

TABLE OF CONTENTS

	Page #
ADMINISTRATIVE	
1-1 Organizational Duties and Responsibilities (11/15)	1-1-1
1-2 Rules and Regulations of the Division (11/15)	1-2-1
1-3 Lunch and Coffee Break (07/15).....	1-3-1
1-4 Unit Number Assignment (06/17)	1-4-1
1-5 Uniforms, Equipment and Personal Grooming (11/15).....	1-5-1
1-6 Sick Leave (07/15)	1-6-1
1-7 Vacation Days (12/15)	1-7-1
1-8 Property Room Management (12/15)	1-8-1
1-9 On-The-Job Injury and Worker's Compensation (11/15).....	1-9-1
1-10 Staff Functions (05/17)	1-10-1
1-11 Intoxilizer 8000 and Portable Breath Device (12/12).....	1-11-1
1-12 Confidential Information (12/15)	1-12-1
1-13 Internal Affairs and Discipline Policy (12/15)	1-13-1
1-14 Commendations and Awards (07/15)	1-14-1
1-15 Bloodborne Pathogens Exposure Control Program (12/15).....	1-15-1
1-16 Community Engagement (11/17).....	1-16-1
1-17 Ride-Along Program (07/15).....	1-17-1
1-18 Chain of Command (07/15)	1-18-1
1-19 Written Directives (07/15)	1-19-1
1-20 Sexual Harassment and Other Forms of Illegal Harassment (11/03).....	1-20-1
1-21 Training (07/15).....	1-21-1
1-22 Temporary Holding Facility (12/12).....	1-22-1
1-23 Prisoner Processing (06/09)	1-23-1
1-24 Special Assignments Personnel (01/15).....	1-24-1
1-25 Volunteers (12/12)	1-25-1
1-26 Off-Duty Employment (05/05)	1-26-1
1-27 Death or Serious Injury Notification (05/01).....	1-27-1
1-28 In Line of Duty Death Procedure (05/01)	1-28-1
1-29 Criteria for Appraisal of Police Employees (10/04).....	1-29-1
1-30 Internet Sites/Web Pages/Social Networking (10/17).....	1-30-1
1-31 Internal Control for Trust Fund Expenditures (07/15).....	1-31-1
1-32 Moraine Safe Seniors Initiative (06/16)	1-32-1
1-33 Standard for Employee Recruitment and Hiring (07/17).....	1-33-1

COMMUNICATIONS

2-1 Procedures for Communications (06/11)2-1-1

2-2 Radio Signals (03/99)2-2-1

2-3 Dispatching Wreckers (06/09)2-3-1

2-4 LEADS and NCIC Teletype System (06/09)2-4-1

2-5 Communication System Failure (01/11)2-5-1

2-6 Communications (05/11).....2-6-1

2-7 Use of Mobile Data Terminal (01/11).....2-7-1

2-8 Hearing Impaired (06/09).....2-8-1

2-9 Telephone Communications (11/15).....2-9-1

2-10 Telecommunicator Training (11/17).....2-10-1

COURT

3-1 Subpoena, Summons and Warrant Service Procedure (11/09)3-1-1

3-2 Court Procedures for Filings (11/09).....3-2-1

3-3 Court Appearance (05/05)3-3-1

3-4 Court Officer's Duties, Mayor's Court (11/09).....3-4-1

INVESTIGATIONS

4-1 Investigative Section (11/09)4-1-1

4-2 Crime Scene Procedure (04/96)4-2-1

4-3 Property and Evidence Processing (11/09)4-3-1

4-4 Collection and Preservation of Evidence (01/08)4-4-1

4-5 Use of Informants (04/10)4-5-1

4-6 Special Investigation Fund (04/10)4-6-1

4-7 Investigation of Criminal Offenses (05/05)4-7-1

4-8 Written Confessions and Statements (04/96).....4-8-1

4-9 Securing and Service of Search Warrants (03/99)4-9-1

4-10 Domestic Violence (05/05).....4-10-1

4-11 Digital Photography (01/08)4-11-1

4-12 Photo Line-Up (11/10)4-12-1

4-13 Electronic Recording of Custodial Interrogations (11/10).....4-13-1

4-14 Rapid Identification Fingerprint Scanner (12/10).....4-14-1

4-15 Investigative Arrest Folder (06/11).....4-15-1

PATROL

5-1 Patrol Responsibilities (03/99)5-1-1

5-2 Police Vehicle Operation (01/06)5-2-1

5-3 Hostage and Non-hostage Barricade Situations (10/03)5-3-1

5-4 Hospitalization of the Mentally Ill (05/01)5-4-1

5-5 Robbery Response (11/03).....5-5-1

5-6 Emergency Vehicle Operation - Hot Pursuit (05/01)5-6-1

5-7 Animal Bites (03/99).....5-7-1

5-8 Misdemeanor Bad Check Complaints (05/05)5-8-1

5-9 Bomb Threats (05/05)5-9-1

5-10 Tornado/Attach Sirens (06/11).....5-10-1

5-11 Strikes and Labor Disputes (05/01)5-11-1

5-12 Vacation and Security Checks (01/11)5-12-1

5-13 Use of Force (10/16)5-13-1

5-14 Alternatives to Arrest (04/96)5-14-1

5-15 Ancillary Services (05/05)5-15-1

5-16 Death Investigations (11/12).....5-16-1

5-17 Weapons - Safekeeping (05/05)5-17-1

5-18 Media Policy (05/01)5-18-1

5-19 Juveniles (06/11).....5-19-1

5-20 Child Abuse (05/05)5-20-1

5-21 Bicycle Patrol (05/05).....5-21-1

5-22 Notification of Next of Kin (05/05)5-22-1

5-23 Professional Contacts (05/01)5-23-1

5-24 Financial Institution Robbery Alarm Response (11/03)5-24-1

5-25 Amber Alert (05/06).....5-25-1

5-26 Missing Adults (01/10)5-26-1

5-27 Ohio Blue Alert (12/12)5-27-1

5-28 Off-Duty Law Enforcement Actions (03/13)5-28-1

RECORDS

6-1 Forms and Reports (05/05).....6-1-1

6-2 Records Retention and Destruction Schedule (06/09)6-2-1

6-3 Records Release Police (06/09)6-3-1

6-4 Records Submission and Processing (01/11)6-4-1

TRAFFIC

7-1	Voiding Uniform Traffic Citations and Parking Citations (05/01)	7-1-1
7-2	Traffic Radar (05/05).....	7-2-1
7-3	Motor Vehicle Accidents (05/11).....	7-3-1
7-4	Proof of Insurance (03/99)	7-4-1
7-5	Abandoned and/or Junk Vehicles (03/99)	7-5-1
7-6	Administrative Vehicle Inventory (04/96)	7-6-1
7-7	Bicycle Licensing (05/05).....	7-7-1

ORGANIZATIONAL DUTIES AND RESPONSIBILITIES

General Order 1-1
November 2015

I. CHIEF OF POLICE

The Ohio Revised Code provides for a Chief of Police in each municipality. The Chief of Police shall have the control of stationing and transferring all employees in the Division. The Chief of Police shall have the rank of Colonel.

SUPERVISION EXERCISED

The Chief of Police shall have direct supervision of all employees within the Division of Police.

SUPERVISION RECEIVED

The Chief of Police, as Division Head, shall be under the general supervision of the City Manager.

SPECIFIC DUTIES

- A. Shall report the activities of the Police Division to the City Manager.
- B. Shall cause to be enforced all ordinances and resolutions adopted by the Legislative Authority within the purview of the Police Division.
- C. Shall receive from the City Manager, or the Legislative Authority by ordinance or resolution, instructions as to general administrative policies and methods and cause said policies or methods to be enforced.
- D. Shall handle all matters pertaining to the personnel of the Police Division.
- E. Shall be responsible for the discipline of all members of the Police Division, and when good cause appears, prefer charges against any member whom he has good reason to believe is guilty of misconduct or in violation of the rules and regulations of the Division or the Merit Service Commission.
- F. Shall promptly initiate an investigation into complaints made by citizens or other members of the Division regarding the conduct of any officer.
- G. Shall prepare and approve working schedules and assignments.
- H. Shall review the acts and reports of all members of the Division.
- I. Shall make periodic inspections of personnel and assignments, and cause any laxity found to be immediately corrected.
- J. Shall review all incoming or outgoing correspondence pertaining to the Police Division.
- K. Shall maintain a complete record and filing system.
- L. Shall immediately cause the investigation of all criminal offenses coming to his attention.
- M. Shall approve all vouchers, as well as requisitions, for supplies pertaining to the Police Division.

- N. Shall maintain in his office, personnel records of each member and employee of the Police Division.
- O. The Chief of Police shall devote his time and energy exclusively to the discharge of his duties. Shall analyze crime, police conditions, and plan prevention work.
- Q. Shall confer and coordinate with other officials having jurisdiction on laws pertaining to the enforcement by other agencies.
- R. Shall maintain contacts with other police departments and other professional law enforcement organizations.
- S. Shall plan special public campaigns for traffic safety and crime prevention.
- T. Shall, when called upon, explain the function of the Police Division to the best interest of the public.
- U. The Chief may designate such officers, as he sees fit, to act as staff, and may frequently assemble them for the discussion of all police matters, so that all subordinate officers may have full and complete knowledge of current routine police business and occurrences. The Chief may at his discretion, designate an "Acting Chief" to act on his behalf in his absence.
- V. Shall obey and enforce all city ordinances, state and federal laws.
- W. Shall constantly direct the best effort, intelligently and efficiently, to carry out the required duties of the Police Division.
- X. Shall develop the division budget and maintain necessary documentation/records pertinent to expenses.
- Y. Shall supervise control of the Property/Evidence room.

II. Deputy Chief of Police

The Table of Organization of the City of Moraine authorizes and provides for at least one Deputy Chief of Police.

SUPERVISION EXERCISED

The Deputy Chief of Police shall be directly responsible for each Sergeant assigned to his command and the general supervision of other employees.

SUPERVISION RECEIVED

The Deputy Chief of Police shall be under the direct supervision of the Chief of Police.

SPECIFIC DUTIES

- A. Shall assume command responsibility and authority for specific functions of the Division as delegated by the Chief of Police.

