighed, packaged, tagged and placed in a secure locker.
- (c) Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled dangerous substances. If conducted, the result of the test shall be included in the officer's report.
- (d) When the quantity of controlled dangerous substances exceeds the available safe storage capacity as determined by the evidence technician, the quantity shall be photographed and weighed.
  1. A representative sample of sufficient quantity to allow scientific analysis of the controlled dangerous substances should be taken as allowed by state law and placed in a separate package or container (63 O.S. § 2-508).
  2. Excess quantities should be stored or disposed of as required by law or directed by court order.
- (e) Marijuana with any perceptible moisture content shall be loosely packaged in a container that allows for drying or shall be dried prior to storage. The evidence technician shall monitor stored marijuana for growth of mold.

#### 801.4.4 FOUND PROPERTY SAFEKEEPING AND DISPOSITION

The Moore Police Department allows for finders of lost or found property to keep the property. If the finder chooses to keep the property, he/she must sign a Moore Police Department Found Property Registration form and agree to the terms of the registration. The officer may then leave the property with the finder.

Exceptions:

Items of great value and money. These items can still be claimed by the finder, but the items will be stored with the police department for the 90 days.

Firearms and contraband will not be left with the finder or subject to being claimed without a court order.



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##### **801.5 RECORDING OF PROPERTY**

The evidence technician receiving custody of property shall ensure any change in the location of property held by the Moore Police Department be noted in the property section of the records management system (RMS), also referred to as the property control system.

##### **801.6 PROPERTY CONTROL**

The evidence technician temporarily relinquishing custody of property to another person shall record in the property control system, the date and time the property was released, the name of the person accepting custody of the property and the reason for release.

Any member receiving property shall be responsible for such property until it is returned to the Evidence and Property Management Unit or released to another authorized person or entity.

The return of the property to the Evidence and Property Management Unit should be recorded in the property control section, indicating the date, the time, and the name of the person who returned the property and the name of the person to whom the property was returned.

###### **801.6.1 EVIDENCE**

Every time evidence is released or received, an appropriate entry in the property control system shall be completed to maintain the chain of custody. No evidence is to be released without proper authorization.

The temporary release of evidence to members for investigative purposes or for court proceedings shall be noted in the property control system, stating the date, time and to whom it was released. Requests for items of evidence needed for court proceedings should be submitted to the evidence technician at least one day prior to the court date.

Requests for laboratory analysis shall be completed on the appropriate lab form and submitted to the evidence technician. This request may be submitted any time after the property has been processed.

###### **801.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY**

The evidence technician releasing items of evidence for laboratory analysis must complete the required information in the property control system.

###### **801.6.3 CONTROLLED DANGEROUS SUBSTANCES**

The Property and Technical Investigations Unit will be responsible for the storage, control and delivery for destruction of all controlled dangerous substances coming into the custody of this department.

###### **801.6.4 UNCLAIMED MONEY**

The evidence technician shall submit an annual report, or more frequently as directed, regarding money that is presumed to have been abandoned to the Chief of Police. The evidence technician may deposit such money in compliance with existing laws upon receipt of proper authorization from the Chief of Police.

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##### 801.6.5 OBSCENE MATERIAL AND CHILD PORNOGRAPHY

The evidence technician shall ensure that obscene material or child pornography held by this department as evidence is destroyed as set forth in 21 O.S. § 1024.4. Evidence includes material stored in a digital format. The destruction should only occur after approval from the prosecuting agency.

##### 801.6.6 SEXUAL ASSAULT COLLECTION KITS

The Evidence Technician shall comply with the protocols, rules, and guidelines established by the Oklahoma State Bureau of Investigation for electronic tracking of sexual assault evidence collection kits (74 O.S. § 150.28a).

#### **801.7 RELEASE OF PROPERTY**

The release of all property coming into the care and custody of the Department shall be made in compliance with established rules.

Release of property shall be made contingent upon receipt of an authorized property release form. Release of all property shall be documented in the property control system.

Firearms or ammunition should only be released upon presentation of valid identification and authorized documents showing that the individual may legally possess the item.

All reasonable attempts shall be made to identify the rightful owner of found property and items held for safekeeping.

Found property and property held for safekeeping shall be retained for the period of time required by law. During such period, Evidence and Property Management Unit members shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. The final disposition of all such property shall be fully documented in the property control system.

A evidence technician shall release such property when the owner presents proper identification and an authorized property release form has been received. The signature of the person receiving the property shall be obtained.

##### 801.7.1 DISCREPANCIES

The appropriate Shift Commander shall be notified whenever a person alleges that there is a shortage or discrepancy regarding his/her property. The Shift Commander should interview the person claiming the shortage. The Shift Commander shall ensure that a reasonable effort is made to locate the alleged missing items and shall attempt to prove or disprove the claim.

##### 801.7.2 DISPUTED CLAIMS TO PROPERTY

Occasionally, more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or establishes an undisputed right to the property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for this department should be contacted.

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#### **801.8 DESTRUCTION OR DISPOSAL OF PROPERTY**

An authorized Criminal Investigations Division investigator or supervisor shall approve the destruction or disposal of all property held by this department.

All property not held for evidence in a pending criminal investigation or proceeding may be destroyed or disposed of in compliance with existing laws upon receipt of proper authorization from a supervisor. The disposition of all property shall be entered in the property control system and property log.

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court:

- Weapons or devices declared by law to be illegal to possess
- Controlled dangerous substances declared by law to be illegal to possess without a legal prescription
- Personal property.

##### **801.8.1 BIOLOGICAL EVIDENCE**

The evidence technician shall ensure that no biological evidence held by this department is destroyed without adequate notification to the following persons, when applicable:

- The defendant
- The defendant's attorney
- The appropriate prosecutor and Attorney General
- Any sexual assault victim
- The Support Services Bureau Commander

Biological evidence shall be retained for a minimum period established by law (22 O.S. § 1372; 74 O.S. § 150.28b), the expiration of the applicable statute of limitations, or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice, unless a motion seeking an order to retain the sample is filed and served on this department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Support Services Bureau Commander.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

##### **801.8.2 MARIJUANA**

At the first sign of mold growth, stored marijuana shall be photographed showing the mold growth. As soon as practicable, the evidence technician shall make efforts to lawfully destroy the contaminated marijuana, in compliance with this policy. The evidence technician should

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consult with the member assigned to the case investigation for authorization to destroy the remaining marijuana, after taking representative samples, and should request assistance from the appropriate prosecutor in obtaining a court order for immediate destruction.

#### **801.9 INSPECTION OF THE EVIDENCE AND PROPERTY MANAGEMENT UNIT**

- A. The Support Services Bureau Commander should ensure that quarterly, unannounced inspections of the Evidence and Property Management Unit operations and storage facilities are conducted by the CID supervisor to ensure adherence to appropriate policies and procedures.
- B. The Support Services Bureau Commander also should ensure that an audit is conducted as follows:
  - 1. The Property Technician and CID supervisor should conduct a monthly audit on randomly selected individual sections (drugs, firearms, money, safekeeping, general, etc).
  - 2. A bi-annual audit should be conducted by two supervisors outside of the Criminal Investigations Division.

Whenever there is a change of assignment for any member with authorized access to the Evidence and Property Management Unit, an inventory of all property shall be conducted by a person or persons who is not associated with the Evidence and Property Management Unit or its function. This is to ensure that all property is accounted for and the records are correct.

## Records Unit

### 802.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Moore Police Department Records Unit. The policy addresses department file access and internal requests for case reports.

### 802.2 POLICY

It is the policy of the Moore Police Department to maintain department records securely, professionally and efficiently.

### 802.3 RESPONSIBILITIES

#### 802.3.1 SUPPORT SERVICES SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Support Services Supervisor. The Support Services Supervisor shall be directly responsible to the Support Services Bureau Commander.

The responsibilities of the Support Services Supervisor include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Unit.
- (b) Scheduling and maintaining Records Unit time records.
- (c) Supervising, training and evaluating Records Unit staff.
- (d) Maintaining and updating Records Unit procedures.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include, but are not limited to:
  1. Homicides
  2. Cases involving department members or public officials
  3. Any case where restricted access is prudent

#### 802.3.2 RECORDS UNIT

The responsibilities of the Records Unit include, but are not limited to:

- (a) Maintaining a records management system for case reports.
  1. The records management system should include a process for numbering, identifying, tracking and retrieving case reports.
- (b) Entering case report information into the records management system.
  1. Modification of case reports shall only be made when authorized by a supervisor.

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- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state and local regulations regarding reporting requirements of crime statistics.
- (e) Maintaining compliance with federal, state and local regulations regarding criminal history reports and auditing.
- (f) Processing accident reports.
- (g) Identifying missing case reports and notifying the responsible member's supervisor.
- (h) Preparing and maintaining periodic (annual, quarterly, monthly and/or weekly) reports of the Department activities and statistical data summaries.
- (i) Processing requests for public information and releasing authorized records to the public.

#### **802.4 FILE ACCESS AND SECURITY**

The security of files in the Records Unit must be a high priority and shall be maintained as mandated by state or federal law. All case reports including, but not limited to, initial, supplemental, follow-up, evidence and any other reports related to a police department case, including field interview (FI) cards, criminal history records and publicly accessible logs, shall be maintained in a secure area within the Records Unit, accessible only by authorized members of the Records Unit. Access to case reports or files when Records Unit staff is not available may be obtained through the Shift Commander.

The Records Unit will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

##### **802.4.1 ORIGINAL CASE REPORTS**

Generally, original case reports shall not be removed from the Records Unit. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Support Services Supervisor.

#### **802.5 CONFIDENTIALITY**

Records Unit staff has access to information that may be confidential or sensitive in nature. Records Unit staff shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Unit procedures.

## Records Maintenance and Release

### 803.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

### 803.2 POLICY

The Moore Police Department is committed to providing public access to records in a manner that is consistent with the Oklahoma Open Records Act (51 O.S. § 24A.3 et seq.).

### 803.3 CUSTODIAN OF RECORDS

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include, but are not limited to (51 O.S. § 24A.5):

- (a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule, including:
  1. Identifying the minimum length of time the Department must keep records.
  2. Identifying the department bureau responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law. Fee schedules shall be posted for public view at the Department and with the county clerk.
- (g) Preparing and making available to the public a description of the basic rights of a person who requests public information, the responsibilities of the Department and the procedures, to include the cost of inspecting or obtaining copies.

Fee schedules shall be posted for public view at the Department and with the county clerk.

### 803.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

#### 803.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following (51 O.S. § 24A.5):

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- (a) A request to inspect or obtain copies of records should be in writing.
- (b) Records shall be made available for inspection or copying during regular business hours.
- (c) The Department is not required to create records that do not exist.
- (d) A response to a request to inspect or obtain copies of records shall be provided promptly.
- (e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
  - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio/video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
- (f) A denial of a request to inspect or copy records should be in writing and include the reasons and specific statutory exemption supporting the denial.

#### **803.5 RELEASE RESTRICTIONS**

Examples of release restrictions include:

- (a) Any personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; 51 O.S. § 24A.5).
- (b) Personnel records relating to personnel investigations, including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation, or where disclosure would constitute a clearly unwarranted invasion of personal privacy such as in evaluations (51 O.S. § 24A.7).
- (c) Home addresses, telephone numbers, Social Security numbers, private email addresses, and private mobile phone numbers of members or former members as provided in 51 O.S. § 24A.7.
- (d) Law enforcement records except for those records identified in 51 O.S. § 24A.8.
- (e) Certain victim information by court order (21 O.S. § 142A-9).
- (f) Juvenile records (10A O.S. § 2-6-102).
- (g) Certain information relating to acts of terrorism, including investigative evidence; assessments of the vulnerability of government facilities; details for deterrence,



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prevention, protection, response, and remediation; and certain information technology of a public body (51 O.S. § 24A.28).

- (h) Confidential reports and information relating to child abuse and vulnerable adult abuse (10A O.S. § 1-2-101; 10A O.S. § 1-6-107; 43A O.S. § 10-110).
- (i) Automated License Plate Reader (ALPR) data retained in conjunction with the Uninsured Vehicle Enforcement Program (47 O.S. § 7-606.1).
- (j) Any other information that may be appropriately denied by federal or state law.

#### **803.6 SUBPOENAS AND DISCOVERY REQUESTS**

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

#### **803.7 RELEASED RECORDS TO BE MARKED**

##### **803.7.1 TRAFFIC COLLISION REPORTS**

All traffic collision reports that are released shall include the following or a similar notice upon the copy (47 O.S. § 40-102): "Warning - State Law. Use of contents for commercial solicitation is unlawful."

#### **803.8 EXPUNGEMENT**

Expungement orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once a record is expunged, members shall respond to any inquiry as though the record did not exist.

#### **803.9 SECURITY BREACHES**

Members who become aware that any Moore Police Department system containing personal information may have been breached should notify the Support Services Supervisor as soon as practicable.

The Support Services Supervisor shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person (24 O.S. § 163).

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Notice shall be given without unreasonable delay, consistent with the legitimate needs of the Moore Police Department or any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the agency data system. Notice may be delayed if notification will impede a criminal or civil investigation or homeland or national security (24 O.S. § 163).

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following (24 O.S. § 162):

- (a) Social Security number
- (b) Driver's license number or Oklahoma identification card number
- (c) Full account number, credit or debit card number, or any required security code, access code or password that would permit access to an individual's financial account.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Support Services Supervisor should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

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## Protected Information

### 804.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Moore Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

#### 804.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored or accessed by members of the Moore Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

### 804.2 POLICY

Members of the Moore Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

### 804.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Public Safety (DPS) records and Oklahoma Law Enforcement Telecommunications System (OLETS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.

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- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

#### **804.4 ACCESS TO PROTECTED INFORMATION**

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Moore Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

#### **804.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION**

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Support Services Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Unit to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

#### **804.6 SECURITY OF PROTECTED INFORMATION**

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.

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- (b) Ensuring federal and state compliance with the U.S. Department of Justice's CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

#### **804.6.1 MEMBER RESPONSIBILITIES**

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

#### **804.7 TRAINING**

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

## Community Relations

### 805.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Policy.
- Suspicious Activity Reporting Policy.

### 805.2 POLICY

It is the policy of the Moore Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

### 805.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Contacts and Temporary Detentions Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department Community Services Unit to identify issues and solve problems related to community relations and public safety.

### 805.4 COMMUNITY SERVICES UNIT

The Chief of Police should designate members of the Department to serve as the Community Services Unit. The Community Services Unit should:

- (a) Respond to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.
- (b) Organize surveys to measure the condition of the department's relationship with the community.
- (c) Work with community groups, department members and other community resources to:

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1. Identify and solve public safety problems within the community.
  2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (d) Assist with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.
- (e) Informing the Chief of Police, through chain of command and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

#### **805.5 SURVEYS**

The Community Services Unit should arrange for a survey of community members and department members to be conducted as needed to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

- (a) Overall performance of the Department
- (b) Overall competence of department members
- (c) Attitude and behavior of department members
- (d) Level of community trust in the Department
- (e) Safety, security or other concerns

A written summary of the compiled results of the survey should be provided to the Chief of Police.

#### **805.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS**

The Community Services Unit should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Neighborhood Watch and crime prevention programs.

#### **805.7 INFORMATION SHARING**

The Community Services Unit should work with the Public Information Officer to develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.

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Information should be regularly refreshed, to inform and engage community members continuously.

#### **805.8 LAW ENFORCEMENT OPERATIONS EDUCATION**

The Community Services Unit and/ or PIO should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Presentations to driver education classes.
- (d) Instruction in schools.
- (e) Department ride-alongs (see the Ride-Alongs Policy).
- (f) Scenario/Simulation exercises with community member participation.
- (g) Youth internships at the Department.
- (h) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the Department regarding alleged misconduct or inappropriate job performance by department members.

#### **805.9 SAFETY AND OTHER CONSIDERATIONS**

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, should not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

#### **805.10 TRAINING**

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.



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- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

## School Resource Officer Program

### 806.1 PURPOSE

Schools are a special security concern for the Moore Police Department. For this reason, officers are assigned to several of the schools as School Resource Officers (SRO). The following herein were designed to address the special needs encountered by the SRO's.

### 806.2 MISSION STATEMENT

The Moore Police Department acting in cooperation with the Moore Public Schools is committed to providing for the safety and security of the student body and faculty by the assignment of uniformed police officers to duty on campus grounds.

Further, it is the intent of said program to forge a positive link between the students, teachers and staff of the Moore Public School System, by the introduction of and the availability to officers of the Moore Police Department during the course of the school year.

### 806.3 DEFINITIONS

**School Resource Officer (SRO):** A full-time police officer assigned to the Moore Public Schools as his/ her duty assignment for the Moore Police Department. School Resource Officers operate under the authority of the Chief of Police and at the direction of the SRO supervisors.

**Part-Time School Resource Officer (Part-Time SRO):** A police officer working in an off-duty capacity for the Moore Public Schools. Part-time SRO's work under the authority of the Moore Public Schools. Part-time SRO's may or may not have formal SRO training as required for the full-time SRO's.

### 806.4 DUTIES AND RESPONSIBILITIES; GENERALLY

It shall be the duty of each School Resource Officer to provide for the safety and security of students, teachers and staff by:

- The enforcement of state and local laws and ordinances
- Prevention of injury or death due to acts of violence
- Assist when necessary in traffic control on or about the school grounds
- Investigate and report actual or intended criminal acts committed on campus
- Regularly patrol the interior, exterior, and parking areas of the school property
- When required arrest, detain or restrain persons committing criminal acts or acts that are eminently dangerous to any school official or staff member, student or visitor

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Further, it shall be the duty and responsibility of School Resource Officers to provide a positive police image evincing confidence and approachability when dealing with the students and staff of the Moore Public School System.

#### **806.5 SPECIAL CIRCUMSTANCES**

Special circumstances may arise during the SRO's tour of duty with the Moore Public School System that constitutes an emergency situation of such magnitude or complexity as to require the assistance of agencies like the Police and/or Fire Department, Emergency Medical Services or hazardous material disposal specialists.

In anticipation of special or emergency situations, the Moore Public Schools and the Moore Police Department recognize the need for advance planning and coordination of an appropriate response.

Therefore, the preparation and updating of a Critical Response Plan is the responsibility of the Moore Public School System and emergency responders.

Any existing Critical Response Plan shall then become part of the SRO's available operational information.

#### **806.6 ACTIVITIES**

It will be the responsibility of the Moore Public School System to provide for security for extra-curricular activities.

#### **806.7 ARRESTS/ CITATIONS**

SRO's must remember that school administrators do not have the authority to order an arrest or the issuance of a citation. The decisions to arrest or issue citations come from the Police Department. The school administration's function in such matters is to provide the arresting/issuing officer information to aid in the completion of the arrest or citation. If at anytime a school administrator objects with the decision to arrest or not arrest, he or she should be directed to the SRO Supervisor with the complaint. Juveniles will be released to their parent or guardian when appropriate.

SRO's may allow the school to handle matters internally in lieu of criminal charges on misdemeanor offenses.

Part time SRO's shall conduct any arrests or criminal charges stemming from their outside employment as citizen's arrests or complaints.

Prisoner transports should be conducted by on-duty police personnel.

#### **806.8 REPORTS**

Each SRO is responsible for the reporting of incidents or crimes occurring at the school to which they are assigned. Reports will be produced within the guidelines of the Moore Police Department and are to be completed on the day the information was received. Should the report require an extended time-period to complete, the reporting officer will notify the SRO supervisor. The

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supervisor will make the decision to allow for overtime pay in the event the case is of such magnitude as to require immediate completion.

If a part-time SRO makes a citizen's arrest or complaint, the SRO may choose to complete the department required report without compensation from the Moore Police Department. Alternatively, the SRO will assist in providing all the necessary information to an on-duty police officer so that officer can complete a report.

#### **806.9 RELATIONSHIPS WITH ADMINISTRATORS, STAFF, & STUDENTS**

SRO's are in a unique position and are in contact with school staff, students and parents on a daily basis. It is important that officers therefore maintain a professional relationship and demeanor with those they come into contact with while at school and on duty. SRO's shall refrain from:

- Using profane, vulgar, abusive or threatening language or gestures toward the school population.
- Becoming personally involved in private or civil matters with the staff or students.
- Engaging in conversation with the staff or students that demeans others, particularly school staff members, police department personnel, students or any other person whether present or not.
- Create situations of unreasonable risk by horseplay
- Engage in any action by word or deed that places the Police Department, Moore Public School System or the SRO at risk of civil or criminal liability.

#### **806.10 UNIFORMS/ EQUIPMENT**

Officers assigned to the SRO Program will spend the greatest portion of their working day in close proximity to the general public, far more so than officers assigned to regular vehicle patrol. Therefore, the SRO's should be more aware of their appearance and the conditions of department issued equipment like patrol units, uniforms and duty gear. The SRO's will maintain their overall appearance and that of their equipment in accordance with the Moore Police Department Policy and Procedures Manual, in a manner reflecting professionalism and pride. The SRO Supervisor may perform periodic inspections and repair or replacement of defective or worn issue will be made on an as needed basis. SRO's may wear the approved alternative polo style uniform shirt if they choose. If the SRO is assigned to a High School, both officers must wear the same type of uniform shirt each day.

#### **806.11 SCHOOL POLICE OFFICES**

Working space has been provided for the convenience of officers assigned to the SRO Program. It is the responsibility of officers to maintain their work areas in an orderly manner. Further, all Police Department property, documents, evidence or other things of value entrusted to the SRO's shall be protected from theft or misuse by securing said item(s) when not in use or the office or workspace is not occupied.

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#### **806.12 SCHOOL RIFLE**

Rifles are placed in the schools to give the officers in the schools the ability to better engage and end any armed threats. The display of rifles, however, can be disconcerting to the students, staff, and public. SRO's should be cognizant of this and only display the rifles under emergency circumstances. The rifles shall remain secured in a gun safe or locked in the SRO's patrol car when not in use.

Reference: School Rifle in Procedures Manual.

#### **806.13 SCHOOL RESOURCE OFFICERS (SRO)**

Full-time School Resource Officers operate under the authority of the Chief of Police and at the direction of the SRO supervisors.

##### 806.13.1 LIMITATIONS OF AUTHORITY

1) The Moore Police Department employ School Resource Officers, who are assigned to duty within the Moore Public School system and therefore are directed by the Chief of Police and guided by the Moore Police Department Policies and Procedures.

As such, Officers assigned to the School Resource Officer Program shall not participate in the administration or enforcement of the Policies or Rules of Conduct of the Moore Public School system or perform duties that are considered functions of the employees of said school system. Whenever possible, school administration and teachers will take the primary role in handling all behavioral issues of a non-violent nature.

2) In all cases of criminal misconduct, the decision to arrest and seek prosecution for violations of law or ordinance shall rest with the SRO.

3) SRO's shall be cognizant of the limitations regarding search and seizure of persons or property as it applies to Public School Systems and/or their agents. SRO's may standby to only observe and provide security while school officials conduct school related searches. If contraband or evidence of criminal activity is discovered, the SRO may take over the investigation, depending on the type and severity of the crime.

##### 806.13.2 BREAKS

High Schools – SRO's may leave campus to pick-up food for lunch. But, only one SRO at a time may leave the campus. There should be no time that both SRO's are off campus, except in the event of an emergency. When leaving campus, the SRO will advise Dispatch when leaving campus and immediately upon returning.

Middle Schools –SRO's assigned to middle schools should try to stay at the schools as much as possible. SRO's will be allowed to leave campus to pick-up a lunch order, but those SRO's leaving school grounds should always plan on returning to the school with their lunch purchase. If the SRO leaves campus, he or she will advise Dispatch and school administration when leaving and immediately upon returning. In either situation, the SRO may take advantage of the school lunch menu.

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##### 806.13.3 ARRIVING AND LEAVING

SRO's shall be familiar with the beginning and ending times of the school day for his/her particular school. SRO's will be required to be on post at their assigned time and to remain on post until the end of the school day. Consideration will be given for remaining on post until the majority of students not required to attend after-school functions have left the school property. SRO's will report to the SRO supervisor at the end of each shift unless otherwise directed.

##### 806.13.4 ATTENDANCE

Each SRO is generally required to attend every day the school is in session. It is important that in instances not amounting to emergency or sick leave, the SRO plan vacation time to coincide with the scheduled school vacation days or other planned school days off.

Holidays, as recognized by the collective bargaining agreement, will be worked by the SRO if school is in session. If school is not convening on the holiday the SRO will have the option to use leave or work in the patrol division that day. If school is out for the summer, SRO's assigned to the patrol division will work any holiday(s) that have been designated as "No Time Off" on the patrol schedule.

##### 806.13.5 SCHOOL RESOURCE OFFICER SELECTION

When an opening in the School Resource Officer Program is available the Chief of Police will determine how much interest there is from qualified officers. The Chief will then decide how best to select an officer for the SRO position(s). All appointments to the SRO Program are made at the Chief's discretion. SRO's will rotate out of the position after they have served in that capacity for a maximum of five years. The Chief of Police has the option to extend an SRO's assignment beyond five years.

##### 806.13.6 SUMMER ASSIGNMENT

When school is not in session the SRO's will be assigned to the Patrol Division or other Divisions within the Moore Police Department. Assignments to Patrol will involve all three Patrol shifts. SRO's will pick available shifts based on Department seniority. The SRO's will retain an eight hour work day and will continue to work Monday through Friday each week while assigned to Patrol.

#### **806.14 PART-TIME SCHOOL RESOURCE OFFICERS (PART-TIME SRO)**

Moore Public Schools may employ members of this department as an off-duty position patrolling schools. Part-time SRO's operate under the authority of the Moore Public Schools. When part-time SRO's perform their duties in uniform, display a badge and gun, or in any manner present themselves as a police officer, they shall adhere to applicable Moore Police Department policies and procedures.

Reference: Policy 1021 Outside Employment.

##### 806.14.1 LIMITATIONS OF AUTHORITY

1. Part-time SRO's shall not participate in the administration or enforcement of the Policies or Rules of Conduct of the Moore Public School system. School administration

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and teachers will take the primary role in handling all behavioral issues of a non-violent nature.

2. Part-time SRO's shall be cognizant of the limitations regarding search and seizure of persons or property as it applies to Public School Systems and/or their agents. Part-time SRO's may standby to only observe and provide security while school officials conduct school related searches.

# Therapy Canine Program

## 807.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of a Therapy Canine to provide services to the Moore Police Department, Moore Fire Department, and Employees of the City of Moore.

## 807.2 POLICY

It is the policy of the Moore Police Department that handlers and canines meet and maintain the appropriate proficiency levels to provide adequate service as requested.

## 807.3 ASSIGNMENT

### A. Daily duties:

1. It is generally expected that once a handler/canine team successfully attains certification through a nationally recognized therapy canine association that the canine will be an extension of the handler and accompany the handler during daily duties.
2. It is expected that a handler should make prior arrangements to leave the canine safely secured while tending to daily business, if the handler has prior knowledge the presence of a canine would aggravate a situation. Some examples include, but are not limited to:
  - (a) Meeting someone with a fear of dogs
  - (b) Has dog allergies
  - (c) Particular cultural beliefs etc.