- B. Shall see that all administrative policies and operational procedures are carried out.
- C. Shall report the activities of the Division under his command to the Chief of Police.
- D. Shall function as the command supervisor of the Communications Center and of employees assigned to the Communications Center.
- E. Shall review the acts and reports of all subordinate officers and members of the Division.
- F. Shall continually inspect personnel and assignments and cause any laxity found to be immediately corrected.
- G. Shall familiarize himself of all police business that has transpired from his last work day.
- H. Shall be responsible for the maintenance of discipline without laxity or discrimination for the proper performance of all duties by everyone under his command, and shall immediately investigate any dereliction of duty or negligence brought to his attention in any manner.
- I. Shall prepare and maintain such reports and records as may be required by the Chief of Police.
- J. Shall, in the absence of the Chief of Police, perform all the duties regularly devolving upon the Chief of Police and carry out his orders and policies.
- K. Shall immediately obey and transmit to others of his command any order prescribed by the Chief of Police.
- L. Shall devote his time and energy exclusively to the discharge of his duties.
- M. Shall analyze crime and police conditions and make recommendations for prevention work to the Chief of Police.
- N. May designate such officers of his command to act as staff and assemble them for discussion of police matters so that they may have full and complete understanding of the matters concerned.
- O. Shall maintain contacts with other departments and other professional law enforcement organizations.
- P. Shall assist in special public campaigns for traffic safety and crime prevention, as prescribed by the Chief of Police.
- Q. Shall obey and enforce all city ordinances, state and federal laws.
- R. Shall immediately advise the Chief of Police of any unusual situations that may come to his attention that might affect the health, safety or welfare of the citizens or inhabitants of the City.
- S. Shall constantly direct the best effort, intelligently and efficiently, to carry out the required duties of the Division.
- T. Shall function as the Operations Commander and supervise all activities of the patrol section and Special Assignments section.
- U. Shall prepare working schedules and assignments.
- V. Shall administer and develop the division training program.

- W. Shall act as the Commander of the Field Training Officer program.
- X. Shall be the investigative officer on internal affairs complaints and investigations assigned by the Chief of Police.
- Y. Shall be responsible for the maintenance, control and use of all division records.
- Z. Shall supervise the use, installation and maintenance of all communication equipment, radios, telephones, and computers.
- AA. Shall supervise division compliance with the Ohio Safety and Health Act (OSHA).
- BB. Shall approve all requisitions for supplies for the efficient operations of the Division as requested by officers.
- CC. Shall be the investigative officer on internal affairs complaints and investigations assigned by the Chief of Police.
- DD. Shall act as the Temporary Holding Facility Commander.
- EE. Shall supervise the Division vehicle fleet.

III. SERGEANTS OF POLICE

The Table of Organization of the City of Moraine authorizes and provides for five (5) Sergeants.

SUPERVISION EXERCISED

The Sergeants of Police shall have direct supervision of employees assigned to their command. Sergeants shall have general supervisory authority of subordinate employees, in situational specific circumstances.

SUPERVISION RECEIVED

The Sergeants of Police shall be under the direct supervision of the Deputy Chief of Police and the general supervision of all Command Officers of the Division.

SPECIFIC DUTIES

- A. Shall familiarize himself with all police business that has transpired since his last tour of duty.
- B. Shall see that all administrative policies and operational procedures are carried out.
- C. Shall, without waiting for specific instructions in any unusual situation not covered by the Rules and Regulations or official orders, establish any required detail necessary for the preservation of the health, safety, peace, and protection of property of the citizens of Moraine and immediately advise a Command Officer.
- D. Shall see that all complaints, arrests, warnings, and all other police activities are properly handled and followed through by the subordinate officers and employees of his relief.

- E. Shall be responsible for the maintenance of discipline without laxity or discrimination for the proper performance of all duties by everyone under his supervision, and shall immediately investigate and report to a Command Officer any dereliction of duty or negligence brought to his attention in any manner.
- F. Shall inspect all officers and other employees assigned his relief.
- G. Shall inspect the city building and report any unusual conditions found.
- H. Shall prepare and maintain such reports or records as may be required.
- I. Shall assist the Command Officers and immediately obey and transmit to others of his relief any official order received by higher authority of the Division of Police.
- K. Shall devote the necessary time and attention to his position.
- L. Shall advise or report to a Command Officer any unusual situation or occurrence that may happen during his tour of duty not covered by General Orders.
- M. Shall check and approve any communication being sent to other police departments, by any means, originated by officers or other employees of his relief, except routine drivers license and registration checks of Ohio persons directed to LEADS by radio and telephone to local departments. He shall approve all press releases.
- N. Shall patrol, investigate, and report accidents and complaints and obey and enforce the Ordinances of Moraine, the Laws of the State of Ohio and the Federal Government.
- O. Shall perform such other duties as may be prescribed by the Chief of Police.
- P. Shall be responsible for keeping his assigned personnel current on activities, methodology, and laws.
- Q. Shall, when patrolling a beat, have the same duties and responsibilities as officers.
- R. Shall constantly direct their best effort, intelligently and efficiently, to carry out the required duties of the Police Division.
- S. The sergeant is responsible for the regulation of overtime worked by his subordinates. He will ensure that subordinates do not work in an overtime status without prior approval from himself or another supervisor, and that such overtime is necessary because the assignment could not have been completed during the regular shift.
- T. The sergeant is responsible for the timely completion and submission of all written reports by subordinates, and will ensure that subordinates complete reports prior to leaving the scene where the report is taken, to the extent that it is possible to complete the reports on scene.
- U. Any other staff, administrative or operational duties assigned by the Chief of Police or his designee.

IV. POLICE OFFICER

The Police Ordinance of the City of Moraine provides for police officers.

SUPERVISION EXERCISED

Ordinarily none, except in the absence of the supervising officer whose authority he assumes for that period of time, when the senior officer, or when designated by the Chief of Police.

SUPERVISION RECEIVED

The officers shall be under the direct supervision of the Sergeant of Police assigned to their relief. They shall be under the general supervision of the Command Officers of the Division.

SPECIFIC DUTIES

- A. Shall be required to exercise sound judgment at all times and often may be required to exercise independent judgment affecting human lives.
- B. Shall constantly direct their best effort, intelligently and efficiently, to carry out the required duties of the Police Division.
- C. Shall obey the rules, regulations, and orders promulgated by the Chief of Police and other supervisory officers of the Division of Police.
- D. Shall report for duty at the time and place designated in the prescribed uniform of the day, neat and in proper order, unless otherwise specified by a supervisory officer.
- E. Shall acquire as much knowledge as possible about persons, places, situations, and things so as to be able to recognize, make reports, or receive information about them within his assignment.
- F. Shall, at night, and at other times when business establishments are closed, frequently examine and try accessible doors and windows of businesses, public places, and immediately report any unusual condition or situation found.
- G. Shall investigate and report on all complaints, accidents, or other activity received or found.
- H. Shall observe all traffic control devices to insure they are neither damaged or have been tampered with and report all discrepancies found.
- I. Shall not leave their assignment except when being relieved or for some police necessity which time and reason shall be recorded on the Police Call Log.
- J. Shall patrol their assigned area and properly handle all police matters coming to their attention in the prescribed manner.
- K. Shall perform such other duties as may be described.
- L. Shall not work in an overtime status without prior approval from a supervisor, and shall not submit a request for overtime pay for any detail which could and should have been completed during the regular shift.
- M. Shall complete all written reports in a timely manner, and to the extent possible will complete written reports at the scene where the report is taken.

V. DISPATCHERS & CLERK TYPISTS

The police function requires dispatchers and clerk typists.

SUPERVISION EXERCISED

Ordinarily none, except in regard to dispatching personnel, cars and equipment.

SUPERVISION RECEIVED

The dispatcher shall be under the direct supervision of the Relief Sergeant pertaining to daily operations and the Deputy Chief of Police pertaining to Communications Center functions..

The dispatchers shall be under the general supervision of the Command Officers of the Division of Police.

SPECIFIC DUTIES

- A. Shall be responsible for receiving information and complaints by telephone, radio or in person and the proper recording and routing of the information and complaints received.
- B. Shall be responsible for dispatching emergency equipment, cars, officers, and others requiring attendance at scenes of crime, accidents, or other occurrences.
- C. Shall maintain files and records as required.
- D. Shall properly operate the dispatch office in the prescribed manner.
- E. Shall maintain the daily log in the prescribed manner, and advise their relief of any pending matter for the efficient operation of the office.
- F. Shall comply with all rules, regulations, and orders pertaining to their position.
- G. Shall perform such other duties as may be prescribed.
- H. Shall constantly direct their best effort, intelligently and efficiently, to carry out the required duties of the Police Division.

VI. COMMUNITY SERVICE OFFICER

The City of Moraine is authorized and provides one (1) Community Service Officer.

SUPERVISION EXERCISED

Ordinarily none.

SUPERVISION RECEIVED

Shall be under the direction of the Chief of Police.

SPECIFIC DUTIES

- A. Shall act as the animal control officer for the City of Moraine.

- B. Shall enforce City Ordinances with reference to junk vehicles on private property.
- C. Shall manage the property room.
- D. Shall on occasion assist the school crossing guards.
- E. Shall constantly direct the best effort, intelligently and efficiently, to carry out the required duties of the Police Division.
- F. Shall perform such tasks as directed by the Chief of Police.
- G. Shall assist with Moraine Mayor's Court as needed.

VII. POLICE CADET

The City of Moraine is authorized for one or more Cadets.

SUPERVISION EXERCISED

Ordinarily none.

SUPERVISION RECEIVED

Shall be under the direction of the Deputy Chief of Police. The cadet shall be under the general supervision of the Command Officers and Sergeants when assigned to their relief.

SPECIFIC DUTIES

- A. Shall assist with clerical work for the Police Division.
- B. Shall assist in the gathering of and maintaining statistics for the Police Division.
- C. Shall assist with maintaining the evidence lab, supply and property rooms, patrol room and detective areas.
- D. Shall perform the duties of a relief dispatcher.
- E. Shall assist Police officers with traffic control.
- F. Shall assist the Community Service Officer.
- G. Shall assist with the Crime Prevention and DARE Programs.
- H. Shall conduct public tours of the Police Facility.
- I. Shall perform such other duties and tasks as directed by the Chief of Police.
- J. Shall constantly direct the best effort, intelligently and efficiently, to carry out the required duties of the Police Division.
- K. Shall assist with Moraine Mayor's Court as needed.

RULES AND REGULATIONS OF THE DIVISION

General Order 1-2
November 2015

I. PURPOSE:

To establish the rules and regulations of the Moraine Police Division.

II. POLICY:

- A. These rules and regulations shall instruct all members of the Division in the performance of their duties unless specifically directed otherwise by the Chief of Police.
- B. Members of the Division includes all sworn police officers, civilian employees and all other full-time and part-time staff under the direct supervision of the Moraine Chief of Police or the Chief's designee.
- C. All members are considered to be on-duty whenever they are performing any police function or otherwise represent themselves as a police officer or an employee of the City.

III. RULES AND REGULATIONS:

- A. All members of the Division are required to know and comply with the rules, regulations, procedures and written directives of the Division.
- B. All members of the Division are required to know and obey the ordinances, rules and regulations, and policies of the City of Moraine and the laws of the State of Ohio.
- C. All members shall be loyal to the Constitution of the United States, and the State of Ohio, and shall not join or associate with any activity subversive to such Constitution.
- D. Each member shall be required to give immediate obedience to lawful orders that may be given to them by a supervisor and shall promptly comply with such orders.
- E. No member shall absent himself/herself from his/her post without authorization or un-avail himself through communications. Every member of the Division shall report for duty at their assigned time. Members shall be physically fit, neatly and properly groomed, and with all prescribed and assigned equipment.
- F. Members reporting for duty will acquaint themselves with all relevant events which have transpired since their last tour of duty.
- G. A member of the Division shall not be absent from duty except when on sick leave, scheduled holidays, scheduled days off, vacation, compensatory time, or leave approved by the Chief of Police.
- H. Members who do not understand an official duty shall read written procedures, directives, and orders, or will consult their supervisor for instructions.
- I. Members shall respond promptly to radio calls or other requests for service and will make themselves available for further service as soon as possible.
- J. A member shall not permit any other person to use the member's badge, I.D. card, or other credentials.

- K. Members of the Division shall not make a false official report or knowingly enter or cause to be entered any inaccurate, false or misrepresented facts in any divisional record.
- L. Members shall be responsible for the care of divisional property and the prompt reporting of loss, damage, or defect.
- M. Every member of the Division shall operate City vehicles in such a manner as to avoid injury to persons or damage to property.
- N. Members of the Division shall diligently, completely, and without delay carry out all lawful orders of their designated supervisor which pertain to the performance of police duty.
- O. Members shall not draw or display their firearms except for legal use or official inspection.
- P. Members must not report for duty under the influence of intoxicants, drugs, or any illegal chemical substance. No member shall drink alcoholic beverages within four hours of reporting for duty.
- Q. No member shall be permitted to use any form of known narcotics, barbiturates or opiates unless such use is for medical purposes and prescribed by a physician.
- R. Members of the Division will not falsely report themselves ill or injured or otherwise deceive the Division as to the condition of their health.
- S. Members of the Division shall not read for entertainment, play games, watch television or movies, or otherwise engage in entertainment while on duty.
- T. Members of the Division who have knowledge of other members violating the rules and regulations of the Division are required to report these violations to their immediate supervisor.
- U. All members of the Division are responsible for knowing the contents and maintenance of standard operating procedure manuals issued to them, and shall make appropriate changes or inserts as directed.
- V. Members shall not convert to their own use or have any claim on found property, recovered property, or property held in evidence, as specified by Ohio Law.
- W. A member shall not incur financial liability chargeable to the Moraine Police Division or City of Moraine except in emergencies or with authorization from the Chief of Police.
- X. A member shall not engage in activities of a personal or political nature while on duty. Funds, supplies, property, and equipment of the City shall not be used in performing service of a private, personal or political nature.
- Y. No member shall associate, for personal aims or personal gain, with any person while on duty.
- Z. All members shall pay their just debts.
- AA. No member shall gamble while on duty.
- BB. No member shall solicit funds by any means, including raffles or lotteries or other means, while on duty without the written approval of the Chief of Police.

- CC. All members shall avoid political discussions in the City Building. Members shall not interfere in an election by means of their office or make use of their position to influence an election. No member shall appear before Council or any other political body on behalf of the Moraine Police Division without authorization of the Chief of Police.
- DD. Members of the Division shall not interfere unnecessarily with the lawful business of any person.
- EE. All members shall, while on duty, render assistance to anyone in need of such assistance.
- FF. Members shall not criticize or ridicule the Moraine Police Division, its policies or other employees by talking, writing, or expressions in any other form which is defamatory, obscene, unlawful, or tends to impair the operation of the Division, its efficiency, or interferes with discipline.
- GG. Any member of the Division shall not display cowardice or reluctance to perform a duty required by law in any situation where the public might be subjected to a risk of physical danger.
- HH. Members of the Division will always be civil and courteous when dealing with the public. They will avoid using profane language and answer questions carefully and courteously.
- II. The Moraine Police facility is a tobacco-free building. The same is true of the police vehicle fleet. No person will be permitted to use tobacco while inside the police building or inside a police vehicle (including unmarked vehicles). Officers will not use any form of tobacco while in contact with the general public. While on duty, officers and civilian employees of the police division will use tobacco only in designated areas.
- JJ. Members of the Division shall not drink alcoholic beverages while wearing their uniforms or any identifiable part of the uniform, whether on or off duty.
- KK. A member shall never use their influence for personal advantage or gain.
- LL. A member of the Division shall not recommend a specific attorney or bondsman to a person arrested by the Moraine Police Division. No member shall provide surety for any person or purchase property from any person arrested.
- MM. A member of the Division shall not authorize the use of their name, a photograph which identifies the officer as affiliated with the Division, or his official title in connection with the advertisement of any commodity or commercial enterprise without approval.
- NN. All members shall give their name to any person asking for it.
- OO. Officers will not disclose to anyone confidential information that would hinder accomplishment of police work. No member shall gossip about the affairs of the Division or reveal any confidential information. No member shall, by any means, advise any unauthorized person or organization the planned operations of the Moraine Police Division.
- PP. No member of the Division will sleep at any time during their tour of duty.
- QQ. Any member of the Division who must take medication of any type which could affect their performance while on duty must inform their supervisor prior to beginning their tour of duty.
- RR. Members of the Division will keep the Chief of Police informed of their current address and telephone number. Changes will be reported immediately to the Chief of Police in writing.

- SS. No member shall make a press release to the media without authorization from a supervisory officer.
- TT. Each member shall devote his whole time and attention to the business of the Division, and is expressly prohibited from following any other calling or being employed in any other business without the written authorization of the Chief of Police.
- UU. Members shall report to the Chief of Police any court action instigated against them.
- VV. No member shall appear as a voluntary witness in any civil action except as required by law, or by order of the Chief of Police.
- WW. All members shall provide telephone service for communication with the division at all times.
- XX. No command or supervisory officer shall knowingly issue any order which violates law, ordinance, or division rules.
- YY. No member of the Division shall subject another member to loud, abusive, profane or disrespectful language. No supervisor shall subject a subordinate to tyrannical conduct. No member shall show disrespect in word or deed, or incite disrespect toward a supervisory officer, the Moraine Police Division, City of Moraine, or its administrators.
- ZZ. Courtesy of demeanor shall be exercised towards all members of the Division. Respect to supervisors will not be confined to obedience when on active duty, but shall be maintained on all occasions.
- AAA. No supervisory officer may order an arrest for a misdemeanor without a warrant but may advise the feasibility of the arrest.
- BBB. All members shall be permitted an interview with their supervisor upon request.
- CCC. Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect more favorably on the Division. Conduct unbecoming an officer shall include that which brings the Division into disrepute or reflects discredit upon the officer as a member of the Division, or that which impairs the operation or efficiency of the Division or officer.
- DDD. Officers shall maintain a level of conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident which impairs their ability to perform as law enforcement officers or cause the Division to be brought into disrepute or interferes with the operation of the Division.
- EEE. No person shall be employed by the Moraine Police Division who has a relative working for the Division. In the event a couple marries after their employment, one member must resign. If a decision cannot be made, the person with the longest seniority will be given the opportunity to stay with the Division.
- FFF. The salute shall be rendered to the colors when good manners require this act.
- GGG. Officers of other law enforcement agencies will be shown the respect accorded their rank.
- HHH. A member shall not solicit or accept any reward, bribe, or any payment for duty performed except his regular salary, nor shall he accept, under any circumstances, any gratuity, loan, or fee where there is a direct or indirect connection with the Division.

- III. No one shall use, sit at, or tamper with items on any desk without the expressed permission of the person assigned to that desk.
- JJJ. Mail boxes in the patrol support room exist for one purpose: dissemination of current memorandums, mail, etc. Nothing is to be placed in those boxes but those documents and one clipboard.
- KKK. At the direction of the Chief of Police, any and all division telephone lines may be monitored by the Chief's designee.
- LLL. At the direction of the Chief of Police, warrantless inspections may be made of division-provided offices, desks, files, lockers, and vehicles, by the Chief's designee.
- MMM. At the direction of the Chief of Police, data caches, voice and e-mail files, pager memory banks and other division-provided electronic storage systems may be opened, read, or inspected by the Chief's designee.
- NNN. Officers taking a suspect into custody, at their home or place of employment, should make every attempt to safeguard the suspect's property when the suspect is the lone occupant of the home or building.
- OOO. A review of all Divisional Member's operator driver license status and a Criminal History Check will be conducted every two years.
- PPP. The following incidents will be reported to the Chief of Police's office the next working day.
 - 1. Members, while off duty, who are cited for traffic violations, detained or arrested.
 - 2. Members who are questioned by police in regards to a domestic situation.
 - 3. Members, while off duty, who are involved in any law enforcement or police related actions.

LUNCH AND COFFEE BREAK

General Order 1-3
July 2015

I. PURPOSE:

To establish guidelines for the use of lunch break and coffee breaks so as not to interfere with the normal operation of the division or detract from normal patrol coverage.

II. PROCEDURE:

- A. Each employee will be permitted to take a one-half hour lunch break during each relief unless an emergency situation should occur.
- B. The officer will request clearance from the dispatcher for the lunch break. The lunch break time will commence immediately upon approval. The officer will notify the dispatcher of the location of the lunch break.
- C. No more than one officer will be on a coffee break or lunch break at the same time. Officers on duty are not permitted to take lunch or coffee at the same location at the same time.
- D. Officers will be subject to calls during lunch and coffee breaks if the need arises.
- E. Officers may not take a lunch break the first hour or last hour of a relief.
- F. If conditions permit, employees may take two fifteen-minute coffee breaks during a relief.
- G. Uniformed patrol section personnel are prohibited from taking breaks outside the city unless all of the following conditions are met:
 - 1. Prior approval has been received from a command officer,
 - 2. The location is in an area which is geographically contiguous to the city,
 - 3. Response back to the city can be accomplished in no more than two minutes while adhering to local and state traffic laws.
- H. The relief supervisor may modify provisions of this general order on a case by case basis if the situation should warrant and must be able to articulate the justification for such action.

UNIT NUMBER ASSIGNMENT

General Order 1-4
June 2017

SUBJECT: Unit Number Assignments

- I. Effective immediately the following unit number assignments are adopted for use by the Police Division for radio communication purposes. Any employee leaving a job classification for a different one, their number will change (ex. cadet promoted to police officer).