### B. Authorized uses:

1. Daily duties (extension of handler)
2. Public events
3. Community outreach and engagement
4. Critical Incident Stress Management for major / traumatic incidents
5. School demonstrations
6. Grief loss and trauma
7. Natural disaster incidents
8. Victim interviews (domestics, crimes involving children, etc.)
9. Criminal investigations/interviews
10. Crisis intervention
11. Medical facility visits (hospitals, nursing homes, VA clinics, etc.)
12. Any use not covered in this procedure as deemed appropriate by the Chief of Police or his designee.



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#### **807.4 CHAIN OF COMMAND**

The Support Services Captain will oversee the Therapy Canine program.

#### **807.5 REPORTING BITES AND INJURIES**

In the event of an accidental bite or injury of another, the handler will be responsible for the following:

- (a) The handler will ensure that proper medical treatment is received by the person who was bitten and/or injured as soon as possible.
- (b) Any unintended bite or injury caused by a canine, whether on or off duty, shall be promptly reported to the Support Services Captain, if on-duty, otherwise, to an on-duty supervisor.
- (c) Bites or injuries caused by the canine are to be documented in Blue Teams.
- (d) Any injury either visible or not visible shall be photographed as soon as practicable after first tending to the immediate needs of the injured party.
- (e) Photographs shall be retained and attached to the Blue Teams report.

#### **807.6 MAINTENANCE**

- A. The Moore Police Department will be financially responsible for providing the canine food and routine veterinary services to include all medications needed, grooming/hygiene items, and equipment to include but not limited to harnesses and leashes.
- B. Handlers will ensure a safe and restful environment for their canine.
- C. The handler is encouraged to socialize the canine within the handler's family. The care of the dog is the handler's responsibility.

#### **807.7 TRAINING AND CERTIFICATION**

- A. Therapy canine teams shall receive initial certification and/or re-training in accordance with a nationally registered therapy canine organization or any certifying association approved by the Chief.
- B. Therapy canine teams may train throughout the year to maintain proficiency for annual certification.
  1. This includes exposing the canine to businesses, the range, drones, etc.
  2. The Handler will be given the opportunity to train the canine during regular shift duties when appropriate. Additionally, therapy canine teams should undergo a demonstration of proficiency on a yearly basis under the supervision of a nationally registered therapy canine organization.
- C. Any therapy canine team that fails to graduate or obtain certification shall not be deployed to the field until graduation or certification is achieved.
- D. All training records will be maintained by the assigned therapy canine handler in accordance with certification guidelines. Records should be located within the training division.

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#### **807.8 RESPONSIBILITIES**

- A. The therapy canine handler is be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.
- B. The responsibilities include, but are not limited to, the following:
  - 1. The handler shall not expose the canine to any foreseeable and unreasonable risk of harm and will ensure canine is housed in a safe and appropriate environment.
    - (a) Any changes in living status of the handler that may affect the lodging or environment of the canine shall be reported to the Support Services Captain as soon as practicable.
  - 2. During extended calls, the handler will give the canine frequent breaks, so the canine is able to maintain a clam demeanor, while ensuring the canine's needs are met.
  - 3. The canine should be permitted to socialize in the home with the handler's family under the supervision of the handler.
  - 4. The therapy canines are treated differently than other law enforcement service dogs.
    - (a) Therapy canines are intended to be social, happy, and trusting of people.
    - (b) Therapy Canines should stay with the handler, or backup handler.

#### **807.9 INJURY AND MEDICAL CARE**

- A. In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the Support Services Captain as soon as practicable and appropriately documented.
  - 1. Injuries that require more than minor first aid are to be documented in Blue Teams (K-9 Utilization).
- B. All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available emergency veterinarian. All records of medical treatment shall be maintained in the canine's file.
- C. It is the responsibility of the handler to ensure that the canine stays up to date on all vaccines and medical appointments.
- D. Handlers will be responsible for all canine care outside of normal working hours unless boarded at an approved location.
- E. The Chief of Police will make final approval on all outside vendors associated with the care of MPD therapy canines.

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##### **807.10 CANINE RETIREMENT**

- A. Recommendations to retire a therapy dog for cause will be made after consultation with the departmental veterinarian and the Support Services Captain.
- B. Upon retirement, the canine may be signed over to the handler and a release of liability form will be filled out and signed by the handler. A copy of the signed liability form will go to the owner/handler, as well as the Support Services Captain.
- C. If the handler is not willing to accept the retired canine, then the canine will be retired to a suitable location as determined by the Support Services Captain.

## **Chapter 9 - Custody**

# Temporary Custody of Adults/ Consular Notification and Access

## 900.1 PURPOSE AND SCOPE

This policy addresses the temporary custody of adults at the Moore Police Department along with mandatory consular notification and requests for access to consular officers by arrested or detained foreign nationals.

### 900.1.1 DEFINITIONS

Definitions related to this policy include:

**Holding cell/cell** - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

**Interview room** - Any room or area set aside to conduct interviews or interrogations. These areas should be monitored with audio and video surveillance.

**Temporary custody** - The period an adult is in custody at the Moore Police Department prior to being released or transported to a housing or other type of facility.

## 900.2 POLICY

The Moore Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Moore Police Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release. The Moore Police Department recognizes that consular notification may be mandatory when certain foreign nationals are detained or arrested.

## 900.3 GENERAL CRITERIA AND SUPERVISION

The Moore Police Department does not maintain a holding facility, however it may be necessary to detain subjects at the police department for processing or interviews, officers shall comply with Oklahoma law regarding the detention of subjects at the police department.

All adults in temporary custody at the Moore Police Department shall be searched and continuously monitored.

Adults should not be held at the Moore Police Department longer than necessary to process or conduct interviews.

### 900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Moore Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.

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- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Emergency Detentions Policy).
  - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

#### 900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody (OAC 310:670-1-4). The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

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#### **900.4 CONSULAR NOTIFICATION**

Consular notification is normally made by the jail or detention center. It is however recognized that under certain circumstances the Moore Police Department may be required to conduct notification before any interviews take place. The Operations Bureau Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
  - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list. A list of mandatory notification countries may be found at:

[See attachment: Consular Notification Information.pdf](#)

- (a) If the country is on the mandatory notification list, then:
  - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
  - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
  - (c) Forward any communication from the individual to his/her consular officers without delay.
  - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
- (b) If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
  - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
  - (b) Forward any communication from the individual to his/her consular officers without delay.

[See attachment: consular notification in various languages.pdf](#)

[See attachment: Consular Notification of Arrest or Detention Form.pdf](#)

#### **900.5 USE OF RESTRAINT DEVICES**

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy.

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The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Moore Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

#### 900.5.1 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.



## Temporary Custody of Juveniles

### 901.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Moore Police Department (34 USC § 11133).

#### 901.1.1 DEFINITIONS

Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

**Juvenile offender** - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense). It also includes an offense under 21 O.S. § 1273 for handgun possession by a minor (28 CFR 31.303).

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

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

**Youthful offender** - A person that is 13 or 14 years of age who is charged with murder in the first degree and certified as a youthful offender as provided by 10A O.S. § 2-5-205; a person that is 15, 16, or 17 years of age and charged with a crime listed in 10A O.S. § 2.5-206.A; or a person that is 16 or 17 years of age and charged with a crime listed in 10A O.S. § 2-5-206.B. (10A O.S. § 2-5-202)

### 901.2 POLICY

The Moore Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and to keeping juveniles safe while in temporary custody. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

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

Juveniles who exhibit certain behaviors or conditions should not be held at the Moore Police Department. These include:

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

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

#### **901.4 CUSTODY OF JUVENILES**

Officers should take custody of a juvenile and temporarily hold the juvenile at the Moore Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

Juveniles taken into custody shall be continuously monitored and held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian or other responsible adult, or transferred to a juvenile custody facility or to other authority as soon as practicable.

##### **901.4.1 PARENTAL/GUARDIAN NOTIFICATION**

Officers shall make reasonable efforts to ensure notification is made to parents or guardians of juveniles who are taken into custody as soon as practicable.

##### **901.4.2 CUSTODY OF JUVENILE NON-OFFENDERS**

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Moore Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

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##### 901.4.3 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by a promise to appear or with a warning rather than taken into temporary custody unless such release would cause the juvenile to continue to be in violation of a status offense such as curfew or runaway. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home, to a juvenile intervention facility, or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

##### 901.4.4 CUSTODY OF JUVENILE OFFENDERS

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

Juvenile offenders may be taken into custody without a court order for any criminal offense for which an adult may be arrested without a warrant (10A O.S. § 2-2-101).

When applicable, members taking a juvenile offender into custody should advise a supervisor that the release of the juvenile may be contrary to the child's welfare and/or the protection of the public. The supervisor may then seek court-approved detention. Examples of when further detention may be appropriate include (10A O.S. § 2-3-101):

- (a) The juvenile offender is an escapee from court placement or a fugitive.
- (b) The juvenile offender is seriously assaultive, destructive toward others or a danger to him/herself.
- (c) The juvenile offender is currently on probation or some form of supervision for a previous offense.
- (d) The juvenile offender has a history of failing to appear at court proceedings.
- (e) A warrant has been issued for the juvenile.

##### 901.4.5 RELEASE AND HOLDING OF JUVENILE OFFENDERS

Juveniles charged with misdemeanor offenses may be issued a juvenile non-traffic citation and released when appropriate. Officers should consider transporting juvenile offenders to a Juvenile Intervention Center where they will be photographed and finger printed prior to release. Officers should also consider notifying the Department of Human Services (Child Welfare) where juveniles have been arrested for repeated delinquent behaviors.

Juveniles charged with offenses that would be felonies can be handled in the following manner:

- (a) The on-call Juvenile Services Unit (JSU) specialist or supervisor shall be notified prior to placing any juvenile in any detention facility.
- (b) Juveniles taken into custody for youthful offender offenses may be transported to the Cleveland County Justice Center (CCJC) for detention. (10A O.S. § 2-5-101, 2-5-205, 2-5-206)
- (c) Juveniles taken into custody for felonies that are not youthful offender offenses may be:

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1. Transported to a juvenile intervention center where the offense is non-violent.
2. Screened for detention by the on-call JSU specialist or supervisor.

#### **901.5 ADVISEMENTS**

No custodial interrogation of a juvenile offender under 16 years of age and who is charged with an offense specified in the Youthful Offender Act (e.g., murder in the first degree, kidnapping, certain robbery offenses) shall begin until the juvenile and his/her parents, guardian, attorney, adult relative, adult caretaker, or legal custodian have been fully advised of the juvenile's constitutional and legal rights (10A O.S. § 2-5-202; 10A O.S. § 2-2-301).

#### **901.6 NO-CONTACT REQUIREMENTS**

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Moore Police Department (34 USC § 11133). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Department shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

#### **901.7 USE OF RESTRAINT DEVICES**

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

##### **901.7.1 PREGNANT JUVENILES**

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

#### **901.8 INTERVIEWING OR INTERROGATING**

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

#### **901.9 RESTRICTION ON FINGERPRINTING**

While juvenile offenders may be fingerprinted under the same circumstances as arrested adults, all related records must be amended to reflect any determination made through investigation or by a court that the juvenile offender did not commit the offense for which the fingerprints were taken (10A O.S. § 2-6-107).

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## *Temporary Custody of Juveniles*

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### **901.10 TRAINING**

Department members should be trained on and familiar with this policy and any supplemental procedures.

## Custodial Searches

### 902.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody, searches incident to arrest are covered in the Search and Seizure Policy. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Moore Police Department or a detention facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Custodial searches will generally be conducted by jail staff.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

This policy meets statutory requirements requiring the adoption of a strip and body cavity search policy pursuant to 11 O.S. § 34-107.

#### 902.1.1 DEFINITIONS

Definitions related to this policy include:

**Custody search** - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

### 902.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

All custodial searches conducted by Moore Police personnel shall be documented in an appropriate arrest report or in accordance with other Moore Police policy.

### 902.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

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Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search or the search must be recorded by video camera.

#### **902.4 SEARCHES AT POLICE FACILITIES**

Custody searches shall be conducted on all individuals in custody, upon entry to the Moore Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search or the search must be recorded by video camera.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

##### 902.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Evidence and Property Management Policy.

##### 902.4.2 VERIFICATION OF MONEY

When possible, money shall be counted in front of the individual from whom it was received. All money shall either accompany the individual to the proper holding facility or be logged in in accordance with the Evidence and Property Management Policy.

##### 902.4.3 SPECIFIC PAT-DOWN GUIDANCE

Custody (or pat-down) searches shall be performed by lightly skimming the exterior surface of the inmate's clothing covering the legs and torso (OAC 310:670-1-2).

#### **902.5 STRIP SEARCHES**

No individual in temporary custody at any Moore Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention, or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

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1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

#### 902.5.1 STRIP SEARCH PROCEDURES

Strip searches at Moore Police Department facilities shall be conducted as follows (28 CFR 115.115):

- (a) Authorization from the Shift Commander shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by those not participating in the search. The search shall not be video or sound recorded.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched unless it is necessary to remove a weapon.
- (f) The primary member conducting the search shall prepare a written report to include:
  1. The facts that led to the decision to perform a strip search.
  2. The reasons less intrusive methods of searching were not used or were insufficient.
  3. The name of the Shift Commander authorizing the search.
  4. The name of the individual who was searched.
  5. The name and sex of the members who conducted the search.
  6. The name, sex and role of any person present during the search.
  7. The time and date of the search.
  8. The place at which the search was conducted.
  9. A list of the items, if any, that were recovered.



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10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

#### **902.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES**

A strip search may be conducted in the field only with Shift Commander authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy.

#### **902.6 PHYSICAL BODY CAVITY SEARCH**

Physical body cavity searches shall be subject to the following:

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Shift Commander and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
  1. The facts that led to the decision to perform a physical body cavity search of the individual.

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2. The reasons less intrusive methods of searching were not used or were insufficient.
  3. The Shift Commander's approval.
  4. A copy of the search warrant.
  5. The time, date and location of the search.
  6. The medical personnel present.
  7. The names, sex and roles of any department members present.
  8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and shall be made available to the individual who was searched or other authorized representative upon request.

#### **902.7 TRAINING**

The Training Coordinator shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

## **Chapter 10 - Personnel**

## Recruitment and Selection

### 1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Moore Police Department and that are promulgated and maintained by the Human Resources Department.

### 1000.2 POLICY

In accordance with applicable federal, state, and local law, the Moore Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

### 1000.3 RECRUITMENT

The Moore Police Department should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.

The Moore Police Department shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

### 1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department

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should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph or voice stress analyzer (VSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment
- (k) Completion of drug and alcohol screening (40 O.S. § 554)
  - 1. An applicant may request a confirmation test of a sample within 24 hours of receiving notice of a positive test. The applicant shall pay all costs of the confirmation test unless the confirmation test reverses the findings of the positive test (40 O.S. § 556).

#### **1000.5 BACKGROUND INVESTIGATION**

Every candidate shall undergo a thorough background investigation pursuant to 70 O.S. § 3311(E) to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Moore Police Department.

##### 1000.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

##### 1000.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Moore Police Department shall not require candidates to provide passwords, account information or access to password-protected social media accounts (40 O.S. § 173.2).

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##### 1000.5.3 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

Employment applications and other records having to do with hiring shall be preserved for 2 years (29 CFR § 1602.31).

##### 1000.5.3 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

##### 1000.5.4 STATE NOTICES

The Department shall report the hiring of an officer to the Council on Law Enforcement Education and Training (CLEET) within 10 days (70 O.S. § 3311(H)).

#### **1000.6 DISQUALIFICATION GUIDELINES**

The Chief of Police shall maintain a list of disqualifiers for police officers with the Moore Police Department. The list will include State and Federal guidelines as well as the Department's listed disqualifiers.

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

Cross-References to disqualifiers:

[Moore Police Department Procedures Manual: 1000.1 DISQUALIFIERS](#)

[Moore Police Department Procedures Manual: 1000.1.1 TATTOOS](#)

[Moore Police Department Procedures Manual: 1000.1.2 PREVIOUS APPLICANTS](#)

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Aside from the listed disqualifiers, a candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

#### **1000.7 EMPLOYMENT STANDARDS**

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards and job descriptions shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Human Resources Department should maintain validated standards and written job descriptions for all positions.

##### **1000.7.1 STANDARDS FOR OFFICERS**

Candidates shall meet the minimum standards established by Federal law, Oklahoma law, the Police Pension and Retirement System, and CLEET-approved certification training, including those provided in 70 O.S. § 3311(E):

- (a) Be at least 21 years of age prior to certification as a peace officer.
- (b) Be a United States citizen or in resident alien status, as defined by U.S. Citizenship and Immigration Services.
- (c) Possess a high school diploma or a GED equivalency certificate as recognized by state law.
- (d) Not have been convicted in state or federal court for any felony, crime of moral turpitude, or a crime of domestic abuse.
- (e) Have fingerprint clearance from the Federal Bureau of Investigation and the Oklahoma State Bureau of Investigation, and the state in which the applicant resides, if not Oklahoma.
- (f) Have undergone psychological evaluation by the employing agency using a psychological instrument approved by CLEET.
- (g) Not be currently undergoing treatment for a mental illness, condition or disorder.
- (h) Not be subject to a CLEET order revoking, suspending or accepting a voluntary surrender of peace officer certification.
- (i) Be commissioned or appointed by the Department prior to attending CLEET-approved certification training.
- (j) Not have been involuntarily committed to an Oklahoma state mental institution.
- (k) Certify that he/she is physically able to fully participate in and complete all phases of the CLEET Basic Peace Officer Certification Academy as mandated in CLEET rules.
- (l) Submit all required documentation and enrollment materials.

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##### **1000.7.2 PROBATIONARY PERIODS**

The Support Services Bureau Commander should coordinate with the Moore Human Resources Department to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

##### **1000.8 NEW EMPLOYEE ORIENTATION**

All new employees of the Moore Police Department shall receive information regarding:

- (a) The agency's role, purpose, goals, policies and procedures.
- (b) Working conditions and regulations.
- (c) Responsibilities and rights of employees and the Moore Police Department.

##### **1000.9 JOB DESCRIPTIONS**

The Command Staff Bureau Commander should ensure that a current job description is maintained for each position in the Department.



# Performance Evaluations

## 1001.1 PURPOSE AND SCOPE

### 1001.2 POLICY

The Moore Police Department shall use a performance evaluation system to measure, document, and recognize work performance. The performance evaluation will serve as an objective guide for the recognition of good work and the development of a process for improvement.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

### 1001.3 TYPES OF EVALUATIONS

The Department shall use the following types of evaluations:

**Non-union personnel** -are governed by the this policy and the current City of Moore Personnel Manual, Article VI.

**Union personnel** -are governed by this policy and the current collective bargaining agreement (CBA).

**Regular** - An evaluation completed at regular intervals by the employee's immediate supervisor. Employees who have been promoted should be evaluated as established by the Human Resources Department or, minimally, on the anniversary of the date of the last promotion.

When an employee transfers to a different assignment in the middle of an evaluation period and less than six months has transpired since the transfer, the evaluation should be completed by the previous supervisor with input from the current supervisor.

**Special** - An evaluation that may be completed at any time the supervisor and Bureau Commander determine an evaluation is necessary to address less than standard performance. The evaluation may include a plan for follow-up action (e.g., performance improvement plan (PIP), remedial training, retraining).

#### 1001.3.1 RATINGS

When completing an evaluation, the supervisor will identify the rating category that best describes the employee's performance. A definition of each rating category follows:

**Exceeds**- Performance is well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

**Above Satisfactory** - Performance is better than demonstrated by a competent employee. It is performance superior to what is required, but is not of such nature to warrant a rating of outstanding.

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**Satisfactory** - Performance of a competent employee. It is satisfactory performance that meets the standards required of the position.

**Needs improvement** - Performance is less than the standards required of the position. A needs improvement rating shall be thoroughly discussed with the employee.

**Unsatisfactory** - Performance is inferior to the standards required of the position. It is inadequate or undesirable performance that cannot be allowed to continue.

Supervisor comments should be included in the evaluation to document the employee's strengths, weaknesses and requirements for improvement. Any job dimension rating marked as unsatisfactory or exceeds shall be substantiated with supervisor comments.

#### 1001.3.2 PERFORMANCE IMPROVEMENT PLAN

Employees who receive an unsatisfactory rating may be subject to a PIP. The PIP shall delineate areas that need improvement, any improvement measures and a timetable in which to demonstrate improvement. The issuing supervisor shall meet with the employee to review his/her performance and the status of the PIP at least monthly.

#### 1001.4 EVALUATION PROCESS

Supervisors should meet with the employees they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor should discuss the tasks of the position, standards of expected performance and the evaluation criteria with each employee.

Performance evaluations cover a specific period and should be based upon documented performance dimensions that are applicable to the duties and authorities granted to the employee during that period. Evaluations should be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the evaluating supervisor for input.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the employee during the course of the evaluation period are encouraged. Supervisors should document all discussions in the prescribed manner.

Non-probationary employees demonstrating substandard performance shall be notified in writing as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

All supervisors shall receive training on performance evaluations within one year of a supervisory appointment.

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##### **1001.5 EVALUATION FREQUENCY**

Supervisors shall ensure that all employees they supervise are evaluated at least once every year on the anniversary of the employee's date of appointment, hire, promotion, or other change in employment status.

Those employees who are required to successfully complete a probationary period should be evaluated monthly using the probationary employee form and receive a full evaluation at the end of the probationary period.

##### **1001.6 EVALUATION INTERVIEW**

When the supervisor has completed his/her evaluation, a private discussion of the evaluation should be scheduled with the employee. The supervisor should discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance should be identified and discussed. If the employee has reasonable objections to any of the ratings, the supervisor may make appropriate adjustments to the evaluation. The reason for such adjustments shall be documented.

Employees may write comments in an identified section of the evaluation. The supervisor and employee will sign and date the evaluation.

##### **1001.7 APPEAL**

An employee who disagrees with his/her evaluation may provide a formal written response that will be attached to the evaluation, or may request an appeal.

To request an appeal, the employee shall forward a written memorandum within three days, or time specified in the CBA for union employees, to the evaluating supervisor's Bureau Commander. The memorandum shall identify the specific basis for the appeal and include any relevant information for the reviewer to consider.

##### **1001.8 CHAIN OF REVIEW**

The signed performance evaluation and any employee attachment should be forwarded to the evaluating supervisor's Bureau Commander. The Bureau Commander shall review the evaluation for fairness, impartiality, uniformity and consistency, and shall consider any written response or appeal made by the employee.

The Bureau Commander should evaluate the supervisor on the quality of ratings given.

##### **1001.9 RETENTION AND DISTRIBUTION**

The original performance evaluation and any original correspondence related to an appeal shall be maintained by the Department in accordance with the Personnel Records Policy and the CBA.

A copy of the evaluation and any documentation of a related appeal shall be provided to the employee and also forwarded to the Moore Human Resources Department.

## Special Assignments and Promotions

### 1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Moore Police Department.

### 1002.2 POLICY

The Moore Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

### 1002.3 SPECIAL ASSIGNMENT POSITIONS

Each employee that accepts a special assignment does so with the understanding that the assignment and its duration is at the discretion of the Chief of Police. The conclusion of a special assignment may result in a change in work schedule. The Chief should make reasonable efforts to give enough notice of the transfer so the employee has time to prepare for the reassignment.

The following positions are considered special assignments and not promotions:

- (a) Special Weapons and Tactics Team member
- (b) Investigator
- (c) Motorcycle officer
- (d) Bicycle Patrol officer
- (e) Canine handler
- (f) Collision investigator
- (g) Field Training Officer
- (h) Community Relations/Training Officer
- (i) School Resource and/or Drug Abuse Resistance Education (D.A.R.E.) officer
- (j) Other assignments not specified

#### 1002.3.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Off probation
- (b) Possession of or ability to obtain any certification required by CLEET or law
- (c) Exceptional skills, experience or abilities related to the special assignment

#### 1002.3.2 EVALUATION CRITERIA

The following criteria should be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance.

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- (b) Maintains a physical condition that aids in his/her performance.
- (c) Expressed an interest in the assignment.
- (d) Demonstrates the following traits:
  - 1. Emotional stability and maturity
  - 2. Stress tolerance
  - 3. Sound judgment and decision-making
  - 4. Personal integrity and ethical conduct
  - 5. Leadership skills
  - 6. Initiative
  - 7. Adaptability and flexibility
  - 8. Ability to conform to department goals and objectives in a positive manner
  - 9. Work performance and attendance

#### **1002.3.3 SELECTION PROCESS**

The selection process for special assignments should include an administrative evaluation as determined by the Chief of Police.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training and at the discretion of the Chief of Police.

#### **1002.4 PROMOTIONAL REQUIREMENTS**

- A. Requirements and information regarding any promotional process are listed in the collective bargaining agreement. Civilian employees promotions will be governed by the City of Moore Policy and Procedures Manual.
- B. Commissioned officers, when practicable, will attend CLEET approved supervisor training within one year of promotion.

## Grievances

### **1003.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide guidelines for the Moore Police Department grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

### **1003.2 POLICY**

It is the policy of the Moore Police Department to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint or retaliation against any employee who submits or is otherwise involved in a grievance.

### **1003.3 PROCESS**

The specific processes for grievances are outlined in the City of Moore Personnel Policy and Procedures Manual and the FOP Collective Bargaining Agreement (CBA).

- (a) Non-union employee grievance procedures are listed in the current City of Moore Personnel Policy and Procedures Manual, Article VII Section 4 (7.4).
- (b) FOP Union employee grievance procedures are listed in the CBA, Article 9.

### **1003.4 GRIEVANCE RECORDS**

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Chief of Police for inclusion into a secure file for all written grievances. Copies of the documents should also be sent to the Human Resources Department.

### **1003.5 POLICY OR TRAINING IMPLICATIONS**

If an employee who participates in the grievance review process identifies any issue that may warrant an immediate revision to this Policy Manual, a procedural change or an immediate training need, the employee should promptly notify the Chief of Police in the memorandum.

### **1003.6 GRIEVANCE AUDITS**

The Chief of Police may perform an annual audit of all grievances filed the previous calendar year to evaluate whether any change in policy, procedure or training may be appropriate to avoid future grievances.

## Anti-Retaliation

### 1004.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance or employment agreement.

### 1004.2 POLICY

The Moore Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

### 1004.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including, but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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#### *Anti-Retaliation*

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#### **1004.4 COMPLAINTS OF RETALIATION**

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Personnel Director.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

#### **1004.5 SUPERVISOR RESPONSIBILITIES**

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.



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##### **1004.6 COMMAND STAFF RESPONSIBILITIES**

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

##### **1004.7 WHISTLE-BLOWING**

State law protects employees from being discharged, penalized or in any other manner discriminated against because they file a complaint or institute an investigation concerning the enforcement of certain labor laws or testify in an investigation or proceeding concerning the enforcement of any Oklahoma labor law (40 O.S. § 199). State law also protects employees engaging in certain activities related to enforcing child abuse laws, occupational health and safety standards, workers' compensation laws and unlawful discrimination laws (10A O.S. § 1-2-101; 40 O.S. § 403(B); 85A O.S. § 7; 25 O.S. § 1601).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the appropriate Bureau Commander for investigation pursuant to the Personnel Complaints Policy.