U2	Chief Craig A. Richardson
U249	Deputy Chief Jason L. Neubauer
U226	Sgt. Michael E. Keegan
U232	Sgt. Christopher R. Selby
U242	Sgt. Jonathan M. Spencer
U250	Sgt. Andrew M. Parish
U244	Sgt. Kenneth P Lloyd
U224	Ptl. Michael W. Cornely
U228	Ptl. Denise M. Smith
U230	Ptl. Craig K. Seitz
U236	Ptl. Jerome S. Klemmensen
U239	Ptl. Donald L. Cavey
U241	Ptl. John H. Howard
U246	Ptl. Brian D. Fugate
U248	Ptl. Michael A. Henry
U252	Ptl. Chad K. Burgett
U253	Ptl. Nathan J. Burns
U254	Ptl. Jason J. Huelsman
U255	Ptl. Justin T. Eller
U257	Ptl. Matthew G. Barrie
U260	Ptl. Molly A. Hayden
U261	Ptl. William D. Olinger
U262	Ptl. Elizabeth A. Adams
U263	Ptl. Jerry W. Knight
U264	Ptl. Alex M. Gambill
U265	Ptl. Brian M. O'Neal
U316	Disp. Michael J. Hutchison
U317	Disp. Philip T. Wood
U319	Disp. Brittany A. McCormick
U320	Disp. Stephanie M. Kelley
U321	Disp. Brandon C. Pyle
U502	CSO Jerry L. Dunn
U503	Kendra R. Bryant
U506	Shawn R. Philpot
U432	David M. Isham

UNIFORMS, EQUIPMENT AND PERSONAL GROOMING

General Order 1-5
November 2015

I. PURPOSE

To designate specifications for personal equipment and apparel to be worn by patrol officers, detective division personnel, dispatchers, cadet and community service personnel.

II. POLICY

The Division of Police supplies to its members a specific identifiable uniform. Therefore, it becomes necessary to establish uniformity among the members of the police division by designating a uniform of the day.

The uniform specifications and personal appearance standards noted in this procedure applies to all and shall be adhered to by all members of the Moraine Police Division. Only members with special permission from the Chief of Police will be excluded from these provisions.

III. SPECIFICATIONS FOR UNIFORMS AND EQUIPMENT

A. Class "A" Uniform is a dress uniform and is worn by the Command Officers. It may be worn by the sergeants and other members of the division as designated by the Chief of Police. The Class "A" uniform will be identical to the duty uniform except that the shirt will be white and will include a blazer. Command Officers may wear the navy blue shirt as directed by the Chief of Police. Officers who have not been directed to obtain/wear a Class "A" uniform, but wish to purchase one at their own expense, may do so to be worn at formal occasions (funerals, parades, award ceremonies, etc.).

B. Sergeant/Police Officer Duty Uniform Specifications

1. Hat - the police hat shall be a navy blue cloth, "5"-star made by Midway Cap Co. Or comparable to, with a silver band for patrol officers and gold band for sergeants, lieutenant and chief. Cadets shall have a black cap band. The length of the visor shall be 1 3/4 inches.
2. Name Bar - silver for all police division personnel, except the sergeants, lieutenants, and chief will wear a gold finish name bar. The Name Bar will contain a minimum of first initial and last name.
 - a. A cloth name tag and/or cloth badge for jackets and coats is optional. If a patrol officer uses a title, the initials "Ptl" will be used. Gold lettering for supervisors and white for other employees
3. Tie - navy blue regulation tie for all police officers. Clip-on or velcro are permitted.
4. Trousers:
 - a. Navy blue, 100% polyester meeting specifications of Flying Cross Command model.
 - b. Bottoms plain (no cuffs), no break or slight break at the shoe top is at the officers discretion. Pegged and flared trousers are not acceptable and will not be worn in such a fashion.
 - c. Inner vitals (pockets and waistband) color to blend with trousers.
 - d. Slash type pockets.
 - e. Any deviation must be substantially similar in appearance and approved by the Chief of Police or his designee.

5. Optional Trousers:
 - a. Same as above with side cargo pockets. Optional trouser will not be worn for any court appearance or formal appearance.

6. Shirt specifications:
 - a. Navy blue, 100% polyester.
 - b. Permanent collar stays.
 - c. Shoulder epaulets.
 - d. Badge holder eyelets.
 - e. Two pleated pockets with three point pocket flaps.
 - f. Pencil division in left pocket.
 - g. Permanent military creases baked or sewn in.
 - h. Buttons must be of standard stock or zippers in conjunction with buttons.
 - i. Those shirts meeting above specifications and comparable to Flying Cross Command series short and long sleeve shirts.
 - J. Any deviation must be substantially similar in appearance and approved by the Chief of Police or his designee.
 - j. Patch or insignias supplied by the Division are to be sewn on the sleeves 1 inch centered below the shoulder epaulets. Patch insignias will be replaced when frayed or when they become worn.

7. Shoes - black plain toe military style shoes, either ankle high "chukka-boot" style or low cut. Rocky style and Wellington style boots are permissible as well as certain soft leather shoes that have been approved by the Chief of Police. Shoes will be plain black finish or a high gloss Corfam finish.

During inclement weather rubber pull over or zipper boots may be worn. At no time are cowboy or motorcycle style boots acceptable uniform attire.

8. Socks - either plain navy blue or plain black socks may be worn. White socks may only be worn due to medical purposes and with prior approval of the Chief of Police or his designee. Medical reasons must be substantiated by the requesting officer. White socks may also be worn while the officer is wearing the military or Wellington style boots.

9. Jacket - Winter Coat
 - a. Blauer Cruiser Jacket #9010Z-GTX
 - b. Black
 - c. Waist length
 - d. Silver "P" buttons for officers, gold "P" buttons for supervisors
 - e. Patches and insignias will be supplied by the Division. They are to be centered on sleeves 1" from shoulder seam.

10. Optional Jacket - light weight.
 - a. Black nylon with black interior with or without a removable liner.
 - b. Waist length.
 - c. Two pleated button patch pockets.
 - d. Patches or insignia will be supplied by the Division. They are to be centered on sleeves 1" from the shoulder seam.
 - e. Nylon badge holder.
 - f. The Spring and Fall jacket is optional and must be a style approved by the Chief of Police.

11. Gun Belt - 2 1/4" heavy duty black leather belt, Sam Brown style without strap. Patrol officers are to wear silver finish quick release style buckle, supervisors are to wear a gold finish buckle. Safariland velcro style inner and outer belts are also permitted.

12. Holster - black leather service holster to fit the police belt on the strong hand side. Officers may choose the holster which best suits their needs subject to the approval of the firearms training officer.
13. Sidearm and Ammunition - as approved by the firearms training officer.
14. Leather Equipment - plain black leather, but may have snaps or velcro fasteners.
15. Raincoat and Inclement Weather Gear - black or high visibility raincoat, knee length. No other style shall be worn. When directing traffic a reflective vest will be worn over the black raincoat.
16. Sergeants Chevrons.
 - a. Three stripes.
 - b. Blue with white trim on black background.
 - c. Centered 1 inch below the Division-issued patches or insignias on the sleeve.
 - d. To be worn on all uniform shirts and jackets.
17. Deputy Chief of Police Insignia- The rank of Deputy Chief of Police will a pair of Gold Oak Leaf Clusters, one for each color or shoulder.
18. Chief Insignia - the rank of Chief shall be a pair of gold finish eagles, military style.
19. Special Pins - the following are the only authorized special insignias to be displayed on the uniform.
 - a. Evidence Technician pins.
 - b. Field Training Officer pins.
 - c. DARE insignia.
 - d. Other as designated for special events
 - e. Other as approved by the Chief of Police
20. Mourning Ribbon
 - a. In the event an officer is killed in the line of duty from any department in Montgomery County, a neighboring county or other special circumstances, the Chief, or his designee, may authorize the wearing of a black elastic band to cover the breast badge.
 - b. Black bands will be supplied by the Division.
21. When directing traffic a high visibility reflective vest will be worn.

C. Uniform Guidelines

Short sleeve uniforms will be worn in warm weather. Long sleeve uniforms will be worn in cold weather. Within reason, there are no specific calendar dates in which a change in uniform will be required.

1. A clean well maintained white or black undershirt must be worn under the short sleeve uniform shirt. No tie is required for short sleeve uniforms.
2. An optional warm weather uniform may be purchased and worn by the officer and will consist of:

A Elbeco UFX Tactical Short Sleeve Polo, Navy, RN#25214/Style#K5134 may be worn. The shirts are to have a sewn-on badge and name tag (w/ embroidered white lettering). The back of the shirt will be marked "POLICE" in (2) inch reflective lettering. Elbeco TEK3 Cargo Shorts, Midnight Navy, may be worn.

3. A tie is required for all court appearances and all formal appearances while in the winter uniform. A black, well maintained, close fitting turtle neck/mock turtle neck may be worn in lieu of a tie if not attending court or any other formal appearance. Approved turtlenecks are at least two inches wide after they are folded downward. Turtlenecks and mock turtlenecks may be embroidered in white thread with MPD or MORaine POLICE. A black well maintained, close fitting T-shirt may also be worn in lieu of the tie if not attending court or any other formal appearance.
4. Commando Sweater - the commando style sweater, approved by the Chief of Police, may be worn as an option to the Winter uniform. The sweater will be black with a crew neck. Either the uniform shirt or a turtleneck may be worn beneath the sweater. The commando sweater may not be worn to court.

D. Dispatcher's Uniform

1. The dispatchers have the option to wear a casual uniform which will consist of a collared, pull-over, polo style (long and short sleeve) consisting of a solid color, being stitched with the Moraine Police Communication logo on the left breast area and the first name stitched on the right breast area. Additionally, khaki colored (tan/ brown), cotton/polyester blend slacks are to be worn. Shoes can be brown or black in color, casual dress in style. A black or brown belt will be worn.
2. The above casual uniform will be optional and at the expense of the dispatcher.
3. One duty uniform will be maintained by the dispatcher for special functions (i.e., court, funerals, or as directed by the Chief of Police). The Dispatcher Duty Uniform will be the same specifications as for officers, except the dispatch duty shirt will be light blue.

E. Police Cadet Uniform

Specifications for the Cadet uniform are identical to those of the officer uniform, except cadets shall wear light blue shirts meeting specifications of the dispatcher shirts.

F. Community Service Officer Uniform

Trousers: Blue mechanic style, 65% polyester/35% cotton, comparable to Red Kap brand.