##### **1004.8 RECORDS RETENTION AND RELEASE**

The Support Services Supervisor shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

##### **1004.9 TRAINING**

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

# Reporting of Arrests, Convictions and Court Orders

## 1005.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions and court orders restrict their ability to perform the official duties and responsibilities of the Moore Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction or court order disqualifies them from possessing a firearm.

## 1005.2 POLICY

The Moore Police Department requires disclosure of member arrests, convictions and certain court orders to maintain the high standards, ethics and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

## 1005.3 DOMESTIC ABUSE CONVICTIONS AND COURT ORDERS

Federal and Oklahoma law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing firearms. Such convictions and court orders often involve allegations of the use or attempted use of force, or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; 21 O.S. § 1290.10).

All members and retired officers with identification cards/Commission Cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing firearms by any such conviction or court order, and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

## 1005.4 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Members shall report arrests, prosecutions, diagnoses or detentions that may lead to the revocation of their CLEET certification. This may involve (70 O.S. § 3311(J)(1)):

- (a) A felony or domestic abuse offense.
- (b) A misdemeanor involving moral turpitude.
- (c) An emergency detention or a diagnosis of a mental illness, condition or disorder by a licensed physician, psychologist, or a licensed mental health professional as a substantial disorder of thought, mood, perception, psychological orientation or memory that significantly impairs judgment, behavior, capacity to recognize reality or ability to meet the ordinary demands of life.
- (d) Entry of a final order of protection against a member.
- (e) Any violation of the Oklahoma Private Security Licensing Act.

# Moore Police Department

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#### *Reporting of Arrests, Convictions and Court Orders*

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While legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust, and shall be reported as provided in this policy.

#### **1005.5 REPORTING**

All members and all retired officers with identification cards/Commission Cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Shift Commander or the Chief of Police) in writing of any past or current criminal detention, arrest, charge or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or is on appeal, and regardless of the penalty or sentence, if any.

All members and all retired officers with identification cards/Commission Cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Shift Commander or the Chief of Police) in writing if they become the subject of a domestic violence-related order or any court order that prevents the member or retired officer from possessing a firearm or requires suspension or revocation of applicable CLEET certification.

Any member whose criminal arrest, conviction or court order restricts or prohibits that member from fully and properly performing his/her duties, including carrying a firearm, may be disciplined. This includes, but is not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member, on his/her own time and at his/her own expense.

Any employee failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Retired officers may have their identification cards/Commission Cards rescinded or modified, as may be appropriate (see the Retiree Concealed Firearms Policy).

In addition to the other requirements, all employees shall make written notice to the Chief of Police of any criminal, traffic or civil action in which they are involved, except as required in their official duties, within 48 hours of the occurrence.

#### **1005.5.1 NOTIFICATION REQUIREMENTS**

The Command Staff Bureau Commander shall make notifications to CLEET regarding the resignation or termination regarding any current officer in accordance with the Personnel Complaints Policy.

Officers shall immediately notify CLEET if the officer is arrested or if criminal proceedings are initiated against the officer. Notice shall also be required if an emergency or a final victim protective order has been issued against the officer (70 O.S. § 3311(J)(14); OAC 390:10-1-8).

## Drug- and Alcohol-Free Workplace

### 1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace. This policy meets the statutory requirement setting forth the specifics of a drug- or alcohol-testing program (41 USC § 8103; 40 O.S. § 555).

### 1006.2 POLICY

It is the policy of the Moore Police Department to provide a drug- and alcohol-free workplace for all members.

### 1006.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Commander or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

#### 1006.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

#### 1006.3.2 MEDICAL MARIJUANA

Every member of the Moore Police Department is prohibited from using medical marijuana on-duty and off-duty. The possession of medical marijuana is also prohibited on-duty, including keeping it on city property or within a city vehicle. This does not apply to evidence or property seized for destruction.

### 1006.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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#### *Drug- and Alcohol-Free Workplace*

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

Exception: Members are allowed to consume alcohol to the extent of impairment when participating as testing subjects in sobriety test training. The employee shall remain under the supervision of the training staff until the employee is deemed to be no longer impaired.

#### **1006.5 EMPLOYEE ASSISTANCE PROGRAM**

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Human Resources Department, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

#### **1006.6 WORK RESTRICTIONS**

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

See the Collective Bargaining agreement and/ or the City of Moore Personnel Policy for further information.

#### **1006.7 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

#### **1006.8 CONFIDENTIALITY**

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests, a member's explanation of test results and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy (40 O.S. § 555).

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#### *Drug- and Alcohol-Free Workplace*

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Drug and alcohol test results and related information shall be made available for inspection and copying upon request by the applicant or employee and may be released to others pursuant to 40 O.S. § 560 and 40 O.S. § 562.

## Sick Leave

### 1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees is detailed in the City personnel manual or applicable employment agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.).

### 1007.2 POLICY

It is the policy of the Moore Police Department to provide eligible employees with a sick leave benefit.

### 1007.3 USE OF SICK LEAVE

Rules covering the accrual and use of sick leave may be found in:

Non-union employees - The City of Moore Personnel Policy and Procedures Manual Article 5.1(3)

Union employees - The Collective Bargaining Agreement (CBA) Article 16.1

Sick leave is intended to be used for qualified absences.

Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

#### 1007.3.1 NOTIFICATION

All members should notify the appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall provide the Department with as much notice as practicable of the impending absence.

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

### 1007.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

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Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

#### **1007.5 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with their chain of command or the Human Resources Department as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
  - 1. Negatively affected the member's performance or ability to complete assigned duties.
  - 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

#### **1007.6 LEAVE SHARING**

Members may share accumulated leave time in compliance with the City of Moore Personnel Policy and Procedures Manual.



## Smoking and Tobacco Use

### 1008.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Moore Police Department facilities or vehicles.

For the purpose of this policy, smoking and tobacco use includes cigarettes, cigars, pipe tobacco, as well as any device that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### 1008.2 POLICY

The Moore Police Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore, smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy.

Snuff, tobacco pouches and chewing tobacco may still be used in the facilities, buildings and vehicles as long as their use is done in a clean and sanitary manner.

### 1008.3 SIGNAGE

Signs shall be conspicuously posted at entrances to, and in prominent locations within, the department facilities where smoking is prohibited, stating that smoking is prohibited and that the indoor environment is free of tobacco smoke or that a smoke-free environment is provided pursuant to OAC 310:355-17-1.

### 1008.4 ADDITIONAL PROHIBITIONS

No employee shall smoke tobacco products within 25 feet of the entrance or exit of any City facility (21 O.S. § 1247).

# Communicable Diseases

## 1009.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases. [See attachment: Exposure Control Plan Feb 2023.pdf](#)

### 1009.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

**Exposure** - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Moore Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

## 1009.2 POLICY

The Moore Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

## 1009.3 EXPOSURE CONTROL OFFICER

The Moore Risk Management Department will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) that is appropriate for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
  1. Adhering to mandates contained in 29 CFR 1910.1030 regarding bloodborne pathogens (40 O.S. § 403; OAC 380:40-1-2).

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2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
3. Implementing universal precautions pursuant to 63 O.S. § 1-502.1 and OAC 310:670-5-8.

The ECO should also act as the liaison with the Oklahoma Public Employees Occupational Safety and Health Division and may request voluntary compliance inspections. The ECO should periodically review and update the exposure control plan and review implementation of the plan.

#### **1009.4 EXPOSURE PREVENTION AND MITIGATION**

##### 1009.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (29 CFR 1910.1030; 40 O.S. § 403; OAC 380:40-1-2):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
  1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

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- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

#### 1009.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions will be offered the HBV vaccination within one month of employment and may receive any routine booster at no cost (29 CFR 1910.1030; 40 O.S. § 403; OAC 310:670-5-8; OAC 380:40-1-2).

The vaccination program for members who may act as first responders shall be implemented as appropriate under 63 O.S. § 682.1.

#### **1009.5 POST EXPOSURE**

##### 1009.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall (29 CFR 1910.1030; 40 O.S. § 403; OAC 380:40-1-2):

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

##### 1009.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; 40 O.S. § 403; OAC 380:40-1-2):

- (a) Name of the member exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall complete an Oklahoma Health Department Communicable Disease Risk Exposure Report (Form 207) for each incident and submit to the appropriate Bureau Commander. The Bureau Commander shall ensure the report is submitted in accordance with OAC 310:555-1-4.

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The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Work-Related Illness and Injury Reporting and Illness and Injury Prevention policies).

#### 1009.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (29 CFR 1910.1030; 40 O.S. § 403; OAC 380:40-1-2):

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

#### 1009.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; 40 O.S. § 403; OAC 380:40-1-2).

#### 1009.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by (OAC 310:555-1-1 et seq.):

- (a) Obtaining consent from the individual.
- (b) Using the Oklahoma Health Department Communicable Disease Risk Exposure Report (Form 207) pursuant to OAC 310:555-1-4.
- (c) By court order.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult with the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if the individual refuses.

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##### **1009.6 CONFIDENTIALITY OF REPORTS**

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

##### **1009.7 TRAINING**

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; 40 O.S. § 403; OAC 380:40-1-2):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

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## Personnel Complaints

### 1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Moore Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

### 1010.2 POLICY

The Moore Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any employment agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

### 1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

#### 1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the Shift Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Professional Standards Unit, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Professional Standards Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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##### 1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint (see also the Notification to Council of Law Enforcement Education and Training (CLEET) section in this policy).

##### **1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS**

###### 1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in the records section of the police facility and may be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

###### 1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form or document the contact as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

##### **1010.5 DOCUMENTATION**

Supervisors shall ensure that all formal complaints are documented properly. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All formal complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.



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##### **1010.6 ADMINISTRATIVE INVESTIGATIONS**

Allegations of misconduct will be administratively investigated in accordance with the collective bargaining agreement for union personnel and the City Policy and Procedures Manual for civilian personnel.

###### 1010.6.1 SUPERVISOR RESPONSIBILITIES

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

###### 1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Professional Standards Unit, the procedures outlined in Article 7 of the collective bargaining agreement or in the City Personnel Policy and Procedure Manual for non-union employees shall be followed for union personnel.

###### 1010.6.3 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

**Exceptional** - When the investigation reveals extenuating circumstances not applicable to another disposition.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

###### 1010.6.4 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within the specified time limits outlined in the collective bargaining agreement.

##### **1010.7 ADMINISTRATIVE SEARCHES**

Assigned lockers, storage spaces and other areas, including desks, offices, lockers and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

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Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

#### **1010.8 ADMINISTRATIVE LEAVE**

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave or a different assignment.

#### **1010.9 CRIMINAL INVESTIGATION**

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel or follow a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

#### **1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES**

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

##### **1010.10.1 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT**

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded, exceptional) of the complaint.

#### **1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the collective bargaining agreement where applicable.

#### **1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

#### **1010.13 RETENTION OF PERSONNEL INVESTIGATION FILES**

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

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#### **1010.14 NOTIFICATION TO COUNCIL OF LAW ENFORCEMENT EDUCATION AND TRAINING (CLEET)**

The Chief of Police or the authorized designee shall notify CLEET:

- (a) Whenever any officer resigns or is terminated. The notification shall be made within 10 days of the resignation or termination or within 30 days if the officer was under investigation (70 O.S. § 3311(H); 70 O.S. § 3311(J)(8)).
- (b) When any civil proceeding or lawsuit is initiated against an officer that relates to matters under the purview of CLEET pursuant to 70 O.S. § 3311. The notice must be sent no later than 10 days after the officer is served with notice of the proceeding (OAC 390:10-1-8).

## Seat Belts

### 1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

#### 1011.1.1 DEFINITIONS

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213 (47 O.S. § 12-414).

### 1011.2 POLICY

It is the policy of the Moore Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

### 1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement. Exceptions do not include a nonspecific belief that an unusual event could occur.

### 1011.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with 47 O.S. § 11-1112.

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side air bag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

### 1011.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is

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#### *Seat Belts*

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not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

#### **1011.6 INOPERABLE SEAT BELTS**

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

#### **1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS**

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

#### **1011.8 VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

## Body Armor

### 1012.1 PURPOSE AND SCOPE

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

### 1012.2 POLICY

It is the policy of the Moore Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

### 1012.3 ISSUANCE

The Command Staff shall ensure that body armor is issued to all officers and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

Body armor shall be issued when an officer begins service at the Moore Police Department and shall be replaced when the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised. The body armor is typically replaced every five years.

The Chief of Police may authorize issuance of body armor to uniformed, civilian members whose jobs may make wearing of body armor advisable.

#### 1012.3.1 USE

Generally, the required use of body armor is subject to the following:

- (a) Members shall only wear department-approved body armor.
- (b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Members shall wear body armor when working in uniform.
- (d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
- (e) Officers may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
  1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

#### 1012.3.2 INSPECTION

Supervisors should ensure through routine observation and periodic documented inspections that body armor is worn and maintained in accordance with this policy.

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##### **1012.3.3 CARE AND MAINTENANCE**

The required care and maintenance of body armor is subject to the following:

- (a) Members are responsible for inspecting their body armor for signs of damage, wear and cleanliness at the start of each shift.
  - 1. Unserviceable body armor shall be reported to the supervisor.
- (b) Members are responsible for the proper storage of their body armor.
  - 1. Body armor should not be stored for an extended period of time in an area where environmental conditions (e.g., temperature, light, humidity) could potentially degrade its effectiveness.
- (c) Members are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions.
  - 1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer.
  - 2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions.
- (d) Body armor should be replaced in accordance with the manufacturer's recommended replacement schedule, or when its effectiveness or functionality has been compromised.

##### **1012.4 RANGEMASTER RESPONSIBILITIES**

The responsibilities of the Rangemaster include, but are not limited to:

- (a) Monitoring technological advances in the body armor industry for any appropriate changes to department-approved body armor.
- (b) Assessing the level of weapons and ammunition currently utilized by the public and the suitability of approved body armor to protect against those threats.
- (c) Educating officers about the safety benefits of wearing body armor.

## Personnel Records

### 1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

### 1013.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Oklahoma (51 O.S. § 24A.7).

### 1013.3 DEPARTMENT FILE

The department personnel file shall be maintained as a record of a person's employment/appointment with this department. The official department file shall be maintained at City Hall in the Human Resources Division.

### 1013.4 BUREAU AND SUPERVISOR FILES

Bureau and supervisor files may be separately maintained internally for the purpose of completing timely performance evaluations. These files may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

### 1013.5 TRAINING FILE

An individual training file shall be maintained by the Training Coordinator for each member. Training files should contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Training Coordinator or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Coordinator or supervisor shall ensure that copies of such training records are placed in the member's training file.

### 1013.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be confidential and maintained under the exclusive control of the Chief of Police. Access to these files may only be approved by the Chief of Police.

### 1013.7 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.



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Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

##### 1013.7.1 REQUESTS FOR DISCLOSURE

Personnel records shall be released in accordance to the policies and procedures of the Human Resources Division of the City of Moore and the collective bargaining agreements.

##### 1013.7.2 RELEASE OF PERSONNEL INFORMATION

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

#### **1013.8 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS**

Any member may request access to his/her own personnel records except for those records made confidential by statute, during the normal business hours of those responsible for maintaining such files (51 O.S. § 24A.7).

For union members the collective bargaining agreement (CBA) Article 8 shall govern personnel files, where there is no direction the following shall apply:

Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record.

Members may be restricted from accessing files containing any of the following information:

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

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- (g) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

#### **1013.9 RETENTION AND PURGING**

Unless provided otherwise in this policy or the CBA, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

## Commendations and Awards

### 1014.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Moore Police Department.

### 1014.2 POLICY

It is the policy of the Moore Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members through commendations and awards.

### 1014.3 AWARDS COMMITTEE

An awards committee will be formed to review award nominations and make recommendations to the Chief of Police concerning awards to be presented.

An Awards Chairperson will be appointed by the Chief of Police, for a period determined by the Chief. Voting members will be chosen for each award nomination.

The Awards Committee will consist of a non-voting Committee Chairperson and five voting members; one first line supervisor, three officers from the patrol division (one selected from each shift if practicable), and one non-uniformed officer. Voting members should be selected at random by each shift within two days of notification. Nominated officers shall not be on the committee. Nominating officers or supervisors should not be on the committee.

### 1014.4 AWARD NOMINATION

Any member of the Moore Police Department or any other person may nominate any departmental employee for an award. Any nominations from outside this department are to be reviewed by the Chief prior to being forwarded to the Awards Committee.

Interdepartmental nominations will be made by interoffice correspondence/letter describing the incident or reason for the nomination. The correspondence will be to the department member's first line supervisor.

The first line supervisor will write a correspondence of the incident and forward both the nomination and his/her incident review to the Chief of Police within 10 business days.

The Chief of Police shall collect the nominations, and at a time within the calendar year the Chief of Police deems appropriate will select a chairperson to convene an Awards Committee.

The Awards Committee Chairperson will prepare copies of all pertinent correspondence and information for committee members.

It shall be the policy of this department to recognize members in a fair and equitable manner involving an incident for achievement above and beyond any normal call of duty. It is the desire of this department and its members that no award including a Purple Heart be recommended lightly.

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At the prescribed time the committee will convene and review all information in relation to the incident and vote on the award. The committee may vote with the nomination, against the nomination, or make another recommendation such as a Letter of Commendation or other award that may be more appropriate for the incident.

The committee will send the recommendation to the Chief for review. The Chief of Police will make the final decision on the award. No more than two awards per officer will be considered for any single incident.

The Chairperson will notify the person making the nomination and nominee of the outcome of the recommendation.

#### **1014.5 AWARD CRITERIA**

The following list is the order of precedence for each award:

**MEDAL OF VALOR**- an award to any member of the Moore Police Department for an act of conspicuous gallantry above and beyond the call of duty, while involved in a police related incident where the recipient's life is in imminent danger. The recipient must demonstrate characteristics of selflessness, personal courage and devotion to duty. The award may be awarded posthumously and presented to recipient's surviving family.

**PURPLE HEART**- an award to any member of the Moore Police Department who is killed in the line of duty or severely injured as a direct result of a police action. Not to be awarded to officers who are injured as a result of their own negligence.

**LIFESAVING MEDAL**-an award to any member of the Moore Police Department who is directly responsible for saving or sustaining a human life to the point of the victim being released to the proper medical authorities.

**MERITORIOUS SERVICE MEDAL WITH RISK** – an award to any member for outstanding act or achievement involving great risk to his/her personal safety while performing his/her duties which brings great credit to the City of Moore and the Moore Police Department and which involves performance above and beyond the normal call of duty.

**MERITORIOUS SERVICE MEDAL**-an award to any member of the Moore police department for an outstanding act or achievement which brings great credit to the City of Moore and the Moore Police Department and which involves performance above and beyond the normal call of duty.

**UNIT CITATION**- an award given by the Chief of Police to commemorate outstanding service to the citizens of Moore by members of the Moore Police Department in the face of a difficult time or event in the City. The citation is subject to change by the Chief of Police as events dictate.

**MARKSMAN RIBBON** – an award to any member who, during annual firearms qualification courses obtains a 96% or higher on the CLEET firearms pistol qualification course with 100% round accountability. The qualification course will be shot a maximum of twice per qualification session for purposes of obtaining a marksman ribbon. The marksman ribbon can be worn by a

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member for one calendar year from the time of obtaining a qualifying score. The ribbon is not to be worn unless the member meets current marksman qualifications.

**POLICE OFFICER OF THE YEAR RIBBON** – an award presented each calendar year to any member who has conspicuously distinguished him/herself by exceptional conduct, performance, or contributions in accomplishing the mission of the Moore Police Department.

**MILITARY SERVICE RIBBON** – an award presented to any member who is currently serving, or has been honorably discharged from, any branch or component of the US military.

**LETTER OF COMMENDATION**- will continue to be issued in accordance with past policy and are the purview of the Chief of Police.

**LETTER OF RECOGNITION**-will continue to be issued in accordance with past policy/ practice and are normally issued at the supervisory level.

#### **1014.6 AWARD DISPLAY REGULATIONS**

Awards may be issued in the form of medals and ribbons, any medal awarded is for display purposes only and will not be worn on any Moore Police Department uniform. Ribbons may be worn in compliance with this and the Uniform and Clothing Regulations policy.

On the Class B uniform the member may wear award Ribbons horizontally 1/8th inch above and centered on the member's right pocket seam. Only one row of three ribbons will be worn on a Class B uniform at a time.

One unit citation may also be worn on a duty uniform with or without the award ribbon.

Ribbons worn on Class A (formal) uniforms will be worn 1/8th inch above and horizontally on the right pocket seam. Ribbons will be worn in rows of three with the highest award closest to the member's heart. In the event of an odd number of awards, the highest award will be displayed on the top row centered.

In the event that multiple ribbons are worn or a ribbon is worn in conjunction with a Unit Citation, the member will use a military-type ribbon backing so as to keep ribbons and or Unit Citations even and neat.

In the event of unforeseen circumstances, the Chief of Police will adjust how awards are worn on all Moore Police Department uniforms.

All Specialty insignia pins and or epaulets are the purview of the Chief of Police and are approved by the Chief's office as per the current procedure.

## **Fitness for Duty**

### **1015.1 PURPOSE AND SCOPE**

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions.

### **1015.2 POLICY**

The Moore Police Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine his/her ability to perform essential functions.

### **1015.3 MEMBER RESPONSIBILITIES**

It is the responsibility of each member of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of his/her position.

During working hours, all members are required to be alert, attentive and capable of performing their assigned responsibilities.

### **1015.4 SUPERVISOR RESPONSIBILITIES**

All supervisors should be alert to any indication that a member may be unable to safely perform his/her duties due to an underlying physical or psychological impairment or condition.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

### **1015.5 FITNESS-FOR-DUTY EVALUATIONS**

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member is unfit for duty or following an officer-involved shooting or death-in-custody incident.

#### **1015.5.1 PROCESS**

The Chief of Police, in cooperation with the Human Resources Department, may order the member to undergo a fitness-for-duty evaluation.

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order

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and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Human Resources Department.

#### **1015.6 APPEALS**

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievances Policy. And/ or in accordance with the collective bargaining agreement.

## Meal and Other Breaks

### **1016.1 PURPOSE AND SCOPE**

This policy provides general guidance regarding the availability of meal periods and breaks.

### **1016.2 POLICY**

It is the policy of the Moore Police Department to provide breaks to members of this department in accordance with the applicable employment agreement and the City personnel manual.

### **1016.3 BREAKS-OFFICERS AND DISPATCHERS**

Officers and dispatchers shall remain on-duty subject to call during breaks.

Officers and dispatchers are entitled to two 15-minute breaks, one for each half of the work period. They are also entitled to one 45-minute meal break.

Officers assigned to the Patrol Division shall take their breaks within the City limits. Dispatchers assigned to the police facility should remain at the police facility for their breaks. If not busy, Dispatchers can leave to pick up their meals and bring them back to the facility.

The time spent for the meal period shall not exceed the authorized time allowed. Supervisors may reasonably restrict the use of breaks (i.e. during the last hour of the shift or during special events).

### **1016.4 BREAKS-CIVILIAN PERSONNEL**

Breaks will be taken in accordance with the City of Moore Personnel Policy and Procedures Manual.



## Lactation Breaks

### **1017.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child.

### **1017.2 POLICY**

It is the policy of the Moore Police Department to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child for up to one year after the child's birth (29 USC § 207).

### **1017.3 LACTATION BREAK TIME**

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (40 O.S. § 435).

Members desiring to take a lactation break shall notify the dispatcher or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

### **1017.4 PRIVATE LOCATION**

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private (40 O.S. § 435). Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

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##### **1017.5 STORAGE OF EXPRESSED MILK**

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

## Payroll Records

### 1018.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

### 1018.2 POLICY

The Moore Police Department maintains timely and accurate payroll records.

### 1018.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages on a biweekly basis unless otherwise requested by the City Finance Department.

Members are required to accurately report their hours worked, any leave taken, and extra duty hours in accordance with this policy and the collective bargaining agreement when applicable.

Supervisors are responsible for approving the payroll records for those under their commands biweekly.

### 1018.4 RECORDS

The City Finance Department shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

## Overtime Compensation

### 1019.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

### 1019.2 POLICY

The Moore Police Department will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

### 1019.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

Short periods of overtime worked at the end of the normal duty day (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent shift adjustment within the same work period that the overtime was worked, rather than submit a request for overtime compensation (29 USC § 207(k)).

Salary exempt employees may be eligible for administrative leave, which may be granted at the discretion of the exempt employee's immediate supervisor.

### 1019.4 REQUESTS FOR OVERTIME COMPENSATION

#### 1019.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees should:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime and extra-duty time, in any consecutive 24-hour period without supervisory approval.
- (c) Record the actual time worked in an overtime status using the department-approved form or method. Informal notations on reports, logs or other forms not approved for overtime recording are not acceptable.
- (d) Submit the request for overtime compensation to their supervisors by the end of shift or no later than the next calendar day.

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##### 1019.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
  - 1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of department resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
  - 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy.

##### **1019.5 REQUESTING USE OF COMPENSATORY TIME**

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt department operations.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court on department-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).

# Work-Related Illness and Injury Reporting

## 1020.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related injuries and occupational illnesses.

### 1020.1.1 DEFINITIONS

Definitions related to this policy include:

**Work-related illness or injury** - Includes an injury to the body, or damage or harm to prosthetics, eyeglasses, contact lenses, or hearing aids, of which the major cause is an accident, cumulative trauma, or occupational disease arising out of the course and scope of employment. Does not generally include injuries related to violent acts that occur in the workplace but are not related to the employee's customary duties, injuries from horseplay, or injuries caused by the employee's misuse of alcohol or drugs (85A O.S. § 2).

## 1020.2 POLICY

The Moore Police Department will address work-related injuries and occupational illnesses appropriately, and will comply with applicable state workers' compensation requirements (85A O.S. § 3 et seq.).

## 1020.3 RESPONSIBILITIES

### 1020.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational illness or work-related injury shall report such event as soon as practicable, but within 48 hours to a supervisor, and shall seek medical care when appropriate.

### 1020.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related injury or occupational illness should ensure the member receives medical care as appropriate.

Any supervisor who has been notified that an employee has suffered an OJI may grant authority for the employee to go to an appropriate medical facility for treatment. If the injury appears minor and does not require medical treatment, the supervisor should make written documentation that the injury occurred.

Supervisors shall ensure that required documents are completed and forwarded through the chain-of-command promptly. Any related City-wide injury- or illness-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

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##### 1020.3.3 BUREAU COMMANDER RESPONSIBILITIES

The Bureau Commander who receives a report of an occupational illness or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City's Risk Management Department and the Command Staff Bureau Commander to ensure any required reporting is made to the Oklahoma Public Employees Occupational Safety and Health Division as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Policy.