Shirts: Light blue, meeting specifications of the dispatcher shirts.

Shoes: Same specifications as for officers, or as directed by the Chief of Police.

G. Non-Uniformed Personnel

1. Personnel assigned to the detective section will wear as their normal attire a suit and tie, or sport coat and tie. The detective supervisor may, at his discretion, authorize a separate casual jacket in lieu of the sport coat or suit coat. In those incidents personnel are to wear dress slacks and tie. The casual jacket will not be worn to such an extent that it essentially replaces the requirement of wearing a suit or sport coat.

2. Exceptions to suit or sport coat and tie.
 - a. The detectives may deviate with prior approval to suit a specific assignment.
 3. Non-uniformed personnel will wear their hair and clothing in accordance with their individual assignments, and with the approval of the Chief of Police.
- H. Required Uniforms and Equipment - the following uniforms and equipment will constitute the minimum uniform and equipment which each officer will be furnished upon appointment and which must be maintained in good serviceable condition at all times.

During the period of probation, all issued uniforms and equipment remain the property of the Moraine Police Division. Whenever a probationary officer, dispatcher or cadet is separated from the division, a serviceable initial issue of uniforms and equipment must be returned by the employee.

Whenever a non-probationary officer, dispatcher or cadet is separated from the Division, the initial issue of equipment, excluding clothing, must be returned by the employee.

1. Officers and Sergeants
 - a. 1 Hat
 - b. 1 Winter Coat
 - c. 1 Raincoat
 - d. 3 Shirts (long sleeve)
 - e. 3 Shirts (short sleeve)
 - f. 1 Traffic Vest
 - g. 3 Trousers
 - h. 3 Ties
 - i. 1 Hat Badge
 - j. 1 Breast Badge
 - k. 1 Name Bar
 - l. 1 Sam Brown Belt
 - m. 1 Service Weapon w/ Holster
 - n. 1 Taser w/ Holster
 - o. 1 Magazine Pouch and Magazines
 - p. 1 Pair of Handcuffs w/ Case and Key
 - q. 1 O.C. Repellant w/ Holder
 - r. 1 ASP, Expandable Baton w/ Holder
 - s. 1 Flashlight w/ Holder
 - t. 1 Portable Radio w/ Holder
 - u. 1 Duty Bag
 - v. 1 Ticket Book Holder
 - w. 1 Procedure Manual
 - x. 1 Bullet-proof Vest
 - y. 1 Identification Card
 - z. 1 Trouser Belt
 - aa. 1 Tie Tac, State of Ohio Seal
 - bb. 1 Clear Plastic Hat Cover
 - cc. 1 Rubber Glove Pouch
2. Cadet
 - a. 1 Hat
 - b. 1 Winter Coat
 - c. 1 Raincoat
 - d. 3 Shirts (long sleeve)
 - e. 3 Shirts (short sleeve)

- f. 3 Trousers
- g. 3 Ties
- h. 1 Cap Badge
- i. 1 Breast Badge
- j. 1 Name Bar
- k. 1 Procedure Manual
- l. 1 Identification Card
- m. 1 Trouser Belt

3. Dispatchers

- a. Skirts/Trousers - Female (any combination of three (3))
- b. 1 Procedure Manual
- c. 1 Identification Card
- d. 1 Breast Badge
- e. 1 Name Bar
- f. 3 Trousers - Male
- g. 1 Trouser Belt
- h. 3 Shirts (long sleeve)
- i. 3 Shirts (short sleeve)
- j. 3 Ties

I. Wearing and Maintaining the Uniform

1. Members of the Division will be responsible for the condition, maintenance, and safekeeping of all items of division property and equipment issued or assigned to them.

Members will not alter, add to, remove, or otherwise in any way change parts of accessories of any division property without permission of the Chief of Police. Members will not relinquish or transfer custody of any item of division property issued to them to any person without notifying the Lieutenant of such a transfer. The Lieutenant will maintain complete and accurate records pertaining to the location of all division equipment.

2. A clothing allowance is given to division personnel, therefore, it is their responsibility to replace articles of issue as needed. All replacement equipment shall be in compliance with the uniform specifications unless otherwise approved by the Chief of Police.

J. Uniform Specifications and Guidelines

1. Uniform Hat - the uniform hat will be worn in each of the following circumstances.
 - a. When assigned to any formal function (parade, honor guard, etc.) which requires a formal dress appearance.
 - b. The wearing of the uniform hat is optional and at the discretion of the officer, except when assigned to formal functions.
2. Portable radios and radio cases must be worn on the belt on the side opposite that the service weapon is worn. The case will be a division issue
3. The regulation baton for the Moraine Police Division is the expandable ASP. No other baton may be carried without written approval from the Chief of Police.
4. An identification name bar must be worn by all members of the Division while in uniform. The name tag will be centered above the right pocket and will be worn on the outer most garment, unless a jacket with a permanent sewn name tag is worn.

K. Uniform for Court and Formal Appearances

1. Officers appearing in court will wear a uniform if they are to testify in a case that they were involved with while working in uniform.
2. Officers appearing in court will wear the standard duty uniform including a tie (if wearing the long sleeve winter uniform). Turtlenecks, T-shirts worn with long sleeve uniform shirts, optional uniforms and the Cargo or BDU pants with the side pockets are not to be worn in court.
3. Officers who are not assigned to uniformed duty will appear in court wearing a suit or sport coat, tie and dress pants.
4. Officers appearing or participating in a formal event will wear the Class A uniform or standard duty uniform as directed by their supervisor. Turtlenecks, T-shirts worn with long sleeve uniform shirts, optional uniforms and the Cargo or BDU pants with the side pockets are not to be worn for formal occasions.

L. Protective Vests

1. It is the policy of the Division to maximize officer safety through the use of protective vests in conjunction with the practice of prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound, basic safety procedures.
2. Protective vests are issued to all sworn officers and mandatory to wear while on duty in the field.
3. Special Assignments Section personnel must wear soft body armor during a raid or other potentially dangerous situation.
4. Supervisors shall be responsible for insuring that body armor is worn and maintained as required by this policy by periodic inspections.

IV. UNIFORM SPECIFICATIONS FOR BICYCLE PATROL

A. Duty Uniform (Fall, Winter Seasons, inclement weather)

1. Patrol jacket
 - a. Mocean Brand Code-B Bike Jacket w/ Fleece Liner, royal blue over black, Item# JA839/MFG#JA839
 - b. Regular length.
 - c. "Police" in (2) inch reflective letters on back. "Moraine Police" patch style emblem on sleeves. Embroidered Moraine Police Badge patch on front left chest.
2. Patrol pants
 - a. Mocean Pursuit Bike Patrol Pants, Black, Item#TR263/MFG1000120.
 - b. 2 slash pockets, 2 cargo pockets, 1 rear pocket.

B. Duty Uniform (Summer Season and normal warm weather work situations)

1. Patrol shirts
 - a. A Elbeco UFX Tactical Short Sleeve Polo, Navy, RN#25214/Style#K5134. The shirts are to have a sewn-on badge and name tag (w/ embroidered white lettering). The back of the shirt will be marked "POLICE" in (2) inch reflective lettering.

2. Patrol shorts
 - a. Mocean Tech Nylon Plain Bike Shorts, Black, Item#TR601/MFG#1080B
 - b. 2 front quarter pockets, 2 thigh pockets, 2 rear pockets.
3. Shoes
 - a. Black plain toe athletic shoes, either ankle high or low cut.
4. Socks
 - a. Black crew sock style.
 - b. Ankle high or low cut length.
5. Padded lining shorts
 - a. Black in color, made of 100% Coolmax.
 - b. Oversized padded crotch.
 - c. Worn under patrol shorts or pants.
6. Helmet
 - a. Standard protective bicycling helmet, Black.
 - b. Worn at all times while riding.

V. REQUIREMENTS FOR APPEARANCE AND PERSONAL GROOMING

- A. All officers will be required to wear clean, pressed, and serviceable regulation approved uniforms and equipment.
- B. Officers will keep their shoes and all leather gear polished and clean.
- C. Personal Grooming
 1. Officers must keep their hair clean, neat, combed, trimmed and styled in such a manner that the bulk or length of the hair does not interfere with the normal wearing of all standard head gear or protective gear. Male officers' hair will be worn in such a manner that it shall not extend below the rear bottom of the shirt collar. Female officers are permitted to have hair extending a maximum of two (2) inches below the rear bottom of the shirt collar, but only if the hair does not project outward and is styled to lie close to the shoulders, as when braided. Exotic or unusual hair styles are prohibited.
 2. Sideburns for male uniformed members will not extend lower than where the lower part of the ear connects to the side of the head and will be rectangular in shape.
 3. Male personnel will be clean shaven. They may wear a neatly trimmed moustache of natural color. The moustache may not extend below the upper portion of the lip, and may not extend beyond the corner of the mouth more than one-quarter inch.
 4. Patrol officers of the Division of Police will not be permitted to wear decorative jewelry while on duty and in uniform. The following are not considered decorative jewelry: wrist watch, wedding rings, class rings, or rings regularly worn by the member in good taste. No more than three rings may be worn by patrol officers.
 5. No Division member will have any tattoo or other body art visible while in uniform.

6. Jewelry
 - a. Necklaces – not exposed; must be worn under shirt, out of view, and shall not be worn with the open collar uniformed shirt.
 - b. Body Piercings/Earrings – prohibited if visible.
 - c. Rings – no more than a combined total of three (3) rings on both hands for uniformed patrol officers.
7. The use of any tobacco product shall not be permitted in any manner while contacting the public on official business.

VI. UNIFORM INSPECTION

- A. Uniform inspections shall be the responsibility of the supervisors, and will be made on a daily basis to ensure that the proper appearance of the assigned personnel is maintained.
- B. An annual inspection may be conducted by the Chief of Police or his designee. The annual inspection is not limited to appearance but may include a complete inspection of all uniforms and equipment. The inspection will insure that personnel are maintaining the required minimum issue and insure and that the uniforms and equipment are in good serviceable condition.
- C. Any other previously sanctioned or authorized uniform will cease to be worn no later than 36 months after issuance of the updated policy.

VIII. ATTIRE FOR TRAINING AND/OR BUSINESS MEETINGS

- A. For classroom training and business meetings, if you have not received direction from a supervisor, the proper attire will be:
 1. The normal duty uniform or;
 2. Business casual attire including collared shirt (button up or polo), business trousers (khakis) and appropriate shoes. Jeans, t-shirt and sportswear are unacceptable.
 3. Any deviation must be authorized by a supervisor.
- B. For tactical, defensive tactics, firearms and other hands-on training:
 1. Activity specific clothing as designated by the instructor, your supervisor or environmental conditions.
 2. Including, but not limited to, duty uniform, sportswear, BDUs, hot/cold weather gear, helmets, hats, safety gear, etc.

SICK LEAVE

General Order 1-6
July 2015

I. PURPOSE

To establish guidelines for use and method of authorization of sick time.

II. DEFINITIONS

The following definitions apply for the purpose in this policy:

- A. Sick Leave - an absence for a non-work related illness, injury or exposure to contagious disease.
- B. Immediate Family - is the spouse and children living in the household.

III. POLICY

- A. Sick leave may be taken for personal illness or may be taken due to illness in the immediate family when no alternative is available.
- B. Sick leave shall not be requested or approved except in case of actual illness. Violation of this provision is considered a serious infraction and the basis of disciplinary action.

IV. PROCEDURE

- A. Notification of impending absence due to sick leave shall be made as soon as the employee determines they are unable to work.
- B. Notification will be made to the dispatch center who will relay the phone call to the duty supervisor or a command officer. In the absence of the duty supervisor or a command officer, the employee will leave a telephone number at which he/she can be reached. If the duty supervisor is not available he shall later contact the employee and verify the sick leave. Notification must be made verbally to the dispatch center and/or on duty supervisor. Text messages, emails and other forms of electronic communication will not be acceptable forms of notification.
- C. Sick leave notification shall be made for each day the employee will be absent from work. This provision may be waived by the Chief of Police for extended illness and hospitalization.
- D. The sick leave will be noted on the Police Call Log.
- E. Absence Report
 - 1. It shall be the duty of the employee, upon his return to work, to complete an Absence Report Form and submit the completed form to the duty supervisor.
 - 2. The Absence Report will state the reason for the absence and be signed by the employee.

F. Doctors Certificate / Release

1. When sick leave is three days or more in a separate incident, a written notice from the attending physician confirming the illness may be requested by the Chief of Police.
2. When an employee has been on injury or sick leave, a doctors release may be required, prior to the employee returning for duty.

G. Excessive Use of Sick Leave

1. An employee with more than seven separate incidents of sick leave usage, in a twelve month period, may be required to submit a written notice from an attending physician for each subsequent incident of sick leave.
2. Employees utilizing excessive sick leave and/or demonstrating a pattern of sick leave abuse will be subject to disciplinary action. Pattern of abuse includes utilizing sick leave in conjunction with days off, vacation, personal days, etc.

VACATION DAYS

General Order 1-7
December 2015

I. VACATION/TIME OFF REQUESTS

- A. In addition to the following policy, vacation and time off requests shall follow all defined policies and practices as outlined in the City Personnel Manual and applicable Union Contracts.
- B. Requests for time off will generally be submitted to the scheduling supervisor.
 - 1. If the request for time off needs immediate attention, the time off request will be handled by the employee's shift supervisor.
- C. Requests for time off will be submitted on the standard Employee Absence Report form.
 - 1. After approved, the Employee Absence Report form will be disseminated to:
 - a. White original - employee's supervisor to later submit with payroll
 - b. Pink copy - employee
 - c. Yellow copy - scheduling supervisor

II. TIME LINE TO SUBMIT REQUESTS

- A. Requests for multiple days off must be received by a supervisor no later than 14 calendar days prior to the first day of employee's intended time off.
- B. Requests for single days off must be received by a supervisor at least 24 hours in advance of employee's intended time off.
- C. Requests for Personal Absence days received less than 24 hours in advance of employee's intended time off will be considered on a case-by-case basis.
- D. The scheduling supervisor and/or the Deputy Chief may waive some provisions of the submittal requirements if circumstances permit granting the request without causing undue disruption or hardship on personnel.

III. RULES GOVERNING APPROVAL OF REQUESTS

- A. Time off requests will be processed based on the order in which they were received. Seniority will not be a factor.
- B. Vacation days requested in conjunction with recognized City of Moraine holidays will not be granted to the same employee in consecutive years, unless no other employee requests the time off.
 - 1. The employee requesting a holiday vacation for a consecutive year will be approved 30 days prior to the first day of employee's intended time off if no other employees have requested the same time off.

- C. Time off requests may be submitted up to one year in advance.
 - 1. Processing the request will generally occur in an expedient manner with the exception of the consecutive holiday exclusion.
- D. No employee will be permitted vacation in excess of three consecutive weeks in length.
 - 1. Employees reaching the three week maximum will not be approved for any additional multiple day vacation requests within the first four weeks after their return.

IV. RULES GOVERNING MULTIPLE EMPLOYEE REQUESTS FOR CONFLICTING DAYS

- A. Time off requests for dispatchers will not be affected by other employees' time off unless granting that time off to the dispatcher would create an emergency condition.
- B. Two or more officers of a relief will not be approved for vacation, comp time or physical fitness time on the same day, with the following exceptions:
 - 1. There is one day of overlap and one of the employees is off for a week or more
 - 2. When having multiple officers off would not require overtime
 - 3. When approved time off is later affected due to shift changes
 - 4. When circumstances warrant approval by the Lieutenant or Chief of Police.
- C. Time off associated with Workers Comp, Sick Leave, Funeral Leave or Training will not affect the scheduling of other time off unless granting of that time off would substantially impact the patrol or dispatch coverage.

PROPERTY ROOM MANAGEMENT

General Order 1-8
December 2015

I. PURPOSE

To provide for the management and control of all property and evidence which comes into the custody of the Moraine Police Division. To establish a property and evidence management system which will ensure the integrity of the chain of evidence and strict accountability with respect to the security and disposition of property and evidence.

II. POLICY

It is the responsibility of the Property Room Officer to manage and control all property and evidence directed to them for safekeeping. As a part of this responsibility, accurate records will be maintained. Property will be stored, released, and disposed of according to procedures outlined in this general order and all applicable Ohio Revised Code sections.

III. PROCEDURE

A. Property Management Responsibility

1. Responsibility for the property management system is assigned to the Property Room Supervisor.
 - a. The Property Room Supervisor and SAS Supervisor shall function as the property custodians for the division, and as such are responsible for the control and management of all property accepted by or stored in the property room; shall be responsible for maintaining a records system that reflects the status of all property, whether currently held or held in the past; and are responsible for the prompt, authorized disposal of property within six months after legal requirements have been met or ninety days after holding found property or property held for safekeeping.
2. Property Room Officers

The Property Room Officers are responsible for the management and control of all property accepted by or stored in the property room, temporary storage areas and property garage. The Property Room Officers shall fulfill the function under the supervision of the Special Assignment Section Supervisor.

B. Property Room Security

All property stored at the Moraine Police Division will be within a designated secure area.

1. Only the Chief of Police, Property Room Supervisor, SAS Supervisor and the Property Room Officer will have keys.
2. Only the Chief of Police, Property Room Supervisor, SAS Supervisor and the Property Room Officers will have the combination and access to the high security room within the property room.

3. The property room door will be kept closed and locked any time authorized personnel are not physically in the property room.
4. The high security room in the property room will only be unlocked or open when the Special Assignment Section Supervisor or the Property Room Officer are actually placing items in or taking items out of the high security room.
5. Only authorized persons may actually enter the property room area. Authorized persons are:
 - a. Chief of Police, Property Room Supervisor, SAS Supervisor and Property Room Officers
 - b. Sworn police officers under appropriate circumstances when accompanied by the Property Room Officer, such as during the periodic inspection.
6. Whenever there is a re-assignment of property room personnel, all of the property room locks/keys will be changed.

C. Monthly Inspection

Once each month the Chief of Police or his designee will make a routine inspection of the property room. This inspection will determine that proper record keeping, accountability of evidence, proper storage and cleanliness, and proper disposal methods are being followed. Any problems found during these inspections will be documented and corrected as appropriate. No form is used for inspections of property. All papers pertaining to inspections are put in a folder, labeled and kept in a file cabinet in the property room.

D. Property Inventory - Newly Assigned Personnel

Whenever any property room personnel is designated, an inventory of property will be conducted. This inventory will be performed jointly by the newly designated and former property custodian. All weapons, monies and narcotics will be accounted for on an individual basis. All other evidence and records will be checked for accountability.

1. The inventory shall be thorough enough to ensure the integrity of the system and the accountability of the property.
2. The new property room officer should ensure that all records are current and properly annotated, and all discrepancies recorded prior to the assumption of property accountability by the newly appointed custodian.
3. The outgoing custodian will be responsible for the property room until the inventory is completed. The locks/keys will only be changed after the inventory is finished.
4. When any personnel are assigned to and/or leave the property room assignment, an inventory will be completed prior to the employee's discharge of responsibility pertaining to the property room.

E. Temporary Storage Areas

1. Property Garage

The temporary property storage area is the Viking Lane Police Property Annex. This holding area is restricted to police personnel only. Authorized persons are Moraine Police Division personnel engaged in official police duties. Under no circumstances will unaccompanied non-police personnel be allowed access to the property storage area. Property placed in the property storage area must conform to the standards and procedures as outlined in this procedure for the receipt of property/evidence and is directed by general and special orders.

2. Refrigerator - Evidence Lab

Refrigerator is located in the lab room to keep perishable items such as urine specimens and blood samples preserved. A constant temperature between 38 and 42 degrees should be maintained.

3. Evidence Storage after Business Hours

At times when the property room is closed, officers bringing in found, recovered or evidential property will observe the following:

- a. Items too large to place in the chute of the property room door will be placed in one of the lockers outside the property room. After placing property in the locker, lock the locker.

4. Moraine Police Lab processing and drying area.

5. Items of considerable size, that are awaiting transport or processing, may be secured in the Moraine Police garage.

F. Receipt of Property

1. The Property Room Officer will accept all property, if properly tagged and packaged, and log the property into the property room in a timely manner.
2. No explosives, dangerous chemicals, unknown biological specimens, nuclear material, or other dangerous material or property are to be accepted into the property room. The Patrol or Special Assignment Section Supervisor should be notified if such property is submitted.

3. Property that is not properly submitted or packaged will not be processed by the Property Room Officer. The Property Room Officer will use the Department email system to notify: the submitting officer, the submitting officer's supervisor, the SAS Supervisor and the Lieutenant that a problem has occurred. It will be the responsibility of the submitting officer to contact the Property Room Officer to make the necessary corrections immediately.