##### 1020.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Risk Management Department. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

# Outside Employment

## 1021.1 PURPOSE AND SCOPE

### 1021.1.1 DEFINITIONS

Definitions related to this policy include:

**Outside employment** - Outside employment maybe referred to as secondary employment or off-duty employment in other areas of the policy manual or Collective Bargaining Agreement. Duties or services performed by members of this department for another employer, organization or individual who is not affiliated directly with this department when wages, compensation or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products or benefits rendered.

### 1021.2 POLICY

Notwithstanding terms of the Collective Bargaining Agreement (CBA), all full-time members of the Moore Police Department shall consider the department as their primary employment. Members of the Moore Police Department shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment, or engaging in outside employment that is prohibited by this policy, may lead to disciplinary action.

### 1021.3 OUTSIDE EMPLOYMENT

#### 1021.3.1 REQUEST AND APPROVAL

Members must submit the designated outside employment request form to their immediate supervisors. The request form will then be forwarded through the chain of command to the Chief of Police for consideration. This form should be submitted at least 48 hours prior to the start of any outside employment.

If approved, the member will be notified of the approval. Unless otherwise indicated in writing on the request form, approval for outside employment will be valid through the end of the calendar year in which the request is approved. Members seeking to continue outside employment must submit a new request form in January of each calendar year.

#### 1021.3.2 DENIAL

Any member whose request for outside employment has been denied should be provided with a written notification of the reason at the time of the denial.

#### 1021.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.



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Approval for outside employment may be revoked or suspended:

- (a) When a supervisor determines the member's performance is failing to meet standards and the outside employment may be related to the deficient performance.
  - 1. Approval for the outside employment may be reestablished when the member's performance has reached a satisfactory level and with his/her supervisor's authorization.
- (b) When a member's conduct or outside employment conflicts with department policy, the CBA, or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the Department or City.

#### **1021.4 OUTSIDE EMPLOYMENT CONDITIONS**

##### 1021.4.1 RESTRICTED OUTSIDE EMPLOYMENT

The Department reserves the right to deny any request for outside employment that involves:

- (a) The use of department time, facilities, equipment or supplies.
- (b) The use of the Moore Police Department badge, uniform or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money or other consideration for the performance of duties or services that he/she would be required or expected to render in the course or hours of his/her employment, appointment or as a part of his/her regular duties.
- (d) Demands upon the member's time that would render the performance of his/her duties for this department deficient or substandard.
- (e) Activities that may conflict with any other policy or rule of the Department.
- (f) A conflict, or potential conflict of interest between the employee's primary duties and the expectations of the outside employer.
- (g) Any employment that may bring disrespect upon the employee, this agency, the City of Moore or that is in violation of the policies or regulations of this agency.
- (h) Any business or event that involves the sale, distribution, or consumption of alcoholic and/or intoxicating beverages.
- (i) Any business involving the sale, distribution, or consumption of marijuana, or the sale of equipment used for these purposes.

##### 1021.4.2 SPECIFIC PROHIBITIONS

In addition to any outside employment identified in applicable collective bargaining agreements or the City personnel manual, employees are prohibited from being involved in the following:

- (a) Other full-time employment. (Does not apply to military activation)
- (b) Collection agencies.
- (c) Repossessions, process service, eviction notices, bail bonds, or wrecker services.

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- (d) A position where the employee's position, title, or uniform is used to endorse or promote a product.
- (e) A position that involves obtaining, sharing, or using Department information not available to the public.

#### 1021.4.3 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment without the express approval of the Chief of Police and in accordance with State law.. This shall include the prohibition against any member using his/her position with this department to gain access to official records or databases of this department or other agencies.

#### 1021.4.4 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates his/her outside employment, the member shall promptly submit written notification of such termination to the Chief of Police through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief of Police any material changes in outside employment, including any change in the number of hours, type of duties or the demands of any approved outside employment, or changes to the employer's business practices that could create a conflict with the provisions of department or city policy. Members who are uncertain whether a change in outside employment is material are advised to report the change.

#### 1021.4.5 LEAVE OR RESTRICTED DUTY STATUS

Members who are placed on leave or other restricted duty status are prohibited from engaging in outside employment without express consent from the Chief of Police. When the member returns to full duty with the Moore Police Department, a written request may be submitted to the Chief of Police to approve the outside employment request.

#### 1021.4.6 LIMITATIONS

- (a) No employee shall receive payment for, or perform any function related to, their outside employment while on-duty.
- (b) Members shall not be authorized to work outside employment until the member has completed his/her initial employment probation, with the following exceptions:
  1. The Chief may grant an exception for probationary members with at least 3 years prior law enforcement experience to work in outside employment involving, or potentially involving the use of law enforcement powers and/or wearing of any department uniform. The member is required to complete the FTO program prior to being granted an exception.

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2. The Chief may grant an exception for probationary members to work outside employment unrelated to law enforcement or the wearing of a department uniform.
- (c) Wearing of uniforms and use of department equipment for outside employment must be approved by the Chief of Police. The only uniforms that are authorized to be worn for secondary employment are the regular police uniform, or the gray or blue polo style uniform shirt with Moore P.D. patches and blue BDU style pants. A ballistic vest must be worn at all times, even when working secondary employment. Exceptions can be made for specialized secondary employment assignments, but those must be requested through the Chief's office and decided on a case by case basis.
  - (d) Exceptional Secondary Employment Requiring a Separate License or Certification: Certain outside employment may be approved under the authority of a separate government license or certification. Such employment will not be considered law enforcement related and the department will receive a copy of the license along with a signed release of liability for any outside employment performed under such licensure or certification.

#### **1021.5 OUTSIDE EMPLOYMENT REGULATION**

##### 1021.5.1 OUTSIDE EMPLOYMENT WHEN IDENTIFIED AS POLICE OFFICER

A member engaged in any outside employment in which the member is in a police uniform or identified as a police officer shall follow all department policies and procedures including the use of portable audio/ video recorders. Members shall notify their department supervisor of any adverse contact with the public or potential complaints arising from outside employment while identified as a Moore Police employee.

##### 1021.5.2 ARREST AND REPORTING PROCEDURE

Officers shall conduct any arrest or criminal complaint stemming from outside employment as a citizen's arrest or complaint. If an officer makes a citizen's arrest or complaint, the officer may choose to complete the department required report without compensation from the Moore Police Department. Alternatively, the officer will assist in providing all the necessary information to an on-duty police officer so that officer can complete a report.

##### 1021.5.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Bureau Commander, undercover officers or officers assigned to covert operations shall not be eligible to work outside employment in a uniformed or other capacity that could reasonably disclose the officer's law enforcement status.

## Personal Appearance Standards

### 1022.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Moore Police Department. This policy also applies to off-duty employment that requires the employee to be identified as a police officer by manner of clothing and/or displaying a gun and badge.

Requirements for department uniforms and civilian attire are addressed in the Uniforms and Civilian Attire Policy.

### 1022.2 POLICY

Moore Police Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity and the social norms of the community served, while considering matters important to members of the Department.

### 1022.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief of Police has granted an exception.

#### 1022.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief of Police.

#### 1022.3.2 HAIR

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Hairstyles for male department members must not extend below the top edge of a uniform or dress shirt collar while assuming a normal stance.

When working a field assignment, hairstyles for female department members must not extend below the bottom edge of a uniform or dress shirt collar while assuming a normal stance. Longer hair shall be worn up or in a tightly wrapped braid or ponytail that is secured to the head above the bottom edge of the shirt collar.

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##### 1022.3.3 MUSTACHES

Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip and shall be short and neatly trimmed.

##### 1022.3.4 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

##### 1022.3.5 BEARDS

Beards and goatees are to be neatly groomed and uniform in length. The beard or goatee shall be grown in as quickly as possible.

Beards will:

- (a) Include a mustache.
- (b) Be no longer than  $\frac{1}{4}$  inch and be neat and uniform in length without stylized cuts and patterns. Patchily grown beards will not be acceptable.
- (c) Not have braids or other adornments.
- (d) Be of natural color or dyed to match the officer's hair color.
- (e) Be grown at least along the jaw line or above and no further down than where the neck meets the chin (not grown down the neck). Beards will not be grown beneath the jaw line only.

A goatee or "circle beard" will have the same grooming standards as a beard. The goatee will be of the type where the facial hair of the mustache continues down and around the side of the mouth and joins with the beard. The goatee, mustache, and beard will not extend out more than  $\frac{1}{2}$  inch from the edge of the mouth.

Employees will not be unshaven or have perpetual 5 o'clock shadow type growth without intent to grow a beard.

##### 1022.3.6 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

#### **1022.4 APPEARANCE**

##### 1022.4.1 JEWELRY

- A. For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.
- B. Uniformed personnel:
  1. Jewelry may not create a safety concern for the department member or others.

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2. Necklaces shall not be visible above the shirt collar.
  3. Earrings shall be small and worn only in or on the earlobe, and by female department members. Earrings shall be limited to no more than two earrings per ear.
  4. One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
  5. One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
  6. Wristwatches shall be conservative and present a professional image.
  7. Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.
- C. Civilian personnel:
1. Jewelry will be worn in a manner and appearance that is appropriate for the business environment.
  2. Earrings shall be worn only in or on the earlobe, and by female department members. Earrings shall be limited to no more than two earrings per ear.

#### 1022.4.2 TATTOOS

1. Commissioned personnel shall have no tattoos, body art, brands, mutilation, or body piercing on areas of the body not concealable by approved clothing. All others shall be concealed by approved clothing while the employee is representing the Moore Police Department. In no instance are tattoos, body art, brands, mutilation, or body piercing to be visible while wearing the Moore Police Department long sleeved uniform shirt.
  - (a) Personnel that were employed and had approved unconcealed tattoos on their arms prior to August 1, 2013 that extend more than an inch below the sleeve on a short sleeved shirt may be "grandfathered" as provided for in the waiver section of this policy. Personnel adding any new tattoos, body art, brands, mutilation, or body piercing must conform to this policy.
  - (b) Personnel with a verified medical condition that prevents conformance with a portion of the appearance regulations may be granted an exception to that specific portion of the policy.
2. Civilian personnel shall not have tattoos that cannot be completely covered by approved clothing. Tattoos should not be visible while representing the Moore Police Department in public.
3. Waivers for tattoos, body art, brands, mutilation, or body piercing that are visible while in official police uniform shall be petitioned for by submitting a written request to the Chief of Police.

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##### 1022.4.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the Moore Police Department in any official capacity, that is a deviation from normal anatomical features and that is not medically required, is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification or burning to create a design or pattern.

##### 1022.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Moore Police Department in any official capacity. Such ornamentation includes, but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

##### 1022.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the Moore Police Department in any official capacity.

##### 1022.4.6 COSMETICS AND FRAGRANCES

Cosmetics shall be conservative and present a professional image. Use of cologne, perfume, aftershave lotion and other items used for body fragrance shall be kept to a minimum.

##### 1022.4.7 UNDERGARMENTS

Proper undergarments shall be worn as necessary for reasons of hygiene and general appearance standards.

#### **1022.5 RELIGIOUS ACCOMMODATION**

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. All requests for religious accommodation shall be forwarded to the Chief of Police or authorized designee in a timely manner.

## Uniforms and Civilian Attire

### 1023.1 PURPOSE AND SCOPE

This policy addresses the wearing and maintenance of department uniforms, accessories, insignia, patches and badge; the requirements for members who wear civilian attire; and the authorized use of optional equipment and accessories by members of the Department.

Other related topics are addressed in the Badges, Patches and Identification, Department-Owned and Personal Property, and Personal Appearance Standards policies.

### 1023.2 POLICY

The Moore Police Department will provide uniforms for all employees who are required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's employment agreement. The Department may provide other department members with uniforms at the direction of the Chief of Police.

### 1023.3 UNIFORMS AND CIVILIAN ATTIRE

The Chief of Police shall maintain and update uniform and equipment specifications, which should be consulted by all members as needed. Uniforms and civilian attire shall be worn as described therein and as specified in Procedure 1001 Uniform and Civilian Attire.

### 1023.4 RETIREES

- A. The police uniform may be worn during the following:
  - 1. Personal or police related events
  - 2. Photography
  - 3. Funerals
- B. No part of the uniform that is identifiable with the Moore Police Department, including the badge shall be worn:
  - 1. While working security
  - 2. For any other purpose that could likely lead to enforcement action
  - 3. For normal everyday wear



## Conflict of Interest

### 1024.1 PURPOSE AND SCOPE

The purpose of this policy is to assist members in recognizing and avoiding potential conflicts of interest, thereby ensuring effective and ethical operating practices on the part of the Moore Police Department.

#### 1024.1.1 DEFINITIONS

Definitions related to this policy include:

**Conflict of interest** - Any actual, perceived or potential conflict, in which it reasonably appears that a member's action, inaction or decisions are or may be influenced by a personal or business relationship.

### 1024.2 POLICY

Members of the Moore Police Department are expected to conduct themselves with the utmost professional integrity and objectivity. Members will guard against actual or perceived conflicts of interest in order to ensure the fair and equitable treatment of department members and the public, and thereby maintain the trust of the public and department members.

### 1024.3 PROHIBITIONS

The Department prohibits the following types of personal or business relationships among members:

- (a) Members are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other member who is a relative or with whom they are involved in a personal or business relationship.
  - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved member to an uninvolved supervisor.
  - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing members in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any member to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Members are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting a member who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, field training officers (FTOs) and other trainers will not be assigned to train relatives. Department FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any member they

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are assigned to train until such time as the training has been successfully completed and the person is off probation.

Members are prohibited from holding an additional public office unless allowed by law (51 O.S. § 6).

#### **1024.4 MEMBER RESPONSIBILITIES**

Members shall avoid situations that create a conflict of interest. Members should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved member).

Whenever any member is placed in circumstances that would require him/her to take enforcement action or to provide official information or services to any relative or individual with whom the member is involved in a personal or business relationship, that member shall promptly notify his/her uninvolved, immediate supervisor.

In the event that no uninvolved supervisor is immediately available, the member shall promptly notify the dispatcher to have another uninvolved member either relieve the involved member or, minimally, remain present to witness the action.

#### **1024.5 SUPERVISOR RESPONSIBILITIES**

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police or the authorized designee of such actual or potential violations through the chain of command.

## Badges, Patches and Identification

### 1025.1 PURPOSE AND SCOPE

The Moore Police Department (MPD) badge, patch and identification card/Commission Card, as well as the likeness of these items and the name of the Department, are property of the Department. Their use shall be restricted as set forth in this policy.

### 1025.2 POLICY

Members of the Department will use the MPD badge, patch and identification card/Commission Card, as well as the likeness of these items, appropriately and professionally.

### 1025.3 UNAUTHORIZED USE

The MPD badge, patch and identification card/Commission Card shall not be displayed or used by any member except when acting in an official or authorized capacity.

Department members shall not:

- (a) Display or use the MPD badge, patch or identification card/Commission Card for personal gain or benefit.
- (b) Loan the MPD badge, patch or identification card/Commission Card to others or permit these items to be reproduced or duplicated.
- (c) Use images of the MPD badge, patch or identification card/Commission Card, or the likeness thereof, or the Moore Police Department name, for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as email, blogs, social networking or websites.

#### 1025.3.1 LOST BADGE, PATCH OR IDENTIFICATION CARD/COMMISSION CARD

Department members shall promptly notify their supervisors whenever their MPD badges, patches or identification cards/Commission Cards are lost, damaged or are otherwise removed from their control.

### 1025.4 BADGES

The Chief of Police shall determine the form of badges authorized for use by department members. No other badges may be used, carried, worn or displayed.

Only badges issued by this department are authorized to be used, displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

Members, with the written approval of the Chief of Police, may purchase at their own expense a duplicate badge or flat badge that can be carried in a wallet.

#### 1025.4.1 RETIREE BADGES

The Chief of Police may establish rules for allowing honorably retired members to keep their badges.

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##### **1025.4.2 PERMITTED USE BY EMPLOYEE GROUPS**

The likeness of the MPD badge shall not be used for any purpose without the express authorization of the Chief of Police and shall be subject to the following:

- (a) An authorized employee group may use the likeness of the MPD badge for merchandise and official employee group business provided it is used in a clear representation of the employee group and not the Moore Police Department. The following modification shall be included:
  - 1. Any text identifying the Moore Police Department is replaced with the name of the employee group.
  - 2. A badge number is not included. That portion of the badge may display the acronym of the employee group.

##### **1025.5 IDENTIFICATION CARDS/COMMISSION CARDS**

All members will be issued an official MPD identification card/Commission Card bearing the member's name, full-face photograph, member identification number, member's signature and signature of the Chief of Police or the official seal of the Department. All members shall be in possession of their department-issued identification card/Commission Card at all times while on-duty or in department facilities.

- (a) Whenever on-duty or acting in an official capacity representing the Department, members shall display their department-issued identification card/Commission Card in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers or other members working specialized assignments may be excused from the possession and display requirements when directed by their Bureau Commanders.

##### **1025.6 BUSINESS CARDS**

The Department will supply business cards to those members whose assignments involve frequent interaction with the public or who may require the use of a business card. The only authorized business cards are those issued or approved by the Department and should contain identifying information including, but not limited to, the member's name, bureau, badge or other identification number and contact information (e.g., telephone number, email address).

Members should provide a business card upon request.

## Temporary Modified-Duty Assignments

### 1026.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules or current employment agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

### 1026.2 POLICY

Subject to operational considerations, the Moore Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

### 1026.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Moore Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a one-year period.

### 1026.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Bureau Commander. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.

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- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Bureau Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police shall confer with the Human Resources Department or the City Attorney as appropriate.

#### **1026.5 ACCOUNTABILITY**

Notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Bureau Commander.

##### **1026.5.1 EMPLOYEE RESPONSIBILITIES**

The responsibilities of employees assigned to temporary modified duty shall include, but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Bureau Commander that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

##### **1026.5.2 SUPERVISOR RESPONSIBILITIES**

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but are not limited to:

- (a) Periodically apprising the Bureau Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Bureau Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.

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- (c) Ensuring that employees returning to full duty have completed any required training and certification.

#### **1026.6 MEDICAL EXAMINATIONS**

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

#### **1026.7 PREGNANCY**

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

##### 1026.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

#### **1026.8 PROBATIONARY EMPLOYEES**

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

#### **1026.9 MAINTENANCE OF CERTIFICATION AND TRAINING**

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

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# Speech, Expression and Social Networking

## 1027.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Moore Police Department.

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech and use of all Internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

## 1027.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Moore Police Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

## 1027.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Moore Police Department members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow department member.



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- Otherwise disclosing where another officer can be located off-duty.

#### **1027.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the safety, performance and public-trust needs of the Moore Police Department, the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members. Examples may include:
  1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
  2. Expression that demonstrates support for criminal activity.
  3. Participation in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment or appointment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Moore Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

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Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

##### **1027.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS**

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Moore Police Department or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video or public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Moore Police Department.

Members retain their rights to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

##### **1027.5 PRIVACY EXPECTATION**

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

However, the Department may not request or require a member to disclose a personal username or password or open a personal social website for review or observation. When it is reasonably believed, based on the receipt of specific information, that work-related misconduct has or is occurring, the employee may be required to share the content that has been reported in order to make a factual determination (40 O.S. § 173.2).

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##### **1027.6 CONSIDERATIONS**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

##### **1027.7 TRAINING**

Subject to available resources, the Department should provide training regarding the limitations on speech, expression and use of social networking to all members of the Department.

## Illness and Injury Prevention

### 1028.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Moore Police Department, in accordance with the requirements of 40 O.S. § 403.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related City-wide safety efforts.

### 1028.2 POLICY

The Moore Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an illness and injury prevention plan and will provide tools, training and safeguards designed to reduce the potential for accidents, injuries and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

### 1028.3 ILLNESS AND INJURY PREVENTION PLAN

The City of Moore Risk Management Department is responsible for developing an illness and injury prevention plan that complies with 40 O.S. § 403 and other applicable regulations and laws including but not limited to:

- (a) Mandates contained in 29 CFR 1910.1030 regarding blood-borne pathogens
- (b) Personal protective equipment (29 CFR 1910.132) (see the Personal Protective Equipment Policy)
- (c) Emergency action plan (29 CFR 1910.38)

### 1028.4 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the appropriate person(s).
- (e) Notifying their supervisor when:

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1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
2. New, previously unidentified hazards are recognized.
3. Occupational illnesses and injuries occur.
4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
5. Workplace conditions warrant an inspection.

#### **1028.5 HAZARDS**

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented.

#### **1028.6 INSPECTIONS**

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

##### **1028.6.1 EQUIPMENT**

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall notify their supervisor if an unsafe condition cannot be immediately corrected.

#### **1028.7 INVESTIGATIONS**

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

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A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures may include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally the supervisor should proceed with the steps to report an on-duty injury, as required under the Work-Related Illness and Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

#### **1028.8 RECORDS**

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

## Line-of-Duty Deaths

### 1029.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Moore Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

#### 1029.1.1 DEFINITIONS

Definitions related to this policy include:

**Line-of-duty death** - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

**Survivors** - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

### 1029.2 POLICY

It is the policy of the Moore Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

### 1029.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Shift Commander and Communications Division.
  1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Shift Commander should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Shift Commander should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison)

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and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

#### **1029.4 NOTIFYING SURVIVORS**

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Commander should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.



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- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police once survivor notifications have been made so that other Moore Police Department members may be apprised that survivor notifications are complete.

#### 1029.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

#### 1029.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

#### 1029.6 LIAISONS AND COORDINATORS

The Chief of Police should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

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- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Wellness Support Liaison.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

#### 1029.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Bureau Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information—sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

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##### 1029.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
  1. The survivors and others whose presence is requested by the survivors.
  2. Department members and friends of the deceased member.
  3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Moore Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
  1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
  2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

##### 1029.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Bureau Commander. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The

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deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.

- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
  1. Items should not be delivered to the survivors until they are ready to receive the items.
  2. Items not retained as evidence should be delivered in a clean, unmarked box.
  3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
  4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
  1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the Wellness Support Liaison to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.

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- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services, or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

#### 1029.6.4 WELLNESS SUPPORT LIAISON

The Wellness Support Liaison should work with the department wellness coordinator or the authorized designee and other liaisons and coordinators to make wellness support and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the Wellness Support Liaison include but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for wellness support and counseling services, including:
  - 1. Members involved in the incident.
  - 2. Members who witnessed the incident.
  - 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive wellness support.
- (c) Ensuring that wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available wellness support and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional wellness support or counseling services are needed.

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##### 1029.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
  - 1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
  - 2. Bagpipers/bugler
  - 3. Uniform for burial
  - 4. Flag presentation
  - 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

##### 1029.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Moore Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

##### 1029.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

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- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Work-Related Illness and Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
  - 1. Public Safety Officers' Educational Assistance (PSOEA) Program.
  - 2. Social Security Administration.
  - 3. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
  - 1. Surviving spouse pension benefits (11 O.S. § 50-117; 47 O.S. § 2-306; 74 O.S. § 916.3).
  - 2. One-time death benefit (11 O.S. § 50-115.2; 47 O.S. § 2-306.3; 74 O.S. § 916.1).
  - 3. Tuition waivers (70 O.S. § 3218.7).
  - 4. Room and board waivers (70 O.S. § 3218.7-1).
- (d) Researching and assisting survivors with application for other survivor benefits such as:
  - 1. Private foundation survivor benefits programs.
  - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
  - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

#### 1029.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
  - 1. Paying survivors' travel costs if authorized.

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#### *Line-of-Duty Deaths*

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2. Transportation costs for the deceased.
  3. Funeral and memorial costs.
  4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

#### **1029.7 PUBLIC INFORMATION OFFICER**

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
  1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
  2. Ensure that important public information is disseminated, such as information on how the public can show support for the department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
  1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

#### **1029.8 DEPARTMENT CHAPLAIN**

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:



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#### *Line-of-Duty Deaths*

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- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

#### **1029.9 INVESTIGATION OF THE INCIDENT**

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

#### **1029.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL**

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

#### **1029.11 NON-LINE-OF-DUTY DEATH**

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

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## Employee Address and Telephone Requirements

### 1030.1 PURPOSE

The purpose of this policy is to provide guidelines for employees to maintain telephone requirements and report changes in residence and telephone information in a timely manner.

### 1030.2 POLICY

Because law enforcement is a profession critical to the general safety and wellbeing of the community, it is essential that the department maintain a current address and telephone listing of all employees. Emergencies frequently arise that require off-duty personnel to report for duty. Therefore, the Moore Police Department requires all employees to adhere to this policy.

### 1030.3 REQUIREMENTS

#### 1030.3.1 RESIDENCY

The following rule is established to ensure that commissioned and civilian personnel are available for emergency duty:

1. All employees who do not reside within the corporate city limits of Moore shall live no more than sixty (60) minutes normal driving time from the Moore Police Department.
2. Employees residing outside the corporate city limits of Moore who desire to live further than sixty minutes normal driving time shall submit a written request to the Chief of Police stating specific reasons for the policy waiver.
3. Employees who are granted a waiver shall remain responsible for:
  - (a) Reporting to duty on time;
  - (b) When called out, shall not decline calls due to distance from work;
  - (c) Being available for emergency duty on a 24-hour basis.

#### 1030.3.2 TELEPHONE LISTING REQUIREMENT AND RELEASE OF INFORMATION

1. All employees of the Moore Police Department are required to maintain 24-hour telephone service.
2. Personnel wanting an unlisted telephone number may do so.
3. Employee telephone numbers shall not be given to any person outside of the Moore Police Department except as required by the City of Moore City Manager, City Attorney, or City Personnel Office.
4. If a caller indicates that he/she has an emergency message for an employee, the call taker shall attempt to contact the employee immediately.
5. If a caller does not indicate that there is an emergency message, the call taker shall either take a call back message for the employee or advise the caller of the duty times of the employee.

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#### *Employee Address and Telephone Requirements*

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##### 1030.3.3 CHANGE OF ADDRESS OR TELEPHONE INFORMATION

Employees shall report to the Chief of Police, their immediate supervisor, and the Support Services Lieutenant in writing or by email, of any changes of residential address or telephone number. The notifications shall be made within a twenty-four (24) hour period of such changes.

## Peer Support Program

### 1034.1 PURPOSE

The goal of peer support is to provide all employees the opportunity to receive emotional and tangible support through times of personal or professional crisis and to help anticipate and address potential difficulties. The peer support program augments outreach programs such as employee assistance programs (EAPs), in-house treatment programs, and out-of-agency psychological services and resources, but not replace them. Each peer support person is trained to provide both day-to-day emotional support for department employees and participate in a department's comprehensive response to critical incidents. Peer Support Personnel are trained to recognize and refer cases that require professional intervention or are beyond their scope of training to a licensed mental health professional.

### 1034.2 DEFINITIONS

Peer Support Person (PSP)-A sworn or civilian person that is a specifically trained colleague, not a counselor or therapist.

Privacy-The expectation of an individual that disclosure of personal information is confined to or intended only for the PSP.