G. Final Disposition of Property

Final disposition of property must be accomplished within six months after legal requirements have been satisfied. Property will not be released until cleared for release by the investigating officer, SAS Supervisor or the prosecutor

1. Release to Rightful Owner

- a. Property may be released to the rightful owner once all police use of the property is satisfied and the officer or SAS Supervisor who submitted the property has okayed the property for release.
 - b. In every case, the property room custodian will make every reasonable effort to verify rightful ownership to property and the identity of the person to whom the property is being released.
 - c. In every case the person to whom the property is released will sign the property card or a property release card indicating he/she has received this property from the police division.
 - d. Once an item has been cleared for release by the investigating officer, the Property Room Officer will attempt to contact the owner and advise of procedures to claim his property.
 1. The Property Room Officer will attempt to telephone the owner.
 2. If unable to contact by phone, the Property Room Officer will send a letter, return receipt requested, to the last known address of the owner.
 3. If the owner cannot be located or fails to claim the property, after a period of ninety days the property will be considered unclaimed.
2. Disposition of Unclaimed Property
- a. Unclaimed property or forfeited property may only be disposed of in accordance with the provisions of Ohio Revised Code outlining the disposition of property held by a law enforcement agency. Forfeited property will not be released to its owner or finder.
 1. The Property Room Officer will determine what items are unclaimed and provide a list of items to be disposed of.
 2. Items may be disposed of in one of the following ways:
 - Destroyed
 - Converted to City use
 - Auction - property disposed of at an auction will be handled pursuant to Ohio Law.
3. Release to Finder
- a. Property, except weapons or contraband, may be released to the finder of the item if the rightful owner is unknown or cannot be located. Police officers cannot be considered finders.
 1. If the owner is unknown, the property may be released to the finder after a period of ninety days has passed and the owner has not claimed the item.
 2. The finder will sign an affidavit stating he is the finder of the property in question.

3. Due to potential conflict of interest or perceptions of conflict of interest, employees of the police division may not claim property found by them and submitted to the property room, regardless of the circumstances.
4. Property to be Destroyed
 - a. Dangerous Drugs
 1. An inventory of drugs ordered for destruction will be taken by the Property Room Officer.
 2. A request will be made for a court order.
 3. Drugs will be destroyed by the property room officer, accompanied by another officer. Both will sign the property tag attesting to the destruction.
 - b. Obscene Materials
 1. A request will be made for a court order.
 2. The Property Room Officer and another officer will take the material to destroy it pursuant to the court order. Paper items may be shredded in lieu of incineration.
 - c. Beer/Alcoholic Beverages

The Property Room Officer and another officer will pour beverages down the drain pursuant to the court order.
 - d. Contraband

Will be disposed of in the same manner as dangerous drugs.
 - e. Miscellaneous Property of No Value

The Property Room Officer may dispose of miscellaneous found property or property held for evidence but no longer needed that is of little or no monetary value. This would include DUI kits, small parts of cars, paint chips, ball bats, clubs, etc.
5. Property to be Turned Over for City Use
 - a. Any property to be turned over for City use will require a court order.
 - b. The Property Room Officer will prepare a list to obtain a court order.
 - c. Pursuant to the court order, property may be released to a representative of the City, who will sign the property card or other appropriate document acknowledging receipt of the property.

6. Money

- a. Money held as evidence will be released to the rightful owner upon completion of the court case and upon approval of the investigating officer, prosecutor, and Special Assignment Section Supervisor.
- b. Money that is found may be released to the finder under the following conditions:
 - 1. The Property Room Officer will obtain the approval of the Chief of Police.
 - 2. The Property Room Officer will have made a reasonable effort to locate the actual owner.
 - 3. The owner will not have been located or will have failed to claim the property.
- c. Upon releasing money, the Property Room Officer will open the sealed package in the presence of the owner or finder and count the contents together with the owner/finder. If there is any discrepancy, the Special Assignment Section Supervisor will be notified.
- d. In every case the Property Room Officer will make every effort to verify the ownership or right to possess the money, and the identity of the person to whom the money is being released.
- e. The person receiving the money will sign a property release card or property card.
- f. The Police Chief or designee must approve the release of all money. Money that is found and unclaimed, or forfeited under the provisions of the Ohio Revised Code or any other state, local or federal law, will be converted to city use in accordance with the procedures of section III-G-2.
- g. All money shall be submitted into the property room in a separate currency envelope.

7. Weapons and Firearms

- a. Weapons held as evidence may be released after the court case is disposed of or dropped, and with permission of the investigating officer or prosecutor and Special Assignment Section Supervisor.
- b. Firearms must be checked in NCIC for stolen prior to release.
- c. If the weapon is a firearm, the owner must be checked through the FBI and BCII for a felony record as outlined in ORC 2923.13.
 - 1. If the owner has a felony record as outlined in ORC 2923.13, the firearm cannot be released to owner.
 - 2. The owner will be checked for other prohibitions, such as protection orders or domestic violence convictions, which may disqualify him/her from owning the weapon.

3. The owner will be notified in writing by the Chief of Police that he/she is under disability and the weapon cannot be released to him/her.
- d. If the owner is not known, the weapon will be declared unclaimed after a period of ninety days and disposed of according to this procedure.
- e. Weapons held for safekeeping will be retained for a period of thirty (30) days.
 1. At the conclusion of that time, the Property Room Officer will notify the rightful owner by phone that the weapon may be claimed. Notification of the phone call will be made on the property tag.
 2. If unable to locate the owner by phone, the Property Room Officer will send a letter, return receipt requested, to the last known address of the owner, outlining when and where the weapon may be claimed.
 3. If after a period of ninety days the weapon has not been claimed by the owner, the weapon will be declared unclaimed property and disposed of according to this procedure.
 4. If the weapon is a firearm, the owner must be checked through the FBI and BCII for a felony record as outlined in ORC 2923.13.
 - a. If the owner has a felony record as outlined in ORC 2923.13, the firearm cannot be released to owner.
 - b. The owner will be checked for other prohibitions, such as protection orders or domestic violence convictions, which may disqualify him/her from owning the weapon.
 - c. The owner will be notified in writing by the Chief of Police that he/she is under disability and the weapon cannot be released to him/her.
- f. Weapons used in the commission of a criminal offense will not be returned to the owner, if the owner was a conspirator, accomplice, or offender unless directed by a court order.
- g. The Special Assignment Section Supervisor must approve the release of all weapons.
- h. Weapons Used in Suicides/Attempt Suicides

Any weapon that has been used in the commission of a suicide or attempt suicide will be confiscated and kept by the police division. Pursuant to ORC 313.14 those weapons will be either destroyed or converted to police use. They will not be released to any member of the deceased's family except by court order.
- i. Destruction of Firearms
 1. Firearms scheduled for destruction will first be checked for stolen via NCIC.

2. Request for a court order will be made.
3. The Property Room Officer and another officer will take firearms and personally destroy them pursuant to the court order. Both will sign the property tag attesting to the destruction.

H. Property Management Records

1. All property submitted to the property room shall be accompanied with a property tag.
 2. All property records will be maintained for a minimum of (5) five years.
 3. Property tags must contain the following information:
 - a. Records management barcode label with case data;
 - b. Chain of custody including recovering officer's name.
 4. Property not submitted into the property room:
 - a. If an officer takes property into custody that is returned immediately, the officer shall document in their report the property seized/returned and, when appropriate, attach a receipt signed by the owner/agent.
 - b. Whenever appropriate, the property should be photographed prior to the release of the property.
- I. The submitting officer will ensure that all firearms submitted to the property room will be checked through NCIC at the time of submission. The submitting officer will also ensure that all applicable crime lab, ATF and investigative forms are completed.

ON-THE-JOB INJURY AND WORKER'S COMPENSATION

General Order 1-9
November 2015

I. POLICY

Please refer to Section 4.6 of the City of Moraine Personnel Policy Manual.

Injury reports and related information are stored in the roll call room filing drawer cabinet.

STAFF FUNCTIONS

General Order 1-10
May 2017

The following listed functions shall be special details for personnel assigned:

I. PATROL, INVESTIGATIONS AND EVIDENCE

- | | |
|---|--|
| A. Patrol | Shift Supervisor, coordinated by
Deputy Police Chief |
| B. Photography | Sgt Keegan |
| C. Laboratory Supervisor | Sgt. Keegan |
| D. E.V. Coordinator Sgt. Keegan | Sgt. Lloyd |
| E. Photograph storage | Sgt. Keegan
K. Bryant |
| F. Property Room | Chief of Police
Community Services Officer
Sgt. Selby –Property Room Supervisor
Cadet |
| G. Investigations | Deputy Police Chief |
| H. Special Investigations
& Services | Deputy Police Chief |
| I. Internal Affairs | Deputy Police Chief |
| J. Complaint Review | Deputy Police Chief |
| K. Traffic Accident Liaison | Sgt. Selby
Off. Howard |
| L. Crime Prevention | Deputy Police Chief |
| M. Juvenile Liaison | SAS personnel |
| N. Warrant Liaison | B relief Sgt. |
| O. Court Liaison | B relief Sgt. |
| P. Ride-Along Program | Deputy Police Chief
C Relief Supervisor |
| Q. Bike Patrol Supervisor | Sgt. Lloyd |
| R. Montgomery Co. OVI
Task Force | Sgt. Selby |

II. TRAINING

- A. Training Coordinator Deputy Police Chief
Sgt Parish
- B. Firearms Sgt. Parish
Off. Howard
Off. Burgett
- C. Defensive Tactics & Use of Force Deputy Police Chief
To Be Named
Off. Smith
- D. R.A.D. Sgt. Keegan
Off. Smith
- E. Driver Training Sgt. Parish
Off. Huelsman
- F. Field Training Coordinator Sgt. Parish
- G. Blood Borne Pathogens Sgt. Parish

III. FACILITIES AND EQUIPMENT

- A. Facilities Management Deputy Chief of Police
B Relief Sergeant
- B. T.H.F. Deputy Police Chief
Sgt. Selby
- C. Motor Vehicles – Procurement, Maintenance & Inspections Sgt. Selby
- D. Records Deputy Police Chief
Sgt. Spencer
- E. Flashlights/Handcuffs Sgt. Lloyd
- F. OVI Analysis Equipment Sgt. Keegan
Sgt. Lloyd
- G. Bulletproof Vest Partnership (BVP) Deputy Police Chief

IV. TECHNOLOGY

- 1. Technology & Computer Services Sgt. Spencer
- 2. Montgomery Co. 800Mhz Radio System Liaison Sgt. Spencer
- 3. Radar/Laser Liaison Sgt. Selby

- | | | |
|----|------------------------------------|---------------------------------|
| 4. | Communications | Chief of Police
Sgt. Spencer |
| 5. | Rapid ID Administrator | Sgt. Spencer |
| 6. | License Plate Reader Administrator | Sgt. Spencer |

V. ADMINISTRATIVE

- | | | |
|-----|--|------------------------------------|
| 1. | Junk/Abandoned Motor
Vehicle Affidavits | Sgt. Lloyd |
| 2. | Report Processing | S. Philpot |
| 3. | Office Supplies | K. Bryant |
| 4. | Library | K. Bryant |
| 5. | Webcheck | S. Philpot |
| 6. | Traffic School | Sgt. Spencer |
| 7. | BMV Forms | S. Philpot |
| 8. | Street Lights | Relief Sergeant |
| 9. | OHLEG Administrator | Chief of Police |
| 10. | Justice Web Administrator | Chief of Police |
| 11. | Physical Fitness Program | Deputy Police Chief
Off. Howard |
| 12. | Expungements & Sealed Records | Deputy Police Chief |
| 13. | Community Outreach & Engagement | Deputy Police Chief
Sgt. Parish |

The personnel assigned the various details shall be responsible for formulating, defining, and developing tasks as outlined and submitting the recommended procedures.