Confidentiality-A professional, ethical, and legal duty for the PSP to refrain from disclosing information from or about a recipient of peer support services, barring any exceptions recommended to be disclosed at the outset or required by law (40 O.S. 2506.2.B and C).

### 1034.3 POLICY

The Moore Police Department recognizes the importance of maintaining the wellbeing of all department employees and encourages them in times of need to utilize any of the provided department services, including peer support. To ensure employees can communicate freely with their PSP, any information an employee conveys to a PSP is considered confidential.

The department shall implement procedures for the Peer Support Program.

### 1034.4 PEER SUPPORT PERSON

- A. Each person authorized by the Chief of Police to be a PSP shall be trained to conduct Peer Support counseling prior to engaging in counseling.
- B. PSP's provide the following functions:
  1. Provide peer support for Officers confronting challenging stressors of everyday life and also serve as an essential component of the agency's response to officer-involved critical incidents.
  2. Provide a mental-wellness training role and participate in proactive mental-wellness programs.
  3. PSP's shall provide guidance for obtaining services from a mental health professional when a person is needing services beyond the PSP's abilities.

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#### *Peer Support Program*

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#### **1034.5 COUNSELING SESSIONS**

Only trained and authorized employees or other persons shall counsel employees under the Peer Support Program (40 O.S. 2506).

- A. Any communication made by a participant or counselor in a peer support counseling session, and any oral or written information conveyed in the peer support counseling session, is confidential and may not be disclosed by any person participating in the peer support counseling session.
- B. Any communication relating to a peer support counseling session made confidential under section A that is made between counselors, between counselors and the supervisors or staff of an employee assistance program, or between the supervisors or staff of an employee assistance program, is confidential and may not be disclosed.
- C. All oral communications, notes, records and reports arising out of a peer support counseling session are confidential.
- D. Any notes, records or reports arising out of a peer support counseling session are not public records for the purposes of Sections 24A.1 through 24A.29 of Title 51 of the Oklahoma Statutes.
- E. Any communication made by a participant or counselor in a peer support counseling session, and any oral or written information conveyed in a peer support counseling session, is not admissible in any judicial proceeding, administrative proceeding, arbitration proceeding, or other adjudicatory proceeding.
- F. Communications and information made confidential shall not be disclosed by the participants in any judicial proceeding, administrative proceeding, arbitration proceeding, or other adjudicatory proceeding. The limitations on disclosure include disclosure during any discovery conducted as part of an adjudicatory proceeding.

##### **1034.5.1 CONFIDENTIALITY**

All the dialogue between members of the Peer Support Team and members of this department is considered confidential information with the following exceptions:

- (a) Any threat of suicide or homicide made by a participant in a peer support counseling session, or any information conveyed in a peer support counseling session relating to a threat of suicide or homicide;
- (b) Any information relating to abuse of children or of the elderly, or other information that is required to be reported by law;
- (c) Any admission of criminal conduct; or
- (d) Any admission of a plan to commit a crime.
- (e) Any claimed peer support sessions between a member and another person not authorized to counsel under this policy.

## Wellness Program

### 1031.1 PURPOSE AND SCOPE

The goal of the Wellness Program is to provide all employees the opportunity to receive emotional and tangible support through times of personal or professional crisis and to help anticipate and address potential difficulties. The Wellness Program augments outreach programs such as employee assistance programs (EAPs), in-house treatment programs, and out-of-agency psychological services and resources, but not replace them. The goal is to provide both day-to-day emotional support for department employees and participate in a department's comprehensive response to critical incidents. The Wellness Program includes peer support personnel trained to recognize and refer cases that require professional intervention or are beyond their scope of training to a licensed mental health professional.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

#### 1031.1.1 DEFINITIONS

Definitions related to this policy include:

**Confidentiality**-A professional, ethical, and legal duty for the PSP to refrain from disclosing information from or about a recipient of peer support services, barring any exceptions recommended to be disclosed at the outset or required by law (40 O.S. 2506.2.B and C).

**Critical incident** – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

**Critical Incident Stress Debriefing (CISD)** – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

**Peer support** – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

**Peer Support Person (PSP)**-A sworn or civilian person that is a specifically trained colleague, not a counselor or therapist.

**Peer support counseling sessions** – Critical incident stress management sessions for members who have been involved in emotionally traumatic incidents by reason of their employment (12 O.S. § 2506.2).

**Privacy**-The expectation of an individual that disclosure of personal information is confined to or intended only for the PSP.

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#### *Wellness Program*

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#### **1031.2 POLICY**

It is the policy of the Moore Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

#### **1031.3 WELLNESS COORDINATOR**

The Chief of Police should appoint a trained wellness coordinator. The coordinator should report directly to the Chief of Police and should collaborate with advisers (e.g., Human Resources Department, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers).
  - 1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.
  - 2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support members, such as:
  - 1. Peer support member selection and retention.
  - 2. Training and applicable certification requirements.
  - 3. Deployment.
  - 4. Managing potential conflicts between peer support members and those seeking service.
  - 5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
  - 6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support, as appropriate.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
  - 1. Defining the types of incidents that may initiate debriefings.
  - 2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
  - 1. Obtaining a written description of the program services.

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2. Providing for the methods to obtain program services.
3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.

#### **1031.4 DEPARTMENT PEER SUPPORT**

##### 1031.4.1 PEER SUPPORT PERSON

- A. Each person authorized by the Chief of Police to be a PSP shall be trained to conduct Peer Support counseling prior to engaging in counseling.
- B. PSP's provide the following functions:
  1. Provide peer support for Officers confronting challenging stressors of everyday life and also serve as an essential component of the agency's response to officer-involved critical incidents.
  2. Provide a mental-wellness training role and participate in proactive mental-wellness programs.
  3. PSP's shall provide guidance for obtaining services from a mental health professional when a person is needing services beyond the PSP's abilities.

##### 1031.4.2 PEER SUPPORT MEMBER SELECTION CRITERIA

The selection of a department peer support member will be at the discretion of the coordinator. Selection should be based on the member's:

- Desire to be a peer support member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support members.

##### 1031.4.3 COUNSELING SESSIONS

Only trained and authorized employees or other persons shall counsel employees under the Peer Support Program (40 O.S. 2506).

##### 1031.4.4 PEER SUPPORT MEMBER RESPONSIBILITIES

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support.



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- (b) Presenting department members with periodic training on wellness topics, including but not limited to:
  - 1. Stress management.
  - 2. Suicide prevention.
  - 3. How to access support resources.
- (c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
  - 1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.

#### 1031.4.5 PEER SUPPORT COMMUNICATIONS

Any communications made by a member, peer support member, or counselor in a peer support counseling session conducted by any Moore Police Department-approved provider and any oral or written information conveyed in the session are confidential and may only be disclosed in accordance with 12 O.S. § 2506.2.

Any communications relating to a peer support counseling session made between peer support members or between peer support members and the supervisors or staff of an employee assistance program are confidential and may only be disclosed in accordance with 12 O.S. § 2506.2.

All communications, notes, records, and reports arising out of a peer support counseling session are not considered public records subject to disclosure under the Oklahoma Open Records Act (12 O.S. § 2506.2).

Exceptions to confidentiality:

- (a) Any threat of suicide or homicide made by a participant in a peer support counseling session, or any information conveyed in a peer support counseling session relating to a threat of suicide or homicide;
- (b) Any information relating to abuse of children or of the elderly, or other information that is required to be reported by law;
- (c) Any admission of criminal conduct; or
- (d) Any admission of a plan to commit a crime.
- (e) Any claimed peer support sessions between a member and another person not authorized to counsel under this policy.

#### 1031.4.6 PEER SUPPORT MEMBER TRAINING

A department peer support member shall complete department-approved training prior to being assigned (12 O.S. § 2506.2).

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##### **1031.5 CRITICAL INCIDENT STRESS DEBRIEFINGS**

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

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

Attendance at the debriefing should only include peer support members and those directly involved in the incident.

##### **1031.6 PHYSICAL WELLNESS PROGRAM**

The coordinator is responsible for establishing guidelines for any on-duty physical wellness program, including the following:

- (a) Voluntary participation by members
- (b) Allowable physical fitness activities
- (c) Permitted times and locations for physical fitness activities
- (d) Acceptable use of department-provided physical fitness facilities and equipment
- (e) Individual health screening and fitness assessment
- (f) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting
- (g) Standards for fitness incentive programs. The coordinator should collaborate with the appropriate entities (e.g., human resources, legal counsel) to verify that any standards are nondiscriminatory.
- (h) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress)
- (i) Ongoing support and evaluation

##### **1031.7 WELLNESS PROGRAM AUDIT**

At least annually, the coordinator should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

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The coordinator should present the completed audit to the Chief of Police for review and consideration of updates to improve program effectiveness.

#### **1031.8 TRAINING**

The coordinator or the authorized designee should collaborate with the Training Coordinator to provide all members with regular education and training on topics related to member wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.
- Alcohol and substance disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of exercise and proper nutrition.
- Effective time and personal financial management skills.

Training materials, curriculum, and attendance records should be forwarded to the Training Coordinator as appropriate for inclusion in training records.

## **Chapter 11 - Communications Division**

## Communications Division

### 1100.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of Communications Division. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

### 1100.2 POLICY

It is the policy of the Moore Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between Communications Division and department members in the field.

### 1100.3 COMMUNICATIONS DIVISION SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of Communications Division, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for Communications Division.

Access to Communications Division shall be limited to Communications Division members, the Shift Commander, command staff and department members with a specific business-related purpose.

### 1100.4 RESPONSIBILITIES

#### 1100.4.1 COMMUNICATIONS SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Communications Supervisor. The Communications Supervisor is directly responsible to the Support Services Commander.

The responsibilities of the Communications Supervisor include, but are not limited to:

- (a) Overseeing the efficient and effective operation of Communications Division in coordination with other supervisors.
- (b) Scheduling and maintaining dispatcher time records.
- (c) Supervising, training and evaluating dispatchers.
- (d) Ensuring the radio and telephone recording system is operational.
  1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.
- (e) Processing requests for copies of Communications Division's information for release.
- (f) Maintaining Communications Division database systems.
- (g) Maintaining and updating Communications Division procedures manual.

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1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.
2. Ensuring dispatcher compliance with established policies and procedures.
- (h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
- (i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.
- (j) Maintaining a list of social service organizations that provide youth services within the local area.

#### 1100.4.2 DISPATCHERS

Dispatchers report to the Communications Supervisor. The responsibilities of the dispatcher include, but are not limited to:

- (a) Receiving and handling all incoming and transmitted communications, including:
  1. Emergency 9-1-1 lines.
  2. Business telephone lines.
  3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
  4. Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
  5. Other electronic sources of information (e.g., text messages, digital photographs, video).
- (b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
- (c) Inquiry and entry of information through Communications Division, department and other law enforcement database systems (Automated Criminal History System (ACHS), Juvenile On-Line Tracking System (JOLTS), Oklahoma Law Enforcement Telecommunications System (OLETS), Department of Public Safety State Computer Files (SCOM), Oklahoma Tax Commission Vehicle Registration Files (VREG), National Crime Information Center (NCIC)).
- (d) Providing access to, and confirmation of criminal warrants on a 24-hour basis.
- (e) Maintaining the current status of members in the field, their locations and the nature of calls for service.
- (f) Notifying the Shift Commander or field supervisor of emergency activity, including, but not limited to:
  1. Vehicle pursuits.

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#### *Communications Division*

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2. Foot pursuits.
3. Assignment of emergency response.

#### **1100.5 CALL HANDLING**

This department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in Communications Division, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

##### **1100.5.1 EMERGENCY CALLS**

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Shift Commander shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

If a dispatcher determines that the call has been misdirected to the Moore Police Department, the dispatcher should forward the call and/or notify the appropriate agency pursuant to Communications Division procedures manual.

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##### 1100.5.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call. Callers will not be placed on hold until it is determined the call is non-emergency.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

##### 1100.5.3 EMERGENCY MEDICAL DISPATCH/ EMERGENCY FIRE DISPATCH

- A. Call processing and dispatch for assistance shall be provided in a standardized manner following approved EMD and EFD protocols for caller interrogation, assignment of determinant codes, and provision of post-dispatch and pre-arrival instructions. [Moore Police Department Procedures Manual: 1106.3 Emergency Medical and Fire Dispatch](#)
- B. The Department has adopted the Advanced Secondary Emergency Notification of Dispatch (SEND) protocol to support the EMD. An officer encountering a situation where a medical response is needed, if trained in the use of the Advanced SEND protocol and when practicable, will provide the information to Dispatch by following the protocol.

#### **1100.6 RADIO COMMUNICATIONS**

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their status and location.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Communications Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

##### 1100.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Moore Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

##### 1100.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department



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member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

#### **1100.7 OLETS (OKLAHOMA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM)**

The Oklahoma Law Enforcement Telecommunications System (OLETS) provides a computerized message switching system created for and dedicated to the criminal justice community. The sole purpose is to provide for the interstate, intrastate and interagency exchange of criminal justice related information.

1. Information obtained from OLETS computer shall only be released to authorized personnel. This includes any law enforcement or court employee that currently has an ORI connected to our system. These agencies include: Moore Police Department, and City of Moore Court Clerks.
2. We may provide information to other agencies that are experiencing technical problems with their OLETS equipment as long as the person has been verified as an authorized law enforcement employee with OLETS access, through their agency.

Reference: Procedure 802: OLETS/NCIC

#### **1100.8 NCIC (NATIONAL CRIME INFORMATION CENTER)**

NCIC is a clearinghouse of crime data that helps Moore Police Department apprehend fugitives, locate missing persons, recover stolen property, and identify terrorists.

1. Dispatchers shall ensure the accuracy, timeliness and completeness of their NCIC entries.
2. To facilitate compliance with hit confirmation requirements, Moore Police Department Communications will be available 24 hours a day to confirm its records.

All NCIC procedures shall be performed in accordance with NCIC rules and regulations.

Reference: Procedure 802: OLETS/NCIC

#### **1100.9 DOCUMENTATION**

It shall be the responsibility of Communications Division to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.

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- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.
- Vehicle mileage and transport time when a member is transporting a juvenile or a person of the opposite sex.

#### **1100.10 CONFIDENTIALITY**

Information that becomes available through Communications Division may be confidential or sensitive in nature. All members of Communications Division shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Department of Public Safety records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel.

#### **1100.11 TRAINING AND CERTIFICATION**

Dispatchers shall complete a basic call handling and dispatch services training course approved by the Oklahoma 9-1-1 Management Authority and, if applicable, a telecommunicator CPR training course (63 O.S. § 2872). Dispatchers shall also complete any other training required by the Department of Public Safety, the state, or the Department.

#### **1100.12 COMMUNICATIONS TRAINING PROGRAM**

The Moore Police Department provides guidelines for the standardized training and evaluation of new Dispatchers, and introduce the policies, procedures, and operations of the Communications Division.

##### **1100.12.1 TRAINER RESPONSIBILITIES**

- (a) Ensuring that the Trainee knows the goals of Communications and the expectations of the department and Trainer;
- (b) Issuing the training materials in accordance with the Training Policy and sign off on all completed topics contained in the training materials;
- (c) Establishing a rapport with the Trainee to facilitate any counseling that is needed during the training – evaluation process;

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- (d) Being a positive role model for the Trainee during the process;
- (e) Being responsible for directing and coordinating training on a day-to-day basis, motivating the Trainee to achieve the best performance possible and communicating in a manner that facilitates learning;
- (f) Providing on-going instruction and evaluation to the Trainee utilizing all practical and accepted techniques available;
- (g) Preparing daily observation reports (DORs) utilizing the current "Standardized Evaluation Guidelines" documenting the relative progress of the Trainee and present completed reports to the Coordinator on a daily basis; to support recommendation for advancement, retention or, when the prospect of retention no longer exists, termination;
- (h) Completing an end of phase evaluation report of his/her assigned Trainee at the end of each phase;

In addition to the training duties the Trainer shall:

- (a) Maintain a strictly professional relationship with the Trainee.
- (b) Not socialize with the Trainee off-duty, have a dating relationship, or engage in any conduct that would compromise the Trainer's ability to impartially assess the Trainee's performance.
- (c) Not enter into any financial arrangement with the Trainee.
- (d) The Trainer is not to discuss any aspect of the training of a new hire with any non-supervisory member not assigned to the Communications Training Program.

#### 1100.12.2 TRAINEE RESPONSIBILITIES

Trainees are expected to study so they are able to fully comprehend all material assigned them. Learning this material is essential for the Trainee to competently perform his/her duties. The Trainee is also expected to watch and learn from the Trainer and be actively involved in the training process. Any questions, concerns, or problems the Trainee may have, when practicable, will be discussed with the assigned Trainer. The Trainee is not to discuss any aspect of his/her training with any non-supervisory member not assigned to the Communications Training Program.

The Trainee is also responsible for, but not limited to:

- (a) Being respectful to all members;
- (b) Avoiding any obligations such as college, secondary jobs, etc. that interfere with the training process;
- (c) Accepting and following all lawful directions of the Trainer;
- (d) Completing all assignments in a timely manner;
- (e) Studying and following all policies, procedures, and rules of the City of Moore and the Moore Police Department;
- (f) Being prepared for all Trainee manual assignments and being responsible for learning and completing all material;

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- (g) Being prepared to work through breaks or not have breaks at all;
- (h) Being receptive to criticism given by Trainers and responding in a respectful manner.

#### **1100.13 GENERAL PROHIBITIONS**

Trainees will be treated fairly at all times. If a non-training dispatcher has an issue with a trainee, the non-training dispatcher must address it with the trainer or the Supervisor, not with the recruit directly. All issues from non-dispatch personnel will be handled through their chain-of-command.

Trainees will not be harassed, intimidated, intentionally embarrassed, or treated in a demeaning manner by any member of the department.

## **Chapter 12 - General Orders**

## 2020-GO-001 Effective For Duration of COVID 19 Pandemic

### 1200.1 GENERAL ORDER

#### 1200.1.1 EFFECTIVE DATES

**Issue Date:** 03/19/2020

**Expiration Date:** 04/07/2020

#### 1200.1.2 PURPOSE

**Effective Immediately**

- A. Pursuant to the World Health Organization's designation of the COVID-19 outbreak as a global pandemic, the President of the United States' declaration of a national emergency, Oklahoma Governor Stitt's declaration of a state of emergency, and SCAD No. 2020-24, General Order 2020-GO-001 is being implemented.
- A. General Order 2020-GO-001 supersedes all applicable Moore Police Department policies and procedures for the duration of this General Order. Further, it assists with the request from the Cleveland County Sheriff in reducing the jail population as he implements new bond procedures pursuant to AO-2020-1 (Mar 18, 2020).
- A. Patrol Procedures:
  - 1. Adults-municipal charges
    - (a) Adults that are uncooperative, violent, or due to other extenuating circumstances may be arrested if necessary.
    - (b) Cooperative adults should be cited and released on all municipal charges unless the offender is intoxicated. If the person is intoxicated, alternatives to arrest should be attempted before making the arrest.
  - 2. Adults-district charges
    - (a) Follow normal procedures
  - 3. Municipal warrants
    - (a) Offenders with municipal warrants should be cited for each FTA and released on their own recognizance.

[See attachment: 2020-GO-001.pdf](#)

### 1200.2 AMENDMENT A, EFFECTIVE 4/21/2020

The General Order 2020-GO-001 previously issued on March 19, 2020 will be extended for the duration of the City of Moore Emergency Proclamation.

[See attachment: General Order 2020-GO-001A.pdf](#)

## General Order 2023-GO-001

### 1200.1 EFFECTIVE DATES

June 27th, 2023 to September 1st, 2023

### 1200.2 MODIFICATION TO UNIFORM POLICY 1001 REF. TATTOO SLEEVES

To: All Personnel

From: Todd R. Gibson

Chief of Police

Ref: General Order 2023-GO-001

Date: June 27, 2023

This is a General Order issued as a modification to the Uniform Policy 1001. During the month of July and August of 2023, when the forecast high temperature is 95 degrees Fahrenheit, or higher the use of tattoo sleeves can be suspended. The forecast high temperature will be based off of the Weather Channel App and be overseen by the shift supervisor. This does not apply to office staff or personnel that works primarily inside the police department building.

Sleeves are still required for any tattoos that would be obviously offensive to the community or contain offense language or nudity. This general order shall be effective immediately and expire on September 1, 2023.

TRG:jkd

[See attachment: 2023-GO-001.pdf](#)

## Attachments



**Article VIII Discrimination  
Complaints City Personnel Policy.pdf**

## **Article VIII**

### **Discrimination Complaints**

#### **8.1 Policy and Definition**

The City of Moore does not discriminate against members of any protected minority group in admission or access to, or treatment of employment in, any of its programs, services and activities. Discrimination for purposes of these provisions, shall be defined as any violation of applicable local, state and or federal laws which prohibit discrimination on the basis of race, color, religion, sex, national origin, age or disability in any aspect of the City. The use of the procedures contained herein are designed to provide a means for the review and disposition of cases presented by individuals (members of the protected minority groups and/or employees) against the City under the provisions of applicable local, state or federal legislation. These procedures are established to ensure the prompt review, impartial consideration, and equitable disposition of cases presented by any individual, as outlined herein. The person filing a complaint will be free from restraint, coercion, discrimination, or reprisal growing out of the filing of such complaint.

#### **8.1(A) Filing of a Complaint of Discrimination**

Should any person (being a member of a protected minority group and or an employee) deem it necessary and appropriate to file a complaint of discrimination, based upon race, color, religion, sex, national origin, age or disability against any employee (or group of employees) of the City staff (or any activities of the City in conjunction with programs and or services of the City); he or she shall present to the Personnel Division a written statement (using the form as provided by the Personnel Division) requesting an investigation into the complaint. A formal investigation of a complaint of discrimination will not be initiated until the individual provides the Personnel Division with a signed, sworn and notarized statement. Before an investigation begins, the accused employee (s) will be notified, in writing, with respect to the nature of the complaint; in cases of complaints against activities, services or programs of the City, the appropriate department head(s) or members of the administrative staff shall be notified in writing.

Upon receipt of the complaining individual's statement, the Personnel Division (or designee) shall make a prompt and full investigation of each complaint. The complaining individual shall be offered the opportunity to complete a polygraph examination administered by any state certified examiner of his or her choice, to substantiate his or her position provided that such examinations shall not be mandatory. If there is no basis for the allegations, the complaint shall be dismissed and all affected parties notified in writing. The complaining individual may file, within three (3) working days after being notified, a request for review.

Upon request for a review by the complaining individual; or upon determination by the Personnel Division that probable cause exists for the allegations made in the complaint; the Personnel Division shall schedule a hearing within ten (10) days of the date of such determination or request for review, before the Grievance Review Board of the City. Upon scheduling the hearing, the Personnel Division shall provide all concerned parties with a written notice as to the date, time, and place of the hearing; the manner in which it is to be conducted; and the issue (s) to be decided.

For purposes of hearing cases of alleged discrimination, the Grievance Review Board shall be comprised of the Personnel Division, an Administrative Assistant of the Manager's Staff, and one other individual selected by the other two members. In cases by or against an employee, the other individual shall not be a member of the department in which either the complaining employee or accused employee works. Procedures for the conduct of the hearing shall be identical to those outlined within the Grievance Review Board procedures within the Personnel Policies and Procedures.

The Review Board shall consider all evidence presented to it as a result of the Personnel Division's investigation as well as evidence submitted at the time of the hearing and shall present its decision in writing within five (5) working days of the hearing's conclusion. The decision shall include a synopsis of the facts, a statement of the decision and reasons therefore, and the remedies, if any, to be applied in the case. A copy of the decision and or subsequent actions will be forwarded to the City Manager to serve as the basis for actions, if any, to be directed by the Board. Should the complaining individual be satisfied with the decision of the Board (and subsequent actions or remedies, if any,) the matter shall be considered settled at this point and no further action will be taken, other than that specified in the decision of the Review Board.

### **8.1(B) Decision by the City Manager**

The City Manager shall review the recommendation of the Review Board as well as all records of the case and shall render a written decision in the matter within five (5) working days of receiving the Review Board's recommendations. Such written decision shall be considered as final in the matter and shall be considered as satisfying the City's obligations regarding the consideration of any complaint of discrimination in admission or access to, or treatment or employment in, any of the city programs, services and or activities. A copy of such decision shall be forwarded to all affected parties and shall be included in the permanent personnel file of any affected employee(s).

### **8.2 Sexual Harassment Policy**

It is the policy of the City of Moore to promote an employment environment free from sexual harassment. The City of Moore will not tolerate sexual harassment and will vigorously enforce this policy.

### **8.2(1) Sexual Harassment Defined**

Sexual Harassment: Unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions such as promotion, assignment, demotion, discipline, or discharge;
3. Such conduct has the purpose or effect of unreasonable interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

### **8.2(2) Prohibited Conduct**

No employee, volunteer or intern shall make, either explicitly or implicitly, verbally or physically, any unwanted sexual advances, requests for sexual favors, or any other conduct of a sexual nature.

### **8.2(3) Enforcement of Policy**

Each department head will ensure that this policy is made known to the departmental employees by:

- a. providing every employee with a copy of the policy and complaint procedure and redistribute it periodically;
- b. providing training to all employees to ensure that they understand their rights and responsibilities;
- c. ensuring that copies of this policy are posted in all work places within the department; and
- d. strictly enforcing the anti-harassment policy and complaint procedure and to take other reasonable steps to prevent and correct harassment.

## 8.2(4) Employee Cooperation

All city employees are directed to cooperate in an investigation conducted pursuant to this policy. Any employee who fails or refuses to cooperate will be subjected to disciplinary action.

## 8.2(5) Confidentiality

All records, reports or written statements or documents that are a part of any investigative proceeding pursuant to this policy will be kept confidential. All persons participating in any way in an investigation will exercise extreme care to ensure the confidentiality of any information relative to the investigation.

## 8.2(6) Reporting Procedures

- a. Employees encountering harassment should tell the person that their actions are unwelcome, offensive and to stop the behavior;
- b. The employee should document all incidents of harassment in order to provide the fullest basis for investigation;
- c. Any employee who believes that he or she is being harassed should immediately report the incident so steps may be taken to protect them from further harassment, and so that investigative or resolution measures may be initiated;
- d. Complaints of harassment should be reported to:
  1. The employee's immediate supervisor; or
  2. A supervisor other than their immediate supervisor; or
  3. The Department Head; or
  4. The Personnel Director; or
  5. The City Manager.
- e. False accusations will result in disciplinary action up to and including termination.

## 8.2(7) Roles and Responsibilities

1. **Employees** have a responsibility to conduct themselves in a manner that will ensure proper performance of City business and maintenance of public confidence.
2. **Victims** have a responsibility to complain about sexual harassment in a timely manner and pursue their complaint to a higher authority if not satisfied with the response of anyone in their chain of command.

3. **Supervisors and Department Heads** have a responsibility to act promptly and affirmatively when they observe behavior that violates this regulation, and or when they receive complaints of sexual harassment.

They have a responsibility to ensure that employees who make complaints of harassment or provide information related to such complaints will be protected against retaliation.

4. **Human Resource Department (or designee)** shall make a prompt, thorough and impartial investigation of each complaint.

5. **City Manager** ensures the employer will take immediate and appropriate corrective action when it determines that harassment has occurred and assurance that employees who make complaints of harassment or provide information related to such complaints will be protected against retaliation.

### **8.2(8) Disciplinary Action**

Substantiated reports of sexual harassment may result in one or more of the following actions being taken against the violator of this policy.

1. Written warning to desist from harassment, which, if not observed, would be followed by more severe disciplinary action;
2. Suspension without pay;
3. Termination of employment.

Reports of incidents or actions which might constitute sexual harassment should be made immediately to the supervisor, department head, Personnel Division or City Manager.

### **8.3 Grievance Procedure (Sexual Harassment)**

A Sexual Harassment Grievance Review Board (SHGRB) will be responsible for taking and conducting investigations into complaints regarding sexual harassment of city employees.

The complaint should be made within thirty (30) days of the alleged harassment.

The SHGRB will review evidence compiled in an investigation of each sexual harassment complaint and make recommendations regarding sanctions for violators when appropriate. The board will normally be made of two men and two women and shall be selected by the City Manager according to circumstances of the reported incident.

The SHGRB will then make recommendations for resolution of the charge based on the evidence and the accused party's responses. Such recommendations may include such disciplinary action as deemed appropriate.

The board may also include recommendations for counseling or conferences between employees and supervisor, or any other measure which may be taken to resolve problems that are supported by evidence.

The SHGRB's decision shall be considered as final.

## **Internship Waiver of Liability.pdf**





# Moore Police Department

## **Internship Program HOLD HARMLESS, RELEASE, WAIVER of LIABILITY (Parental Consent and Release of Liability Waiver)**

I, \_\_\_\_\_, the parent or legal guardian of \_\_\_\_\_, a participant in the Moore Police Department's Internship program, do hereby enter into this Parental Consent Form and Release of Liability Waiver for the purpose of authorizing the above named student's participation in the program activities to earn the certification. I acknowledge that this is a voluntary activity for which I freely give permission for my child's participation. I further give my consent for my child to be photographed or videotaped during the activities involved in this learning experience and grant permission to Moore Police Department (hereinafter "MPD") to use said photos for advertisement &/or recruitment purposes. Said consent is given without any expectation of compensation or reward for any photos taken &/or used in advertisement and recruitment literature. I agree that my child shall abide by all rules and regulations imposed by MPD staff during the course of the internship program. I also acknowledge and accept that participation in the above activity involves certain inherent risks that cannot be eliminated regardless of the care taken. In consideration for the privilege of the above-named student's participation in said internship program, I freely, voluntarily and knowingly assume all risks on behalf of said student as his/her parent or legal guardian. In the case of emergency, I request the program staff to immediately contact me. If deemed necessary, to provide first-aid medical treatment and/or secure emergency medical treatment for my child. I accept full responsibility for any medical and other ancillary expenses incurred. I further agree, in consideration of the above-named child's participation in the internship activities, including all necessary preliminary and follow-up activities associated with said program, to indemnify, release, hold harmless and discharge the City of Moore, MPD, and all employees from any and all liability, claims, demands, actions and causes of action whatsoever arising out of or relating to any loss, damage or injury, including death, that may be sustained by the above named intern participant, or damage to any property belonging to said intern participant.

In signing this release, I acknowledge and represent that I have read the foregoing waiver, release, I understand it, and sign it voluntarily as my own free act and deed. I further acknowledge that no oral representation, statements or inducements, apart from the foregoing written agreement, have been made and that I am at least eighteen (18) years of age and fully competent. If less than eighteen (18) years of age, a parent or legal guardian has signed, fully accepting each and every term. I (or my parent) execute(s) this Release for full, adequate and complete consideration, fully intending to be bound by same.

So agreed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.



**IN WITNESS WHEREOF**, I set my hand hereto as of the date set forth below:

**Initial both of the following statements to affirm acceptance of the aforementioned terms:**

\_\_\_\_\_ I certify that I am the parent or legal guardian of the above-named minor. I have read, understood and accept the terms of this entire document and consent to the provisions contained herein.

\_\_\_\_\_ I certify that I am at least 18 years of age and suffering under no legal disability and that I have received a copy of this document and have read the above carefully before signing.

\_\_\_\_\_  
**Name of Participant (print)**

\_\_\_\_\_  
**Signature of Participant  
(If 18 years or older)**

\_\_\_\_\_  
**Name of Parent/Legal Guardian (print)**

\_\_\_\_\_  
**Signature of Parent/Legal Guardian  
(For participant under age 18)**

**Signature witnessed by:**

\_\_\_\_\_  
**Name of Witness (print)**

\_\_\_\_\_  
**Signature of Witness**

**Moore PD Risk Assessment Fillable.pdf**

## MOORE POLICE DEPARTMENT

### Threat Assessment for Planned Operations (Page#1 of 6)

**DID THE SUSPECT COMMIT A CRIME  
IN THE CITY OF MOORE?**

CIRCLE ONE: **YES** or **NO**

<i>Case#:</i>	<i>DATE:</i>
<i>LOCATION:</i>	
<i>PRIMARY SUSPECT NAME:</i>	<i>R/S:</i> <i>D.O.B.:</i>

**Type of Operation:** (MARK ALL THAT APPLY):

<b>SEARCH WARRANT</b>	<input type="checkbox"/>	<b>ARREST WARRANT</b>	<input type="checkbox"/>
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<b>OTHER LAW ENFORCEMENT ACTION</b>	<input type="checkbox"/>
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*DESCRIBE (Felony T-Stop, etc.):* \_\_\_\_\_

**Information Source** (MARK ALL THAT APPLY):

<b>C.I./SOURCE INFO</b>	<input type="checkbox"/>	<b>CRIMINAL RECORDS</b>	<input type="checkbox"/>
<b>SURVEILLANCE/RECON</b>	<input type="checkbox"/>	<b>OTHER (NOTES REQUIRED)</b>	<input type="checkbox"/>

**Verified By:** \_\_\_\_\_

**Comm#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**IT SHALL BE MANDATORY TO CONTACT THE TACTICAL COMMANDER FOR CONSULTATION ON ANY CATEGORY POINT SCALE SECTION DESIGNATED WITH AN ASTERISK \***

**IMPORTANT INFORMATION:** ALL SEARCH WARRANTS MUST HAVE A THREAT ASSESSMENT FORM COMPLETED PRIOR TO SERVICE OF WARRANT UNLESS EXIGENT CIRCUMSTANCES EXIST FOR IMMEDIATE SERVICE. ANY SERVICE CALL THAT ESCALATES TO A POINT THAT A TACTICAL COMMANDER ASSESSMENT IS REQUESTED/REQUIRED SHOULD HAVE A THREAT ASSESSMENT FORM COMPLETED AND SUPPORTING MATERIALS PRIOR TO HIS ARRIVAL. THE THREAT ASSESSMENT FORM WILL BE REVIEWED BY THE TACTICAL COMMANDER OR HIS DESIGNEE PRIOR TO SERVICE OF THE WARRANT. IT IS STRONGLY RECOMMENDED THAT A THREAT ASSESSMENT FORM BE COMPLETED BY A SUPERVISOR OVERSEEING ANY PRE-PLANNED OPERATION INVOLVING A FELONY ARREST WARRANT (VIOLENT OFFENSE), PRIOR TO WARRANT SERVICE.

**SCORING DIRECTIONS:** Place an "X" in the appropriate box "Yes" or "No" and transfer points to "Points applied" box except section III. Calculate total points on page#3 for Overall Threat Assessment Score.

SUPERVISORS SHOULD UTILIZE CATEGORY SECTION INFORMATION WHEN QUESTIONING WITNESSES, TO BETTER ASSESS THREAT BY SUSPECT				
I. SUSPECT ASSESSMENT <i>Add all that apply</i>	POINT SCALE	YES	NO	POINTS APPLIED
AA. OTHER: (Universal Precautions Required)	1			
A. Currently on Parole/Probation (NOTES)	1			
B. Martial Arts Background (NOTES)	1			
C. Current Drug/Alcohol Abuser (NOTES)	1			
D. Suspected/Unconfirmed Mental Illness (NOTES)	1			
E. Violent Background/Not Documented by Police	1			
F. Suspected Gang Member (NOTES)	1			
G. History of Violence /A & B on Citizens	1			
H. History of Violence / A & B on Police Officer	2			

**Threat Assessment for Planned Operations (Page#2 of 6)**

<b>I. SUSPECT ASSESSMENT</b> CONTINUED	<b>POINT SCALE</b>	<b>YES</b>	<b>NO</b>	<b>POINTS APPLIED</b>
I. Known Gang Member (NOTES)	2			
J. Resisting Arrest/Confirmed History (NOTES)	2			
K. Mental Illness or 3 <sup>rd</sup> Party Statement (NOTES)	2			
L. History of Violence /Utilizing Martial Arts (NOTES)	3			
M. History of Violence /Edged Weapons (NOTES)	3			
N. History of Violence/Robbery (NOTES)	4			
O. History of Violence/Gun Use or Arrests (NOTES)	4			
P. Military Background (NOTES/Years of Service)	4			
Q. Law Enforcement Background (NOTES/Years of Service)	*			N/A
R. History of Violence/Homicide (NOTES)	*			N/A
S. History of Threats "Suicide by Cop" (NOTES)	*			N/A
T. History of Threats to Harm Community (NOTES)	*			N/A
U. Armed/Barricaded Subject	*			N/A
V. Current/Former Paramilitary (NOTES)	*			N/A
W. Current/Former Religious Extremist (NOTES)	*			N/A
X. FBI Terrorist Watch List (NOTES)	*			N/A
Y. Suspected/Known Terrorist Associate (NOTES)	*			N/A
Z. Suspect Poses a Threat to Community (NOTES)	*			N/A
<b>TOTAL SUSPECT ASSESSMENT POINTS</b>				

<b>II. OFFENSE ASSESSMENT</b> <i>Add all that apply</i>	<b>POINTS APPLIED</b>	<b>YES</b>	<b>NO</b>	<b>POINTS APPLIED</b>
A. Misdemeanor Offense	1			
B. Non-Violent Felony Offense (NOTES)	1			
C. Violent Felony Offense (NOTES)	2			
D. Citizen Injured by Suspect During Offense (NOTES)	2			
E. Officer Injured by Suspect During Offense (NOTES)	3			
F. Weapon Used during Offense (NOTES)	4			
G. Offense Poses a Threat to Community (NOTES)	*			N/A
<b>TOTAL OFFENSE ASSESSMENT POINTS</b>				

<b>III. WEAPON ASSESSMENT</b> <i>Add only highest value</i>	<b>POINT SCALE</b>	<b>YES</b>	<b>NO</b>	<b>POINTS APPLIED</b>
A. Weapons Available to Suspect/ In Structure	1			
B. Weapons available to Suspect/On Person	2			
C. Handguns in Structure/ On Person (NOTES)	3			
D. Shotgun in Structure/ On Person (NOTES)	*			N/A

### Threat Assessment for Planned Operations (Page#3 of 6)

A. All Rifles in Structure/ On Person (NOTES)	*			N/A
B. Full Auto Weapons in Structure/On Person	*			N/A
C. Explosives/Active Lab in Structure/Chemicals	*			N/A
<b>TOTAL WEAPON ASSESSMENT POINTS</b>				

IV. SITE ASSESSMENT <i>Add all that apply</i>	POINT SCALE	YES	NO	POINTS APPLIED
A. Kids/Elderly/Handicap Present on Site	1			
B. Environmental Barriers (Debris, Bushes, etc.)	1			
C. Structural Barriers (Fences, Stairs, Gates, etc.)	1			
D. Security Bars/ On Windows only	1			
E. Dog Present/Unknown Temperament	1			
F. Security Bars/Secondary Doors (side or rear)	2			
G. Warning Devices/Video Monitoring Devices	2			
H. More Than 4 Adults Present on Site	2			
I. Forced Entry Required (Breaching Tool, etc.)	2			
J. Security Bars on Primary Door to be Entered	3			
K. Counter Surveillance Personnel (lookouts)	3			
L. Known Vicious or Aggressive Dog (DOG PLAN)	3			
M. Enclosed/Caged Porch (Security Bars)	4			
N. Fortified Doors/ Homemade Door Stops (NOTES)	*			N/A
O. Armed Counter Surveillance (NOTES)	*			N/A
P. Known Trip-Wire/Anti-Personnel Devices (NOTES)	*			N/A
<b>TOTAL SITE ASSESSMENT POINTS</b>				

V. TIME ASSESSMENT <i>Add all that apply</i>	POINT SCALE	YES	NO	POINTS APPLIED
A. More than 24 Hours to Plan Operation/Warrant	0			
B. 12 to 24 Hours to plan operation/Warrant	1			
C. Less than 12 Hours to Plan Operation/Warrant	2			
<b>TOTAL TIME ASSESSMENT POINTS</b>				

**Threat Assessment for Planned Operations (Page#4 of 6)**

<b>THREAT ASSESSMENT SCORE</b>		
<b>1-10 points</b> = Immediate Supervisor Notification	<b>**IT IS ALWAYS OPTIONAL TO CONTACT THE TACTICAL COMMANDER ON ANY INCIDENT**</b>	
<b>11-15 points</b> = Mandatory Manpower Increase		
<b>16-20 points</b> = Mandatory Manpower Increase, Mandatory Consultation/Tactical Commander, and Examine options to detain target subject away from the target structure for the safety of the involved officers.	<b>SUSPECT ASSESSMENT TOTAL</b>	
	<b>OFFENSE ASSESSMENT TOTAL</b>	
	<b>WEAPON ASSESSMENT TOTAL</b>	
<b>21-24 points</b> =Mandatory Tactical Commander Contact	<b>SITE ASSESSMENT TOTAL</b>	
<b>25+ points</b> =Recommended Tactical Unit Activation	<b>TIME ASSESSMENT TOTAL</b>	
<b>TACTICAL COMMANDER CONTACTED – YES or NO</b>	<b>THREAT ASSESSMENT SCORE</b>	

**THREAT ASSESSMENT ADDENDUM NOTES:** IT IS MANDATORY TO PROVIDE NOTES IF YOU HAVE MARKED "YES" IN ANY SECTION THAT IS FOLLOWED BY AN ASTERISK (IN THE POINT SCALE COLUMN):

**ASSESSMENT SECTION** \_\_\_\_\_ **CATEGORY LETTER** \_\_\_\_\_

\_\_\_\_\_

**ASSESSMENT SECTION** \_\_\_\_\_ **CATEGORY LETTER** \_\_\_\_\_

\_\_\_\_\_

**ASSESSMENT SECTION** \_\_\_\_\_ **CATEGORY LETTER** \_\_\_\_\_

\_\_\_\_\_

**ASSESSMENT SECTION** \_\_\_\_\_ **CATEGORY LETTER** \_\_\_\_\_

\_\_\_\_\_

**De-Confliction Verified By:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_ **[SEARCH WARRANTS ONLY]**

**Investigator Signature:** \_\_\_\_\_ **Badge#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Supervisor Signature:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Tactical Commander Signature:** \_\_\_\_\_ **Badge#:** \_\_\_\_\_ **Date:** \_\_\_\_\_





**Threat Assessment for Planned Operations** (Page#6 of 6)

[UTILIZATION OF TACTICAL UNIT OR INCIDENT COMMAND SYSTEM ONLY]

**COMMAND CENTER LOCATION:** \_\_\_\_\_

**EMS/FIRE STAGING AREA:** \_\_\_\_\_

**DESIGNATED MEDIA LOCATION:** \_\_\_\_\_

**INTERSECTIONS BLOCKED:** \_\_\_\_\_

<b>PERIMETER UNIT #</b>	<b>PERIMETER/ASSIGNED UNIT LOCATION</b>	<b>TIME CHECKED IN WITH TACT-ONE/COMMAND CENTER</b>

**\*\* A PATROL SUPERVISOR SHALL STAY AT COMMAND CENTER (MOBILE COMMAND POST, TACT-ONE, ETC.) TO ASSIST INCIDENT AND/OR TACTICAL COMMANDER WITH PERTINENT INFORMATION RECEIVED BY OR TO BE SHARED WITH PATROL DEPUTIES \*\***

## **Moore PD Risk Threat Assessment.pdf**

# MOORE POLICE DEPARTMENT

## Threat Assessment for Planned Operations (Page#1 of 6)

**DID THE SUSPECT COMMIT A CRIME  
IN THE CITY OF MOORE?**

CHECK ONE: **YES**      **NO**

<i>Case#:</i>	<i>DATE:</i>	
<i>LOCATION:</i>		
<i>PRIMARY SUSPECT NAME:</i>	<i>R/S:</i>	<i>D.O.B.:</i>

**Type of Operation:** (MARK ALL THAT APPLY):

<b>SEARCH WARRANT</b> <input type="checkbox"/>	<b>ARREST WARRANT</b> <input type="checkbox"/>
--	--

<b>OTHER LAW ENFORCEMENT ACTION</b>	<input type="checkbox"/>
---	--------------------------

*DESCRIBE (Felony T-Stop, etc.):* \_\_\_\_\_

**Information Source** (MARK ALL THAT APPLY):

<b>C.I./SOURCE INFO</b>	<input type="checkbox"/>	<b>CRIMINAL RECORDS</b>	<input type="checkbox"/>
<b>SURVEILLANCE/RECON</b>	<input type="checkbox"/>	<b>OTHER (NOTES REQUIRED)</b>	<input type="checkbox"/>

**Verified By:** \_\_\_\_\_

**Comm#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**IT SHALL BE MANDATORY TO CONTACT THE TACTICAL COMMANDER FOR CONSULTATION  
ANY CATEGORY marked Yes**

**IMPORTANT INFORMATION:** ALL SEARCH WARRANTS MUST HAVE A THREAT ASSESSMENT FORM COMPLETED PRIOR TO SERVICE OF WARRANT UNLESS EXIGENT CIRCUMSTANCES EXIST FOR IMMEDIATE SERVICE. ANY SERVICE CALL THAT ESCALATES TO A POINT THAT A TACTICAL COMMANDER ASSESSMENT IS REQUESTED/REQUIRED SHOULD HAVE A THREAT ASSESSMENT FORM COMPLETED AND SUPPORTING MATERIALS PRIOR TO HIS ARRIVAL. THE THREAT ASSESSMENT FORM WILL BE REVIEWED BY THE TACTICAL COMMANDER OR HIS DESIGNEE PRIOR TO SERVICE OF THE WARRANT. IT IS STRONGLY RECOMMENDED THAT A THREAT ASSESSMENT FORM BE COMPLETED BY A SUPERVISOR OVERSEEING ANY PRE-PLANNED OPERATION INVOLVING A FELONY ARREST WARRANT (VIOLENT OFFENSE), PRIOR TO WARRANT SERVICE.

**SCORING DIRECTIONS:** Place an Check in the appropriate box "Yes" or "No"

SUPERVISORS SHOULD UTILIZE CATEGORY SECTION INFORMATION WHEN QUESTIONING WITNESSES, TO BETTER ASSESS THREAT BY SUSPECT				
I. SUSPECT ASSESSMENT <i>Add all that apply</i>		<b>YES</b>	<b>NO</b>	
AA. OTHER: (Universal Precautions Required)				
A. Currently on Parole/Probation (NOTES)				
B. Martial Arts Background (NOTES)				
C. Current Drug/Alcohol Abuser (NOTES)				
D. Suspected/Unconfirmed Mental Illness (NOTES)				
E. Violent Background/Not Documented by Police				
F. Suspected Gang Member (NOTES)				
G. History of Violence /A & B on Citizens				
H. History of Violence / A & B on Police Officer				

**Threat Assessment for Planned Operations (Page#2 of 6)**

<b>I. SUSPECT ASSESSMENT</b> CONTINUED		<b>YES</b>	<b>NO</b>	
I. Known Gang Member (NOTES)				
J. Resisting Arrest/Confirmed History (NOTES)				
K. Mental Illness or 3 <sup>rd</sup> Party Statement (NOTES)				
L. History of Violence /Utilizing Martial Arts (NOTES)				
M. History of Violence /Edged Weapons (NOTES)				
N. History of Violence/Robbery (NOTES)				
O. History of Violence/Gun Use or Arrests (NOTES)				
P. Military Background (NOTES/Years of Service)				
Q. Law Enforcement Background (NOTES/Years of Service)				
R. History of Violence/Homicide (NOTES)				
S. History of Threats "Suicide by Cop" (NOTES)				
T. History of Threats to Harm Community (NOTES)				
U. Armed/Barricaded Subject				
V. Current/Former Paramilitary (NOTES)				
W. Current/Former Religious Extremist (NOTES)				
X. FBI Terrorist Watch List (NOTES)				
Y. Suspected/Known Terrorist Associate (NOTES)				
Z. Suspect Poses a Threat to Community (NOTES)				

<b>II. OFFENSE ASSESSMENT</b> <i>Add all that apply</i>		<b>YES</b>	<b>NO</b>	
A. Misdemeanor Offense				
B. Non-Violent Felony Offense (NOTES)				
C. Violent Felony Offense (NOTES)				
D. Citizen Injured by Suspect During Offense (NOTES)				
E. Officer Injured by Suspect During Offense (NOTES)				
F. Weapon Used during Offense (NOTES)				
G. Offense Poses a Threat to Community (NOTES)				

<b>III. WEAPON ASSESSMENT</b>		<b>YES</b>	<b>NO</b>	
A. Weapons Available to Suspect/ In Structure				
B. Weapons available to Suspect/On Person				
C. Handguns in Structure/ On Person (NOTES)				
D. Shotgun in Structure/ On Person (NOTES)				

**Threat Assessment for Planned Operations (Page#3 of 6)**

A. All Rifles in Structure/ On Person (NOTES)				
B. Full Auto Weapons in Structure/On Person				
C. Explosives/Active Lab in Structure/Chemicals				

<b>IV. SITE ASSESSMENT</b> <i>Add all that apply</i>		<b>YES</b>	<b>NO</b>	
A. Kids/Elderly/Handicap Present on Site				
B. Environmental Barriers (Debris, Bushes, etc.)				
C. Structural Barriers (Fences, Stairs, Gates, etc.)				
D. Security Bars/ On Windows only				
E. Dog Present/Unknown Temperament				
F. Security Bars/Secondary Doors (side or rear)				
G. Warning Devices/Video Monitoring Devices				
H. More Than 4 Adults Present on Site				
I. Forced Entry Required (Breaching Tool, etc.)				
J. Security Bars on Primary Door to be Entered				
K. Counter Surveillance Personnel (lookouts)				
L. Known Vicious or Aggressive Dog (DOG PLAN)				
M. Enclosed/Caged Porch (Security Bars)				
N. Fortified Doors/ Homemade Door Stops (NOTES)				
O. Armed Counter Surveillance (NOTES)				
P. Known Trip-Wire/Anti-Personnel Devices (NOTES)				

<b>V. TIME ASSESSMENT</b> <i>Add all that apply</i>		<b>YES</b>	<b>NO</b>	
A. More than 24 Hours to Plan Operation/Warrant				
B. 12 to 24 Hours to plan operation/Warrant				
C. Less than 12 Hours to Plan Operation/Warrant				

**THREAT ASSESSMENT ADDENDUM NOTES: IT IS MANDATORY TO PROVIDE NOTES IF YOU HAVE MARKED "YES" IN ANY SECTION :**

**De-Confliction Verified By:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_ **[SEARCH WARRANTS ONLY]**

**Investigator Signature:** \_\_\_\_\_ **Badge#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Supervisor Signature:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Tactical Commander Signature:** \_\_\_\_\_ **Badge#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Operations Director Signature:** \_\_\_\_\_ **Badge#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Yes No

SWAT Activated:



**Threat Assessment for Planned Operations (Page#6 of 6)**

[UTILIZATION OF TACTICAL UNIT OR INCIDENT COMMAND SYSTEM ONLY]

**COMMAND CENTER LOCATION:** \_\_\_\_\_

**EMS/FIRE STAGING AREA:** \_\_\_\_\_

**DESIGNATED MEDIA LOCATION:** \_\_\_\_\_

**INTERSECTIONS BLOCKED:** \_\_\_\_\_

<b>PERIMETER UNIT #</b>	<b>PERIMETER/ASSIGNED UNIT LOCATION</b>	<b>TIME CHECKED IN WITH TACT-ONE/COMMAND CENTER</b>

**\*\* A PATROL SUPERVISOR SHALL STAY AT COMMAND CENTER (MOBILE COMMAND POST, TACT-ONE, ETC.) TO ASSIST INCIDENT AND/OR TACTICAL COMMANDER WITH PERTINENT INFORMATION RECEIVED BY OR TO BE SHARED WITH PATROL DEPUTIES \*\***



**Organizational-Chart-6-27-23.jpg**

**2023-GO-001.pdf**



# City of Moore Oklahoma

Police Department | 117 E. Main, Moore, OK 73160 | (405) 793-5138 | [www.cityofmoore.com](http://www.cityofmoore.com)

**To: All Personnel**

**From: Todd R. Gibson  
Chief of Police**

**Ref: General Order 2023-GO-001**

**Date: June 27, 2023**

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This is a General Order issued as a modification to the Uniform Policy 1001. During the month of July and August of 2023, when the forecast high temperature is 95 degrees Fahrenheit, or higher the use of tattoo sleeves can be suspended. The forecast high temperature will be based off of the Weather Channel App and be overseen by the shift supervisor. This does not apply to office staff or personnel that works primarily inside the police department building.

Sleeves are still required for any tattoos that would be obviously offensive to the community or contain offense language or nudity. This general order shall be effective immediately and expire on September 1, 2023.

**TRG:jkd**

A handwritten signature in blue ink, appearing to be "TRG", written in a cursive style.

**Organizational-Chart-1-24-22.jpg**

## Field Show-up Form.pdf

Field Show-Up Admonition Form

Officer's Name (print) \_\_\_\_\_ Comm #: \_\_\_\_\_

Incident # \_\_\_\_\_ Witness/Victim: \_\_\_\_\_

In a moment you will be shown an individual. The fact you are being shown this person should not cause you to believe the guilty person has been caught. You do not have to identify anyone.

If you recognize the individual, tell the officer how you know the individual. If this is the individual who you believe to have been involved in the crime, tell the officer in your own words how sure you are of the identification and the individual's involvement.

I have read or been advised of the above instructions and I fully understand them.

Witness/Victim Signature: \_\_\_\_\_ Date/Time: \_\_\_\_\_ / \_\_\_\_\_

Officer's Signature: \_\_\_\_\_ Date/Time: \_\_\_\_\_ / \_\_\_\_\_

---

Results:  Positive ID of Suspect  Tentative ID of Suspect  No ID Made

Location of Show-Up: \_\_\_\_\_ Date/Time: \_\_\_\_\_ / \_\_\_\_\_

Witness/Victim Identification Statements (to be completed by the officer):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*The section below to be completed outside of the witness/victims presence\*\*\*

Suspect's Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

**General Order 2020-GO-001A.pdf**



# City of Moore

Police Department | 117 E. Main, Moore, OK 73160 | 405-793-5171 | [www.cityofmoore.com](http://www.cityofmoore.com)

**To:** All Personnel  
**From:** Todd Gibson, Chief of Police  
**Re:** General Order 2020-GO-001A  
**Purpose:** Minimize jail population  
**Issue Date:** 4/21/2020

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## **Effective Immediately**

The General Order 2020-GO-001 previously issued on March 19, 2020 will be extended for the duration of the City of Moore Emergency Proclamation.

Respectfully,

A handwritten signature in black ink, appearing to read "T. Gibson", is written over a horizontal line.

Chief Todd Gibson



## Consular Notification of Arrest or Detention Form.pdf

**FAX SHEET – CONSULAR NOTIFICATION**

**SUBJECT:**

**NOTIFICATION OF ARREST OR DETENTION OF A NATIONAL OF YOUR COUNTRY**

**DATE/TIME:** \_\_\_\_\_

**TO:** Embassy/Consulate of \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_  
(COUNTRY) (CITY) (STATE)

**FROM:**

Name/Office \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone (\_\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_

***We arrested/detained the following foreign national, who we understand is a national of your country, on \_\_\_\_\_ .***  
(DATE)

Name: \_\_\_\_\_

Date of Birth/Place of Birth: \_\_\_\_\_

Nationality/Country: \_\_\_\_\_

Passport Issuing Nation: \_\_\_\_\_

Passport Number: \_\_\_\_\_

***This person has been or may be charged with the following offense(s):***

\_\_\_\_\_

For more information, **please call** \_\_\_\_\_ between the hours of \_\_\_\_\_.

Please refer to **case number** \_\_\_\_\_ when you call.

**ADDITIONAL INFORMATION:**

## **Consular Notification Information.pdf**



# CONSULAR NOTIFICATION AND ACCESS REFERENCE CARD

Instructions for Arrests and Detentions of Foreign Nationals

**This card summarizes for law enforcement officials the basic consular notification procedures to follow upon the arrest or detention of a foreign national. For more detailed instructions and legal material, see the Department of State publication *Consular Notification and Access*. The complete publication is available at <http://travel.state.gov/CNA>**

**QUESTIONS MAY ALSO BE ADDRESSED TO:  
U.S. DEPARTMENT OF STATE  
CA/P, SA-17, 12<sup>TH</sup> FLOOR  
WASHINGTON, DC 20522-1712**

**Telephone: (202)485-7703 Fax: (202)485-6170  
Email: [consnot@state.gov](mailto:consnot@state.gov)**

## STEPS TO FOLLOW WHEN A FOREIGN NATIONAL IS ARRESTED OR DETAINED<sup>1</sup>

1. Determine the foreign national's country of nationality. In the absence of other information, assume this is the country on whose passport or other travel document the foreign national is traveling.
2. If the foreign national's country is **NOT** on the list of "mandatory notification" ("list") countries and jurisdictions:
  - Use Statement 1 on the back of this card to inform the national, without delay, that he or she may have his or her consular officers notified and may communicate with them.
  - If the foreign national requests that his or her consular officers be notified, notify the nearest embassy or consulate of the foreign national's country without delay.
  - Forward any communication from the foreign national to his or her consular officers without delay.
3. If the foreign national's country is on the list of "mandatory notification" ("list") countries:
  - Notify that country's nearest embassy or consulate, without delay, of the arrest or detention.
  - Use Statement 2 on the back of this card to tell the national, without delay, that you are making this notification and that he or she may communicate with the consulate.
  - Forward any communication from the foreign national to his or her consular officers without delay.
4. Keep a written record of:
  - What information you provided to the foreign national and when.
  - The foreign national's requests, if any.
  - Whether you notified consular officers and, if so, the date and time and the means used to notify them (e.g., fax, email or phone.) If you used fax or email to notify the consular officers, you should keep the fax confirmation sheet or sent email in your records.
  - Any other relevant actions taken.

---

<sup>1</sup>These steps should be followed for all foreign nationals, regardless of their immigration status.

## MANDATORY NOTIFICATION "LIST" COUNTRIES

Albania	Malta
Algeria	Mauritius
Antigua and Barbuda	Moldova
Armenia	Mongolia
Azerbaijan	Nigeria
Bahamas	Philippines
Barbados	Poland <sup>2</sup>
Belarus	Romania
Belize	Russia
Brunei	Saint Kitts and Nevis
Bulgaria	Saint Lucia
China (including Macao and Hong Kong) <sup>1</sup>	Saint Vincent and the Grenadines
Costa Rica	Seychelles
Cyprus	Sierra Leone
Czech Republic	Singapore
Dominica	Slovakia
Fiji	Tajikistan
Gambia	Tanzania
Georgia	Tonga
Ghana	Trinidad and Tobago
Grenada	Tunisia
Guyana	Turkmenistan
Hungary	Tuvalu
Jamaica	Ukraine
Kazakhstan	United Kingdom <sup>3</sup>
Kiribati	Uzbekistan
Kuwait	Zambia
Kyrgyzstan	Zimbabwe
Malaysia	

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<sup>1</sup>Does not include Republic of China (Taiwan) passport holders.

<sup>2</sup>Mandatory for non-permanent only.

<sup>3</sup>U.K. includes Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat, and the Turks and Caicos Islands. Residents' passports bear the name of their territory and may also bear the name "United Kingdom."



## SUGGESTED STATEMENTS TO ARRESTED OR DETAINED FOREIGN NATIONALS

### STATEMENT 1:

For All Foreign Nationals Except Those from  
“Mandatory Notification” Countries

As a non-U.S. citizen who is being arrested or detained, you may request that we notify your country’s consular officers here in the United States of your situation. You may also communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your consular officers at this time?

### STATEMENT 2:

For Foreign Nationals from  
“Mandatory Notification” Countries

Because of your nationality, we are required to notify your country’s consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you may communicate with your consular officers. You are not required to accept their assistance, but your consular officers may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. Please sign to show that you have received this information.

**consular notification in various languages.pdf**





As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country’s consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things. If you want us to notify your country’s consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country’s consular officials?



ARABIC

إننا نلزمون بسبب جنسيتكم بإخطار المسؤولين العالمين في قنصلية بلادكم في الولايات المتحدة بأنكم قد تعرضتم للتوقيف أو للاحتجاز، وسوف نقوم بذلك في أقرب فرصة ممكنة. ونحيطكم علماً، علوة على ذلك، بأن يجوز لكم الاتصال بالمسؤولين العالمين في قنصلية بلادكم، وأنكم غير ملزمين بقبول مساعدتهم لكم، ولكنهم مع ذلك قد يتمكنون من توفير محامين يتولون تمثيلكم، كما يجوز لمسؤولي قنصلية بلادكم الاتصال بأبوابكم وزيارتكم في مكان احتجازكم، ضمن أشياء أخرى قد يقدمونها لكم. الرجاء التوقيع على هذا البيان لإثبات حصولكم على المعلومات التي تتضمنها.

CAMBODIAN

ដោយសារលោកអ្នកជាពលរដ្ឋមនុស្សជាតិ ជាចំណាត់ថ្នាក់ប្រចាំប្រទេសក្រុងភ្នំពេញនៃស្ថានភូមិស៊ីល ប្រទេសរបស់លោកអ្នកប្រចាំសហរដ្ឋអាមេរិកថា លោកអ្នកបានត្រូវចាប់ខ្លួន ឬឃុំខ្លួន។ យើងនឹងជូនដំណឹងទៅស្ថានភូមិរបស់លោកអ្នកយ៉ាងឆាប់រហ័សតាមលទ្ធភាព។ ក្រៅពីនេះ លោកអ្នកអាចទាក់ទងជាមួយមន្ត្រីស៊ីលរបស់លោកអ្នក។ លោកអ្នកនឹងមិនតម្រូវជាចំណាត់ថ្នាក់ជំនួយជំនួយពីមន្ត្រីស្ថានភូមិស៊ីលរបស់លោកអ្នកទេ ក៏ប៉ុន្តែមន្ត្រីស្ថានភូមិស៊ីលអាចជួយលោកអ្នកក្នុងការស្វែងរកព័ត៌មានផ្លូវច្បាប់ ឬ អាចទាក់ទងជាមួយគ្រួសារលោកអ្នក ទៅសួរសុខទុក្ខលោកអ្នកក្នុងមន្ទីរឃុំឃាំង ព្រមទាំងធ្វើកិច្ចការផ្សេងៗ។ សូមចុះហត្ថលេខាខាងក្រោមនេះ ដើម្បីបញ្ជាក់ថា លោកអ្នកបានទទួលព័ត៌មាននេះ។

CHINESE

鉴于你的国籍，我们必须将你被捕或者被拘留的情况通知你们国家派驻美国的领事。我们会尽快通知。另外，你可以和你们的领事通话。你并非一定要接受他们的援助，但是你们的领事有可能帮助你获得法律援助，联系你的家人和到拘留地点探访你，和做一些别的事情。请在下面签名表示你已经被告知以上信息。

CREOLE

Akoz nasyonalitye ou, nou gen obligasyon pou nou mete otorite konsila peyi ou ki isit o Zetazini okouran ke yo arete ou oubyen yo mete ou nan prizon. Nou pral fe sa osito posib. An plis de sa, ou kapab pran kontak ak otorite ki nan konsila peyi ou. Ou pa oblije akseptè ed yo, men li posib pou otorite konsila peyi ou ede w jwenn ed yon avoka, e yo byen kapab pran kontak ak manm fanmi ou, epi rann ou vizit nan prizon an, ak lòt bagay ankò. Silvouplè, siyen pou w fè wè ou te resewva enfòmasyon sa a.

FARSI

به دلیل ملیت و تابعیت شما، ما مکلف هستیم تا مامورین قونسلگری شما را در ایالات متحده با خبر سازیم که شما توقیف و یا بازداشت شده اید. ما این کار را هرچه زود تر ممکن باشد انجام خواهیم داد. علاوه بر این، شما میتوانید که با مامورین قونسلگری خویش در تماس باشید. شما مکلف نیستید که کمک های آنها را بپذیرید ولی مامورین قونسلگری شما شاید بتوانند علاوه بر مسایل دیگر در مورد استخدام وکیل قانونی با شما کمک نمایند، با خانواده تان تماس بگیرند و از شما در توقیف دیدن کنند. لطفاً امضا کنید تا نشان دهید که شما این معلومات را دریافت نموده اید.

FRENCH

Si vous êtes arrêté ou détenu, nous sommes tenus, en raison de votre nationalité, de prévenir le consulat de votre pays ici aux Etats-Unis. Nous le ferons le plus tôt possible. De plus, vous pouvez également communiquer avec vos fonctionnaires consulaires. Vous n'êtes pas obligé d'accepter leur aide mais ils peuvent notamment être en mesure de vous aider à obtenir un avocat, contacter votre famille et vous rendre visite lors de votre détention. Nous vous prions de bien vouloir apposer ci-dessous votre signature, ce qui apportera la preuve que cette information vous a bien été communiquée.

GERMAN

Aufgrund Ihrer Staatsangehörigkeit sind wir verpflichtet, die Konsularbeamten Ihres Landes in den Vereinigten Staaten davon zu unterrichten, dass Sie verhaftet oder festgenommen wurden. Wir werden diese Unterrichtung so bald wie möglich vornehmen. Außerdem dürfen Sie sich mit den Konsularbeamten Ihres Landes in Verbindung setzen. Sie sind nicht dazu verpflichtet, deren Hilfe anzunehmen, aber die Konsularbeamten Ihres Landes können Ihnen unter anderem bei der Beschaffung eines Rechtsbeistands behilflich sein, sich mit Ihrer Familie in Verbindung setzen und Sie in der Haft besuchen. Bestätigen Sie bitte mit Ihrer Unterschrift, dass Sie diese Informationen erhalten haben.

GREEK

Λόγω της υπηκοότητάς σας, είμαστε υποχρεωμένοι να ειδοποιήσουμε την προξενική αρχή της χώρας σας εδώ στις Ηνωμένες Πολιτείες ότι έχετε συλληφθεί ή ότι βρίσκεστε υπό κράτηση. Θα το κάνουμε όσο το δυνατό πιο σύντομα. Επιπλέον, μπορείτε να επικοινωνήσετε με την προξενική σας αρχή. Δεν είναι υποχρεωτικό να δεχθείτε την βοήθειά τους, αλλά η προξενική σας αρχή είναι δυνατόν να σας βοηθήσει να λάβετε νομική εκπροσώπηση, όπως επίσης μπορεί να επικοινωνήσει με την οικογένειά σας και μεταξύ άλλων, να μπορούν να σας επισκεπτούν κατά τη διάρκεια της κράτησής σας. Παρακαλούμε όπως υπογράψετε σαν απόδειξη ότι λάβατε τούτη την γνωστοποίηση.

HINDI

आपकी राष्ट्रियता के कारण हमारे लिए अनिवार्य है कि हम यहाँ अमरीका में आपके देश के काउंसलर अधिकारियों को सूचित करें कि आपको गिरफ्तार कर लिया गया है या आप हिरासत में हैं. हम जितनी जल्दी संभव होना ऐसा करेंगे. इसके अलावा, आप चाहें तो अपने काउंसलर अधिकारियों से संपर्क कर सकते हैं. आपके लिए जरूरी नहीं कि आप उनकी मदद लें, लेकिन काउंसलर अधिकारी आपको कानूनी प्रतिनिधित्व दिलवाने में सहायता कर सकते हैं, और आपके परिवार से संपर्क कर सकते हैं और, अन्य बातों के साथ साथ, जेल में आपसे मिलने आ सकते हैं. कृपया यह बताने के लिए हस्ताक्षर कीजिये कि आपको यह जानकारी मिल गई है.

ITALIAN

In virtù della Sua cittadinanza, siamo obbligati a formalmente avvisare le autorità consolari competenti del Suo Paese presenti negli Stati Uniti d'America, che Lei è stato arrestato o detenuto. Lo faremo al più presto possibile. Inoltre, può comunicare con i suddetti funzionari, e benché non sia tenuto ad accettare la loro assistenza, essi potrebbero, fra l'altro, assisterLa ad assumere un avvocato, contattare la Sua famiglia, o visitarLa durante lo stato di detenzione. La preghiamo di apporre la Sua firma nello spazio indicato qui sotto a conferma di aver ricevuto questo avviso.

JAPANESE

あなたの国籍のゆえに、当局はあなたが逮捕もしくは拘留されたことを米国にあるあなたの国の領事館の係官に通知しなければなりません。できるだけ早くそうします。加えて、あなたは、あなたの国の領事館の係官と連絡を取っていいです。係官の助けを受け入れる義務はありませんが、あなたの国の領事館の係官はあなたが弁護人を手配するのを助けることができるかもしれませんし、他にもいろいろありますが、ご家族に接触したり拘留中のあなたを訪ねることもあります。この情報を受理した証に署名してください。

KOREAN

귀하의 국적을 사유로 하여, 당 기관은 미합중국 내에 있는 귀하 국가의 영사관 직원에게 귀하가 체포, 또는 구금되었다는 사실을 통보할 의무가 있습니다. 당 기관은 이러한 통보를 가능한 한 조속히 실행할 것입니다. 이에 추가하여, 귀하는 귀하 국가의 영사관 직원과 통신할 권리가 있습니다. 귀하는 그들의 협조를 받든지 받을 필요는 없으나 영사관 직원은 귀하로 하여금 법적 대리인을 선임할 수 있도록 도움을 줄 수 있으며, 무엇보다도, 귀하의 가족과 연락하며 구금 중인 귀하를 방문할 수 있습니다. 귀하가 이러한 안내 설명을 이미 들었다는 표시로서 아래에 서명하십시오.

LAO

ຍ້ອນສັນຊາດຂອງທ່ານ ພວກເຮົາຈຳເປັນຕ້ອງແຈ້ງໃຫ້ເຈົ້າໜ້າທີ່ກົງສູນຂອງປະເທດຂອງທ່ານຢູ່ໃນ ສະຫະລັດ ອະເມລິກາຊາບວ່າ ທ່ານຖືກຈັບ ຫລື ຖືກກັກໄວ. ພວກເຮົາຈະພະຍາຍາມຕໍາເນີນເລື່ອງ ຂອງທ່ານໃຫ້ໄວທີ່ສຸດ ເທົ່າທີ່ຈະໄດ້. ທ່ານອາດສາມາດຕິດຕໍ່ກັບເຈົ້າໜ້າທີ່ກົງສູນຂອງທ່ານໄດ້. ທ່ານຍັງຈຳເປັນຈະຕ້ອງອໍ້ຍເອົາຄວາມ ຊ່ວຍເຫລືອຈາກຂະເຈົ້າ, ແຕ່ທາງເຈົ້າໜ້າທີ່ກົງສູນ ອອກຈາກວຽກງານປະຈຳແລ້ວ ອາດສາມາດຊ່ວຍຫາ ຫາພະຍາຍາມ, ຊ່ວຍຕິດຕໍ່ຄອບຄົວຂອງທ່ານ ແລະ ມາຢ້ຽມຢາມທ່ານໃນຂະນະທີ່ຖືກກັກໄວຢູ່. ກະລຸນາເຊັນຮັບ ຂໍຖືກລຸ້ມນີ້ ວ່າທ່ານໄດ້ຮັບຮູ້ຂໍ້ມູນນີ້.

POLISH

Ze względu na Pana(i) narodowość, mamy obowiązek powiadomić urzędników konsularnych Pana(i) kraju w Stanach Zjednoczonych o tym, że został Pan(i) aresztowany lub zatrzymany. Zrobimy to możliwie jak najszybciej. Ponadto może Pan(i) komunikować się z tymi urzędnikami konsularnymi. Nie ma Pan(i) obowiązku przyjąć ich pomocy, ale mogą oni być w stanie pomóc Panu(i) w uzyskaniu porady prawnej i mogą m. in. powiadomić Pana(i) rodzinę oraz odwiedzić Pana(i) w areszcie. Proszę potwierdzić otrzymanie tych informacji swoim podpisem.

PORTUGUESE

Devido à sua nacionalidade, somos obrigados a notificar os funcionários consulares de seu país aqui nos Estados Unidos que você foi preso ou detido, o que faremos assim que possível. Ademais, você pode se comunicar com os funcionários consulares de seu país. Você não é obrigado(a) a aceitar a ajuda deles, mas os funcionários consulares poderão, entre outros, ajudá lo(a) a obter assistência jurídica, contatar sua família e visitá-lo(a) na prisão. Favor assinar indicando que recebeu esta informação.

RUSSIAN

В связи с Вашим гражданством, мы обязаны уведомить консульское учреждение Вашего государства в Соединённых Штатах о том, что Вы арестованы или задержаны. Это будет сделано при первой возможности. Вы также имеете право находиться в контакте с представителями Вашего консульства. Вы не обязаны принимать помощь от представителя консульства, но он может оказать Вам содействие в найме адвоката или юрисконсульта, связаться с Вашей семьёй, посетить Вас в месте задержания и т.п. Ваша подпись засвидетельствует то, что настоящая информация была Вами получена.

SPANISH

Debido a su nacionalidad, estamos obligados a notificar a los funcionarios consulares de su país en los Estados Unidos que usted ha sido arrestado o detenido. Haremos esta notificación lo más pronto posible. Además, usted puede comunicarse con los funcionarios consulares de su país. Usted no está obligado a aceptar su ayuda, pero esos funcionarios pueden ayudarle, entre otras cosas, a conseguir asesoramiento legal, y también pueden ponerse en contacto con su familia y visitarle en el lugar de detención. Sirvase firmar para indicar que ha recibido esta información.

TAGALOG

Dahil sa kayo'y Taga Pilipinas, kailangan po naming ipagbigay alam sa Philippine Embassy dito sa Amerika na kayo'y naaresto o nakadetained. Kailangan ho naming gawin ito sa lalong madaling panahon . Puwede rin naman na kontakin ninyo ang Philippine Embassy. Hindi ho naman kailangang magpatulong kayo sa kanila , Pero baka ho naman may maitulong sila sa inyong makahanap ng hahawak ng inyong kaso, O kaya'y kontakin ang inyong kamag-anakan nang madalaw o mapuntahan kayo sa inyong kinaroroonan. At matulungan kayo tungkol sa mga iba pang bagay. Pir ahan ninyo ito bilang pagpapatunay na itong impormasyong ito'y nakarating, sinabi at ipinaliwanag sa inyo.

THAI

เนื่องจากสัญชาติที่ท่านถืออยู่ เราจำเป็นต้องแจ้งแก่เจ้าหน้าที่กงสุลจากประเทศของ ท่านซึ่งประจำอยู่ในสหรัฐให้ทราบว่าท่านถูกจับหรือถูกคุมขังอยู่ โดยจะแจ้งโดยเร็วที่สุด นอกจากนี้ ท่านอาจติดต่อกับเจ้าหน้าที่กงสุลของท่าน โดยท่านไม่จำเป็นต้อง ได้รับความช่วยเหลือจากเจ้าหน้าที่กงสุล แต่เจ้าหน้าที่กงสุลอาจสามารถช่วยท่านจัดหา ตัวแทนทางกฎหมาย ติดต่อกับครอบครัวของท่าน และมาเยี่ยมท่านในที่คุมขัง เหล่านี้ เป็นต้น โปรดลงลายเซ็นเพื่อแสดงว่าท่านได้รับทราบข้อความข้างต้นนี้

VIETNAMESE

Vi lý do quốc tịch của Ông/Bà, chúng tôi bắt buộc phải thông báo cho các viên chức lãnh sự của nước Ông/Bà ở Hoa Kỳ là Ông/Bà đã bị bắt hay bị giam. Chúng tôi sẽ thi hành việc này ngay. Ngoài ra, Ông/Bà có quyền liên lạc với các viên chức lãnh sự của nước Ông/Bà. Ông/Bà không bắt buộc phải nhận sự giúp đỡ của họ, nhưng các viên chức lãnh sự này có thể giúp Ông/Bà tìm người đại diện pháp lý, và có thể liên lạc với gia đình Ông/Bà tới thăm Ông/Bà trong nhà giam, ngoài các việc khác. Xin ký tên để chúng tôi ông bà đã nhận được thông tin này.

## **Blood Retention Request Letter to Hospital.pdf**



# City of Moore Oklahoma

Police Department | 117 E. Main, Moore, OK 73160 | 405-793-5171 | [www.cityofmoore.com](http://www.cityofmoore.com)

Date: \_\_\_\_\_

Hospital Name: \_\_\_\_\_

To Whom it May Concern:

I, \_\_\_\_\_, am a certified peace officer within the State of Oklahoma. By and through Oklahoma Statutes a duty is bestowed upon the Moore Police Department and Officers to conduct motor vehicle collision investigations. Within this task is the duty to preserve evidence obtained through the investigation.

On (collision date) \_\_\_\_\_ at approximately (Collision Time) \_\_\_\_\_ the Moore Police Department began conducting an investigation within \_\_\_\_\_ County. During this investigation, it was determined that the subject below was a driver involved in this collision. This subject was transported to your facility to receive medical care and treatment for injuries sustained in the collision.

I understand that while receiving medical treatment, physicians may direct blood tests to be performed. I also understand that when blood is withdrawn from patients many times not all units taken may be utilized for the testing requested.

I respectfully request that any units of blood taken from the subject listed below, that remain in your custody, be retained for at least 10 days from the date of reception. This will provide me or a representative of the Moore Police Department adequate time to obtain a search warrant providing for the seizure of such evidence.

Subject's Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Your cooperation in this matter is greatly appreciated. Please contact me if you have any questions.

Respectfully,

\_\_\_\_\_  
Your rank and name

**2020-GO-001.pdf**



# City of Moore Oklahoma

Police Department | 117 E. Main, Moore, OK 73160 | 405-793-5171 | [www.cityofmoore.com](http://www.cityofmoore.com)

**To:** All Personnel  
**From:** Todd Strickland, Chief of Police  
**Re:** General Order 2020-GO-001  
**Purpose:** Minimize jail population  
**Issue Date:** 03/19/2020  
**Expiration Date:** 04/07/2020

---

## Effective Immediately

- A. Pursuant to the World Health Organization's designation of the COVID-19 outbreak as a global pandemic, the President of the United States' declaration of a national emergency, Oklahoma Governor Stitt's declaration of a state of emergency, and SCAD No. 2020-24, General Order 2020-GO-001 is being implemented.
- B. General Order 2020-GO-001 supersedes all applicable Moore Police Department policies and procedures for the duration of this General Order. Further, it assists with the request from the Cleveland County Sheriff in reducing the jail population as he implements new bond procedures pursuant to AO-2020-1 (Mar 18, 2020).
- C. Patrol Procedures:
  1. Adults-municipal charges
    - a. Cooperative adults should be cited and released on all municipal charges unless the offender is intoxicated. If the person is intoxicated, alternatives to arrest should be attempted before making the arrest.
    - b. Adults that are uncooperative, violent, or due to other extenuating circumstances may be arrested if necessary.
  2. Adults-district charges
    - a. Follow normal procedures
  3. Municipal warrants
    - a. Offenders with municipal warrants should be cited for each FTA and released on their own recognizance.

Respectfully,

---

Chief Todd Strickland

**Exposure Control Plan Feb 2023.pdf**

# Exposure Control Plan



## Introduction

### Objective:

This Bloodborne Pathogens Exposure Control Plan (ECP) is designed to minimize the potential for occupational exposure to bloodborne pathogens and Other Potentially Infectious Materials (OPIM) in the City. It also will provide direction for correctly responding to incidents that may occur in the workplace.

The City is committed to providing a safe work environment for all. Through this ECP, we eliminate or minimize the possibility of infection. This program applies to all locations where the potential for exposure to bloodborne pathogens exists and for full-time, part-time, contract, and temporary employees, and volunteers.

[NOTE]: This document is not intended to serve as a substitute for OSHA’s standards for bloodborne pathogens. For more information, please consult Bloodborne Pathogens, 29 CFR 1910.1030.

### Outline of topics:

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# Exposure Control Plan



## 1. Program Administration

The Director of Risk Management is responsible for implementing the Exposure Control Plan (ECP).

The ECP will be updated, maintained, and reviewed at least annually, including whenever necessary to include new or modified tasks or procedures. This will be done by the Director of Risk Management or Loss Control Officer.

A copy of this plan will be made available to all employees during their work shifts and is located:

- Public Works Maintenance Complex, 512 NW 27<sup>th</sup> Street - See the Director for Public Works.
- Parks & Recreation/Maintenance, 1598 NE 12<sup>th</sup> Street - in the Parks Maintenance office. See Parks Maintenance Supervisor.
- City Hall - Risk Management, 301 N. Broadway – See Loss Control Officer. The ECP will be available to all employees.

EMS Activities within the State of Oklahoma fall under the jurisdiction of the Oklahoma State Department of Labor (ODOL) and Oklahoma State Department of Health (OSDH). ODOL requires all fire departments that perform emergency medical services to adopt an "Exposure Control Plan." The Moore Fire Department ECP can be obtained in the following locations:

- #1 Fire Station file cabinet in the Captains office, and/or on station bookshelves.
- #2 Fire Station file cabinet in the Captains office, and/or on station bookshelves.
- #3 Fire Station file cabinet in the Captains office, and/or on station bookshelves.
- #4 Fire Station file cabinet in the Captains office, and/or on station bookshelves.
- In the (Shortcut to FORMS) folder on all Fire Dept. computers.
- Deputy Chief's Office
- Training Office

Training on this plan will be provided to new employees (or those newly assigned to a position covered under this plan), annually thereafter, and when tasks or procedures are added or changed, affecting employee exposure.

All other program administration and employer responsibilities will be set out in the body of this plan.



# Exposure Control Plan

## 2. Exposure Determination

If any employees have an occupational exposure to blood or OPIM, an exposure determination is required. The determination of on-the-job risk is made without regard to PPE use. The Director of Risk Management/Loss Control Officer shall use **Appendix B – Exposure Determination** to categorize employees' job classifications into one of two categories and review and update annually:

- Category I: Job classifications in which all employees are exposed to blood or OPIM on a regular basis.
- Category II: Job classifications in which only some employees have occupational exposure.

## 3. Compliance Methods

### Introduction

The term "occupational exposure" is defined as reasonably anticipated skin, eye, mucous membrane, or other contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

In 29 CFR §1910.1030(b), OSHA defines OPIM to include:

- (1) The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, 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); and
- (3) HIV-containing cells 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.

All employees who have been determined to have occupational exposure to bloodborne pathogens must:

- Comply with the procedures and controls laid out in this plan.
- Participate in annual bloodborne pathogen refresher training.
- Understand which tasks they perform have potential for exposure.
- Use proper personal protective equipment (PPE) when working with blood or OPIM.

---

## Exposure Control Plan

**Appendix A – Glossary of Terms** contains a list of words relating to bloodborne pathogens that are likely to be encountered in this program.

### Universal Precautions

Universal Precautions is an approach to infection control that assumes that all human blood and other body fluids will be handled as if known to be infectious for HIV, HBV, or other bloodborne pathogens. All employees are required to always use universal precautions when contact with blood or OPIM is anticipated.

- Use appropriate PPE, including gloves, masks, and gowns.
- Use proper engineering and work practice controls to minimize exposure.

# Exposure Control Plan



## Engineering Controls

Engineering controls are control measures that isolate or remove bloodborne pathogen hazards from the work environment. Examples include needleless systems, self-sheathing needles, and sharps containers.

- At least annually, or more frequently if needed, the Director of Risk Management/Loss Control Officer shall review and consider any new technologies or safer medical devices that reduce or eliminate bloodborne pathogen exposures for employees that use them.
- In addition to management, input is wanted from non-managerial employees who are potentially exposed to injuries from contaminated sharps. Employees should share their ideas with their supervisor, or the Director of Risk Management/Loss Control Officer.

## Work Practices Control

Work practice controls are behavior-based changes that reduce exposure, such as hygiene practices. Effective work practices include:

- Washing hands and any other body parts that have come in contact with blood or OPIM with soap and water as soon as possible, or flush mucous membranes with water.
  - If handwashing facilities are not available, either antiseptic hand cleanser and clean towels or antiseptic towelettes should be used. If either of these methods is used, wash hands again with soap and water as soon as facilities are available.
- Food and drink will not be kept in refrigerators, freezers, shelves, cabinets, or on countertops or bench tops where blood or OPIM may be present.
- Do not eat, drink, store food, apply cosmetics, or handle contact lenses in any potentially contaminated work area.
- Minimize splashing, spraying, spattering or spraying of droplets of blood or OPIM by using good technique and practices.

Both engineering and work practice controls will be used to minimize or attempt to eliminate exposure to bloodborne pathogens. If risk of exposure exists after these controls have been put into place, proper PPE should be utilized. Specific engineering and work practice controls used in the City include:

### Citywide:

- All work areas should be kept clean and sanitary.
- All sharps must be disposed of in an approved sharps container.
- PPE must be worn anytime there is a potential for handling blood or OPIM.

## Exposure Control Plan



### Public Works:

- Avoid handling any waste by hand. For example, instead of pulling trash from a container, transport the container to a solid waste vehicle.
- If you must handle trash by hand, proper PPE must be used and includes the use of puncture resistant gloves.
- If you must come in contact with sewage (i.e., when handling a cleaning hose) you must use proper PPE, including waterproof gloves and eyewear.

### Labels and Signs

Biohazard warning labels should be applied to:

- Containers of regulated waste
- Other containers used for storing, transporting, or shipping blood or OPIM

Labels should:

- Be fluorescent orange or orange-red and letters and symbols should be in a contrasting color.
- Be attached to the container containing biohazardous waste by some method that prevents its loss or unintentional removal.
- Include the universal biohazard symbol:



BIOHAZARD

*Exception: Red bags or red containers can be used as a substitute for labels.*

Employees should notify the Director of Risk Management/Loss Control Officer if they find any item in the facility without proper labelling.

# Exposure Control Plan



Below lists specific equipment, items, or containers to be labelled in the City and the label type:

Item	Label Type
Sharps containers located at: <ul style="list-style-type: none"> <li>• Police Station</li> <li>• Animal Control</li> </ul>	Biohazard label
Item	Label Type
<ul style="list-style-type: none"> <li>• Police Station                             <ul style="list-style-type: none"> <li>○ CSI's equipment for crime scene processing</li> </ul> </li> </ul>	Biohazard label

## Personal Protective Equipment

Personal protective equipment will be provided at no cost to employees who have occupational exposure. Management is responsible for:

- Determining the proper PPE for the tasks that employees will be performing. Training in its proper use and care and the limitations of PPE will be provided.
- Ensuring used PPE is cleaned, repaired, replaced or disposed of appropriately.

The PPE available to employees includes:

### Citywide:

- Disposable gloves

### Public Works - provided by supervisors

- Puncture resistant gloves
- Waterproof gloves
- Protective face shields
- Eyewear

Fire Department: PPE is provided by supervisors in accordance with OSDH guidelines.

All employees are required to use PPE when the risk of exposure to bloodborne pathogens exists. Examples of PPE include gloves, masks, and eye protection.

# Exposure Control Plan



Whenever blood or OPIM can be reasonably anticipated to splash or spray near the face, masks must be worn in conjunction with eye protection or face shields.

Other general guidelines for PPE include:

- PPE should be available in all sizes and easily accessible to employees. Employees must ensure PPE fits correctly prior to use.
- Inspect PPE before use and ensure it is not torn, punctured, or soiled. All PPE should be sufficient to prevent blood or OPIM from soaking through or reaching the employees' clothing, skin, or mucous membranes during normal use.
- Remove all PPE if it has been contaminated or before leaving your work area.
- Always wash hands after removal of PPE.
- When removing PPE, place it in the appropriately labelled area or container.

Guidelines specific to disposable gloves include:

- Wear gloves when there is a possibility of having contact with blood, OPIM, or contaminated objects or surfaces.
- Never reuse disposable gloves.
- Always wash your hands after removing gloves.
- Replace gloves as soon as possible if they have been contaminated or compromised by a tear or puncture.

## **Housekeeping**

All work areas in the facility covered under this exposure control plan must be kept clean and sanitary. Some general cleaning guidelines include:

- Disinfect contaminated work surfaces when work is finished, whenever there is a spill of blood or OPIM, when the surfaces become overtly contaminated, and at the end of each work shift.
- Any broken glass should not be picked up with the hands; a brush and dustpan, tongs, or forceps should be used.
- All bins, pails, or other receptacles that are reusable and are likely to be contaminated by blood or OPIM must be decontaminated on a regular schedule or as soon as possible if known to be contaminated.

If a spill occurs involving blood or OPIM:

- Cordon off the area with cones, tape or other available items and put on the required PPE.
- Place absorbent materials on the spill.
- Pour disinfectant on and around the spill area and allow the disinfectant to sit for the required contact time.

# Exposure Control Plan



- Collect the absorbent material and wipe up excess disinfectant and place the absorbent material and disposable PPE in a biohazard bag.
- The following disinfectants and methods for cleaning spills for these City facilities include:
  - City Hall:
    - Rubber gloves
    - Various disinfectants
  - Parks & Public Works Maintenance:
    - Absorbent pads and granular absorbents
    - Rubber gloves and face shields
    - Various disinfectants

## **Regulated waste**

In 29 CFR §1910.1030(b), OSHA defines "regulated waste" as:

...liquid or semi-liquid blood or [OPIM]; contaminated items that would release blood or [OPIM] in a liquid or semi-liquid state if compressed; items that are caked with dried blood or [OPIM] and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or [OPIM].

**Regulated waste containers** (not containing sharps) should be:

- Closable and constructed so that they can contain the contents and prevent fluids from leaking during handling.
- Labeled or color coded appropriately.
- Closed prior to the container being moved to prevent the contents from spilling or protruding during handling.

# Exposure Control Plan



The procedure for disposal of full regulated waste containers is:

## Citywide:

- All sharps disposed of in a sharps container.
- Material from spills may be disposed of in the trash.

## Park & Public Works Maintenance:

- Material from spills may be disposed of in a designated container and disposed of using labels or SDS (Safety Data Sheet) guidelines.

## Handling sharps

Contaminated sharps and needles should not be bent, recapped, or removed from containers.

Sharps containers are an essential engineering control and must be closable, puncture-resistant, leak-proof on the sides and bottom, and labeled or color-coded.

Other requirements for the use of sharps containers include:

- Keep the container upright and ensure containers are available in the immediate area where sharps may be found.
- Do not allow the container to overfill (no more than 2/3 full) and replace it routinely.
- Ensure that contaminated sharps are placed inside the sharps container as soon as possible after use.
- Close containers immediately before transport or replacement.
- Never reach inside of a sharps container for any reason.
  - To dispose of a full sharps container or to request a new container, please contact your supervisor or the Director of Risk Management/Loss Control Officers.

The Director of Risk Management/Loss Control Officer shall inspect, maintain and/or replace sharps containers currently in use.

Any percutaneous injury from contaminated sharps must be **reported to your immediate supervisor, and to Risk Management, by calling 405-793-5203 or 405-794-5579**. Information logged shall protect the confidentiality of the injured employee.

## Transportation and Shipping

Safe practices regarding transportation and/or shipping of regulated waste or contaminated equipment include:

- Ensure that containers are closed prior to storage, handling, transport or shipping.
- Properly label or color-code all regulated waste containers when they leave the facility.



## Exposure Control Plan



- If a container becomes contaminated with blood or OPIM on the outside, it should be placed inside of a secondary container which will prevent leakage and is also correctly labeled or color-coded.
- If the contents have the possibility of puncturing a container, it should be placed inside of a secondary container which is puncture-resistant, leak-proof and correctly labelled or color-coded.
- If equipment becomes contaminated with blood or OPIM, ensure it is decontaminated prior to servicing.
- If equipment cannot be fully decontaminated, ensure that portions remaining contaminated are clearly communicated via a prominent label attached to the equipment. Communicate this information to all people who may be involved in the shipping, handling, or servicing of the equipment.

### Laundry

All contaminated laundry should be disposed of in a regular trash receptacle. Safety requirements involving laundry include:

- Handle contaminated laundry as little as possible.
- Employees who handle contaminated laundry must wear gloves and other necessary PPE.
- Place and transport contaminated laundry in labeled or color-coded containers.
- Wet, contaminated laundry should be contained in leak-proof bags or containers.

## 4. Employee Training

Training for employees with exposure to bloodborne pathogens will be provided:

- At no cost to the employee and during normal working hours
- Prior to starting work in a position with the possibility of exposure
- Annually following initial training
- When exposure risks change due to tasks or procedures being revised or added (only training on the specific changes needed in this case)

Training will be provided by the City or by a professional contractor, who shall be knowledgeable in the subject matter.

Training records will be documented and retained by the Director of Risk Management/Loss Control Officer.

# Exposure Control Plan



OSHA requires that Exposure Control Plan training programs include the following elements:

- A copy and explanation of the OSHA bloodborne pathogen standard
- An explanation of the City's Exposure Control Plan and where to obtain a copy
- General information about bloodborne pathogens, including symptoms, epidemiology, and modes of transmission
- How to recognize tasks that may involve exposure to blood or OPIM and what constitutes an exposure incident
- An explanation of the required signs, labels and color-coding used
- How to utilize methods that will prevent or reduce exposure, including PPE, work practice controls, and engineering controls and the limitations involved with each
- An explanation of the types of PPE, how to properly select PPE for the task, where it is located and how to use it properly
- How to correctly remove PPE, decontaminate it, or dispose of it
- Information on the hepatitis B vaccine, including its safety, efficacy, method of administration, benefits of being vaccinated, and that it is free of charge
- What to do and who to contact in case of an exposure involving blood or OPIM
- An explanation of the process of post-evaluation and follow-up required after an employee has an exposure incident
- An interactive question and answer session with the trainer who is knowledgeable in the subject matter

## 5. Hepatitis B Vaccination

The Hepatitis B vaccine will be made available to all employees who have a potential for an occupational exposure:

- At no cost to employees after initial training
- Within 10 days of employees' initial assignment to jobs with a potential for an occupational exposure (refer to Appendix B, Exposure Determination)

Information regarding where and how to receive the vaccination will be provided by the Risk Management Department.

The healthcare professional responsible for the employee's hepatitis B vaccination will be provided with a copy of OSHA's bloodborne pathogens standard.

Vaccination is encouraged unless the employee:

- Has already received the vaccination series

## Exposure Control Plan



- Is already immune to hepatitis B (as demonstrated by an antibody test)
- Has a contraindication due to medical reasons

All employees who to decline the vaccination must sign a declination form. If an employee declines the hepatitis B vaccine, but chooses to accept it at a later date, it will be made available at that time.

Vaccination records will be maintained by the Risk Management Department. Declination forms will be maintained by the supervisor and Risk Management Department, and will be accessible for review by any Federal or State agency, if required.

### 6. Post-Exposure Evaluation and Follow-Up

Post-exposure evaluation and follow-up will be provided for all employees who have an exposure incident on the job.

#### Exposure Incidents

Immediate first aid should include:

- Wash the exposed area thoroughly with soap and running water. Use non-abrasive antimicrobial soap.
- Flush the nose, mouth, or skin with splashes of water.
- Irrigate eyes with water or saline.

In the event of an exposure in the workplace, immediately **report to your immediate supervisor, and to Risk Management, by calling 405-793-5203.**

#### Follow-up

Immediately following an exposure incident, the employee will be provided a confidential medical evaluation and follow-up. The healthcare professional is given the following information:

- A description of the exposed employee's job duties that is relevant to the exposure incident.
- A description of the incident and routes of exposure.
- A result of the source individual's blood tests, if available.
- All relevant medical records and vaccination status of employee.

Follow-up would also include:

- Assuring that the results of the source individual's tests are made available to the exposed employee and informing them of the laws and regulations regarding confidentiality surrounding the source individual's identity and infection status

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## Exposure Control Plan

- Providing post-exposure prophylaxis for the exposed employee if medically indicated.
- Providing counseling and evaluation of illnesses.

### 7. Recordkeeping

#### Medical Records

The Risk Management Department maintains the required medical records for each employee.

- Medical files must be kept on each employee with occupational exposure in accordance with OSHA's regulations for Access to Employee Exposure and Medical Records, 29 CFR 1910.1020.
- Records will be maintained for the duration of employment plus 30 years.
- Records will be kept confidential.

#### OSHA Recordkeeping

The Director of Risk Management/Loss Control Officer will evaluate all exposure incidents to determine if they meet OSHA's Recordkeeping Requirements, 29 CFR 1904, and take all necessary actions.

#### Training Records

All records of employee training are maintained by the Director of Risk Management/Loss Control Officer. They will include:

- Training session dates with the name of trainer(s).
- Name and job titles of all employees attending training.
- Training records will be:
  - Provided to any employee requesting them within 15 working days.
  - Maintained in accordance with the City's Records Retention Policy.

## Exposure Control Plan



### Appendix A: Glossary of Terms

The following terms are commonly used in the Exposure Control Plan, and are defined here using OSHA's definitions from 29 CFR 1910.1030.

**Blood** means human blood, human blood components, and products made from human blood.

**Bloodborne Pathogens** means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

**Contaminated** means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

**Contaminated Laundry** means laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

**Contaminated Sharps** means any contaminated object that can penetrate the skin including, but not limited to, needles and broken glass.

**Decontamination** means the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

**Engineering Controls** means controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices, such as sharps with engineered sharps injury protections and needleless systems) that isolate or remove the bloodborne pathogens hazard from the workplace.

**Exposure Incident** means a specific eye, mouth, other mucous membrane, non-intact skin, or other contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

**Handwashing Facilities** means a facility providing an adequate supply of running potable water, soap, and single-use towels or air-drying machines.

**Licensed Healthcare Professional** is a person whose legally permitted scope of practice allows him or her to independently perform the activities required by paragraph (f) Hepatitis B Vaccination and Post-exposure Evaluation and Follow-up.

**HBV** means hepatitis B virus.

**HIV** means human immunodeficiency virus.

## Exposure Control Plan



***Needleless systems*** means, a device that does not use needles for:

- (1) The collection of bodily fluids or withdrawal of body fluids after initial venous or arterial access is established;
- (2) The administration of medication or fluids; or
- (3) Any other procedure involving the potential for occupational exposure to bloodborne pathogens due to percutaneous injuries from contaminated sharps.

***Occupational Exposure*** means reasonably anticipated skin, eye, mucous membrane, or other contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

***Other Potentially Infectious Materials*** means

1. The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any bodily 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); and
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.

***Personal Protective Equipment*** is specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

***Regulated Waste*** means 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.

***Sharps with engineered sharps injury protections*** means a non-needle sharp or a needle device used for withdrawing body fluids, accessing a vein or artery, or administering medications or other fluids, with a built-in safety feature or mechanism that effectively reduces the risk of an exposure incident.

## Exposure Control Plan



**Source Individual** means any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to, hospital and clinic patients; clients in institutions for the developmentally disabled; trauma victims; clients of drug and alcohol treatment facilities; residents of hospices and nursing homes; human remains; and individuals who donate or sell blood or blood components.

**Sterilize** means the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

**Universal Precautions** is an approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

**Work Practice Controls** means controls that reduce the likelihood of exposure by altering the manner in which a task is performed.

## Exposure Control Plan

### Appendix B: Exposure Determination

The following is a list of all job classifications with a potential for an occupational exposure to bloodborne pathogens. Exposure determinations were made regardless of PPE use and should be reviewed **annually**.

Job classifications or titles in which <b>all</b> employees have exposure risk	Tasks and procedures with exposure risks
<p><u>Fire &amp; EMS:</u></p> <ul style="list-style-type: none"> <li>• Fire Chief</li> <li>• Deputy Chief</li> <li>• Battalion Chief of Support</li> <li>• Fire Marshal</li> <li>• Assistant Fire Marshal</li> <li>• Fire Inspector</li> <li>• Training Chief</li> <li>• Training Major</li> <li>• Battalion Chief</li> <li>• Major</li> <li>• Captain</li> <li>• Lieutenant</li> <li>• Driver</li> <li>• Corporal</li> <li>• Firefighter</li> <li>• Recruit Firefighter</li> </ul>	<p><u>All job classifications listed to the left:</u></p> <ul style="list-style-type: none"> <li>• EMS services, including basic and advance lifesaving techniques</li> </ul>
<p><u>Parks:</u></p> <ul style="list-style-type: none"> <li>• Parks &amp; Cemetery Maintenance Worker</li> </ul>	<p><u>All job classifications listed to the left:</u></p> <ul style="list-style-type: none"> <li>• Emptying trash and recyclable containers</li> <li>• Cleaning of restrooms</li> </ul>



## Exposure Control Plan

Job classifications or titles in which all employees have exposure risk	Tasks and procedures with exposure risks
<p><u>Police:</u></p> <ul style="list-style-type: none"> <li>• Chief</li> <li>• Assistant Chief</li> <li>• Major</li> <li>• Captain</li> <li>• Lieutenant</li> <li>• Sergeant</li> <li>• Officer</li> <li>• Recruit Officer</li> </ul>	<p><u>All job classifications listed to the left:</u></p> <ul style="list-style-type: none"> <li>• Detention of and arrests of suspects</li> <li>• EMS services, including basic lifesaving techniques</li> </ul>
<p><u>Public Works:</u></p> <ul style="list-style-type: none"> <li>• Lead Custodian</li> <li>• Custodian</li> <li>• Building Maintenance Technician</li> <li>• Sanitation Equipment Operator</li> <li>• Sanitation Supervisor</li> <li>• Terminator Operator</li> </ul>	<p><u>All job classifications listed to the left:</u></p> <ul style="list-style-type: none"> <li>• Cleaning of restrooms</li> <li>• Emptying trash and recyclable containers</li> <li>• Cutting, grinding and power tool use</li> <li>• Facility Maintenance of restrooms and sanitary sewer plumbing</li> <li>• Solid waste collections</li> <li>• Spill cleanup</li> </ul>

## Exposure Control Plan

Job classifications or titles in which <b>some</b> employees have exposure risk.	Tasks and procedures with exposure risks
<u>Community Development:</u> <ul style="list-style-type: none"> <li>• Code Enforcement Officer</li> <li>• Code Enforcement Supervisor</li> </ul>	<u>All job classifications listed to the left:</u> <ul style="list-style-type: none"> <li>• First aid</li> <li>• Potential exposure to solid waste or sanitary sewer</li> </ul>
<u>City Administration:</u> <ul style="list-style-type: none"> <li>• Select employees</li> </ul>	<u>All job classifications listed to the left:</u> <ul style="list-style-type: none"> <li>• First aid</li> </ul>
<u>Parks:</u> <ul style="list-style-type: none"> <li>• Parks Maintenance Supervisor</li> </ul>	<u>All job classifications listed to the left:</u> <ul style="list-style-type: none"> <li>• First aid</li> <li>• Assisting staff with all types of park maintenance duties</li> </ul>
<u>Police:</u> <ul style="list-style-type: none"> <li>• Property Clerk</li> </ul>	<u>All job classifications listed to the left:</u> <ul style="list-style-type: none"> <li>• Handling evidentiary materials</li> </ul>
<u>Public Works:</u> <ul style="list-style-type: none"> <li>• Building Maintenance Supervisor</li> </ul>	<u>All job classifications listed to the left:</u> <ul style="list-style-type: none"> <li>• First aid</li> <li>• Assisting staff with all types of building maintenance and/or custodial duties</li> </ul>

## Exposure Control Plan

Job classifications or titles in which <b>some</b> employees have exposure risk.	Tasks and procedures with exposure risks
<p><u>Recreation:</u></p> <ul style="list-style-type: none"> <li>• Child Care Attendant</li> <li>• Child Care Coordinator</li> <li>• Child Care Specialist</li> <li>• Concession Attendant</li> <li>• Concession Supervisor</li> <li>• Fitness Center Attendant</li> <li>• Fitness Coordinator</li> <li>• Fitness Manager</li> <li>• Lifeguard (seasonal)</li> <li>• Recreation Coordinator</li> <li>• Recreation and Event Program Manager</li> <li>• Recreation Program Assistant</li> <li>• Senior Center Coordinator</li> <li>• Senior Center Program Assistant</li> <li>• Sports Coordinator</li> <li>• Summer Day Camp Supervisor</li> <li>• Summer Day Camp Specialist</li> <li>• Swim Instructor (Seasonal)</li> <li>• Youth in Parks Supervisor</li> </ul>	<p><u>All job classifications listed to the left:</u></p> <ul style="list-style-type: none"> <li>• First aid</li> </ul>

## Exposure Control Plan

### Appendix C: Work Site One-Page Summary

The following pages are created as a one-page summary for certain Moore work sites. The summaries are not inclusive and do not take the place of this policy but are provided as a summarization.

## CITY OF MOORE

### Procedures for "**Suspected**" Exposure To Blood Borne Pathogens

Revised 3-27-2023

- STEP 1:** Immediately wash all exposed areas, especially (eyes, mouth, nose, skin) with soap, water, veridical wipes thoroughly.
- STEP 2:** The exposed employee can test at the facility where the source patient is located. If the source patient is already at a hospital, the supervisor or designated person will immediately accompany the exposed employee to that hospital emergency room with a completed *Oklahoma State Department of Health Exposure Report Form 207*. Forms can be obtained from a supervisor if one is not available. If the exposed employee is unable to test at the hospital where the source patient is located, the exposed employee may also test at Moore Medical Center E.R. or Integris Baptist Hospital E.R. An on the job injury report should be filled out at the earliest convenience and returned to Risk Management.
- STEP 3:** Upon arriving at Hospital E.R. tell the triage personnel that you have a potential exposure to blood borne pathogens and the name and location of the source patient. Employee should be isolated. (There should be a room available).
- STEP 4:** The potentially exposed employee and supervisor will complete the **Form-207** as quickly as possible. The **Form-207** should be completed with close attention to detail on Line 10,12, &13. Lines 14,15, & 16 the supervisor will print name, sign and date. Lines 17,18,19 the Physician or Nurse doing the "exposure determination" will print their name and title, sign, and date. Ensure they put an X in the exposure determination box if it was or was not an exposure. If there was an exposure, and the Source Patient is not at the location of the "exposed" employee, the Supervisor will take the green copy of the **Form-207** to the source's location for appropriate testing. If the source is at the hospital E.R. the green copy will stay with the Nurse or Physician for completion.

**STEP 5:** When there was an exposure, the lab testing will be performed on the source patient: (A Court Order will be obtained if permission to blood is not given.) All appropriate tests should be run; Including HIV, Western Blot test, and a Hepatitis Panel.

**STEP 6:** When there was an exposure, the employee will have blood drawn for baseline values of HIV and Hepatitis status. Antiretroviral medications may be started upon the physicians determination of the level of risk of the exposure. Ideally, the medication should be started within 2 hours of the exposure. If medication is started, a "**72- hour Pack**" for HIV will be given at the emergency room. The medication will be either continued or stopped upon order of the infectious disease physician.

**STEP 7:** After all blood has been drawn on both the employee and the Source Patient, the *Yellow* copy of the **Form 207** should be mailed to the OSDH HIV/STD Service using the gray, self-addressed, metered envelope. The *Green* copy, a gray metered envelope and instruction page are to be delivered to the designated person at the health care facility to which the source patient was transported. A copy of the *Form 207* shall be kept for our records.

**STEP 8:** The next workday, the employee will contact *Comp Choice* for follow-up treatment and counseling. **Pam LeGrand** at **405-302-3144** will be the contact for this.

**STEP 9:** If there **was not** an exposure, the **Form-207** will be destroyed. The on-the-job Injury report must be completed and submitted to the Risk Management Department. No testing of the Source Patient will be done. No follow -up of the employee will be done.

If there are any questions with the following steps or if you need immediate assistance the following **Emergency Cell Phone Number** for a Comp Choice nurse is available 24 hours a day at **(405) 808-7913**. If no response please call Dispatch for appropriate number for Risk Management personnel.

## **INDEX / TOPICS**