INTOXILIZER 8000 AND PORTABLE BREATH DEVICE

General Order 1-11
December 2015

POLICY

The Intoxilizer 8000 is used to determine the amount of alcohol in the breath of a subject who has been arrested for Operating a Motor Vehicle While Under the Influence of Alcohol or Physical Control of a Motor Vehicle While Under the Influence of Alcohol. Persons arrested for Public Intoxication will not be given an Intoxilizer 8000 test.

Only those officers with a valid Operator's Certification Card shall give a test. Although the Intoxilizer 8000 will immediately void any test that is interfered with by radio frequencies, all officers in the vicinity of the testing equipment will turn off their portable radios when the Intoxilizer 8000 is in use.

The Intoxilizer 8000 completes its own series of checks and calibrations with each test and weekly tests are no longer needed. All test results are transmitted from the machine to the Bureau of Motor Vehicles (BMV).

There is to be no practicing or horseplay on the Intoxilizer 8000 since all activity is transmitted to the BMV.

All officers are encouraged to review the applicable OVI laws and procedures. A copy of the Intoxilizer 8000 Operation Manual will be kept in a binder by the machine at all times. All questions regarding the Intoxilizer 8000 should be directed to the Sergeant in charge of it.

PROCEDURE

I. TECHNIQUES OR METHODS

- A. The test results are to be expressed as equivalent to grams of alcohol per 210 liters of breath when breath is analyzed.
Example: .18% BAC is equivalent to .18 grams of alcohol per 210 liters of breath.
- B. The Intoxilizer 8000 requires two breath samples to be taken from the subject. The lower of the two readings will be used as the result. The two test samples must be within .020 g/210L.
- C. The Intoxilizer 8000 will print two copies of the test results and two copies of the BMV 2255. A copy of each will be provided to the subject tested. Once all information is completed on the original BMV 2255, the officer will make two copies of it and stamp the original BMV 2255 with the stamp "ORIGINAL" that is in the testing area. All paperwork will be forwarded with the officers report to records.
- D. The Intoxilizer 8000 Operation Manual provides the written methods and techniques to be utilized by the officers for performing tests and will be kept near the machine.

II. BREATH TESTS

- A. Breath samples shall be analyzed according to the Operational Manual prescribed for the Intoxilizer 8000.

III. QUALIFICATIONS OF PERSONNEL

- A. All Moraine Police Division officers giving an Intoxilizer 8000 test will be certified by the Ohio Department of Health, Bureau of Alcohol and Drug Testing. Only officers with a valid Operator Certification card will operate the machine.
- B. Only Moraine Police Division officers shall operator the Intoxilizer 8000. Should another department want a subject tested, a Moraine officer shall administer the test and complete the necessary paperwork.

IV. SURVEYS AND PROFICIENCY TESTS

- A. The ODH inspector will make periodic visits to each testing site. Every permit holder must demonstrate proper operation as part of their permit issuance. This must be done on an annual basis. Operators who perform a breath test on a subject within the calendar year shall be re-certified for that year. A Proficiency Test will be administered by the Sergeant in charge of the Intoxilizer 8000 to officers that have not run a test for the year. This will be at the direction of the ODH.

V. PERMITS

- A. Permits are valid for one (1) year and will be re-certified with the completion of a subject test or a proficiency test.
- B. All Operator Certification Cards will be kept on file in the testing area in the small black filing box. The only time permissible to remove the card from the area is if the officer is requested to test a subject at another agency or while working an OVI checkpoint.
- C. Issuance of new permits will be accomplished by attending training courses conducted by the ODH.

VI. CALIBRATION

- A. The Intoxilizer 8000 conducts its own series of tests and calibration with each subject test.
- B. Records of maintenance and repairs shall be identified and retained for no less than three (3) years in the area where the tests are performed.
- C. Any unusual readings or damage to the machine shall be reported immediately to the shift supervisor. This shall be forwarded to the Sergeant in charge of the Intoxilizer 8000.
- D. Only the shift supervisor or Sergeant in charge of the Intoxilizer shall take the machine out of service.

VII. PORTABLE BREATH TEST DEVICES (PBT)

- A. Currently the Moraine Police Division possesses two Lifeloc FC10 portable breath test devices. They can be utilized by the officers to assist in their OVI and other alcohol related offenses investigations. The PBT does not replace Standard Field Sobriety Tests and will be used only in conjunction with them.
- B. The PBT results are not recognized by the courts by themselves and still require the officer's observations of the subject being tested and physical evidence at the scene.
- C. The PBT can be utilized in cases involving public intoxication, underage drinking, or open containers but are not required.
- D. The PBTs are to be kept in their protective cases when not in use.
- E. The Sergeant in charge of the Intoxilizer 8000 will be in charge of the PBTs and will be responsible for their care and maintenance. Any unusual readings or damage to the PBTs should be reported to the shift supervisor immediately and then forwarded to the Sergeant in charge of the devices.

CONFIDENTIAL INFORMATION

General Order 1-12
December 2015

I. POLICY

It is the policy of the Moraine Police Division to hold confidential information transpiring with the police division so as not to compromise the mission of this agency or endanger employees or citizens.

II. PROCEDURE

- A. All officers and members of the Moraine Police Division shall handle, as confidential, the official business of the Moraine Police Division. They shall not communicate information of an official nature, to anyone, except those for whom it is intended, or as directed by the Chief of Police, or under due process of law.
- B. Officers and members of the Moraine Police Division shall not make known to any person, any special order which they may receive, unless so required by the nature of the order.
- C. All officers and members shall treat information reported with the police division at the level of confidentiality indicated, and shall obtain or utilize no information thus provided for their personal gain or objectives.

INTERNAL AFFAIRS AND DISCIPLINE POLICY

General Order 1-13
December 2015

I. PURPOSE

The purpose of the Internal Affairs And Discipline Policy is to ensure that the integrity of the agency is maintained through an internal system where objectivity, fairness, and justice are assured by intensive and impartial investigation to:

- A. Clear the innocent,
- B. Establish guilt of wrong-doers,
- C. Facilitate prompt and just disciplinary action,
- D. Identify defective procedures or material.

Emphasis will be placed on the positive approach rather than the negative or the punitive aspects of discipline. This order is based on the premise that discipline is a function of command and a well-disciplined force is one which voluntarily and ungrudgingly conforms to all division policies and regulations.

- A. Employees shall be advised of expected job behavior, and the types of conduct the City and Police Division have determined to be unacceptable behavior.
- B. Immediate attention shall be given to police infractions. Complaints shall be filed in a timely manner. No complaint will be accepted more than 30 days following the alleged event unless the circumstances prevented a more timely reporting.
- C. Discipline shall be applied uniformly and consistently throughout the Division and any deviation from standard procedure must be documented.
- D. Each offense shall be dealt with as objectively as possible.
- E. Discipline shall be progressive as outlined in this policy.

II. RESPONSIBILITY

- A. Internal Affairs investigations will be under the direct control of the Chief of Police. The Internal Affairs Section will consist of one Internal Affairs supervisor, holding the rank of lieutenant, who reports directly to the Chief of Police. The Internal Affairs supervisor may assemble such staff as is necessary to conduct an investigation.

III. VIOLATIONS AND COMPLAINTS

All alleged or suspected violations of Law, Ordinances, or Departmental Rules, Regulations and Orders will be investigated. This shall include complaints reported to Supervisory or Command personnel by citizens, or other division members, and those violations observed by supervisors and administrators.

- A. Supervisory or Command personnel shall assume the duties and obligations of their rank in the investigation of the areas of the employee's action under their responsibility in an effort to discover unsatisfactory job behavior or performance. Supervisory officers shall have the responsibility of investigating alleged violations or employee misconduct by members subordinate to their rank.
- B. Supervisory or Command personnel will not look to higher authority to initiate investigations when the employee's violation is within the scope of their own responsibility and authority, except when the nature of the complaint would require investigation by the Office of the Chief of Police.
- C. Supervisory and Command personnel shall have the authority to issue oral reprimands, written reprimands, and to make emergency suspensions with pay.
- D. Allegations, that upon initial investigation appear to be substantiated by fact, and if true, would constitute a criminal act under law, will be investigated by the Office of the Chief of Police.
- E. The Office of the Chief of Police retains the right to investigate any area of police action that may threaten the integrity or effectiveness of the Police Division.
- F. If the complaint involves only the citizen's contention that he is innocent of a charge placed against him by a police officer, then the citizen shall be advised to seek judicial redress through established court procedures.
- G. If a complainant refuses to sign the affidavit stating the alleged violation, the complainant shall forfeit his rights to an investigation. However, the Chief of Police shall, if the allegations are of such a nature that further investigation is warranted, investigate the allegations.

IV. PROCEDURES

- A. All formal complaints must be investigated. This includes:
 - 1. Those violations reported to supervising or commanding officers by:
 - a. Members of the division either orally or in writing.
 - b. By citizens (including prisoners) in person, by telephone, by correspondence either signed or creditable anonymous complaints.
 - 2. Those violations observed or suspected by supervising or command officers.

3. Any alleged or suspected breach of integrity or case of moral turpitude from whatever source it may be reported or developed.
 4. Any situation where an employee has been killed or injured by the willful or deliberate act of another person.
 5. Any situation in which a citizen has been injured or killed by an employee, whether on duty or not.
 6. Any situation involving the discharge of firearms by an officer, excluding training and animal destruction.
 7. Assisting any member of the division by investigating cases of personal harassment, threats, false accusations, or contrived situations which may be harmful to him/her.
- B. Incidents excluded:
1. Personnel complaints filed more than 30 days after alleged incident, with the following exceptions:
 - a. When the act complained of is a criminal violation in which case the criminal statute of limitations will prevail.
 - b. When the complainant can show good cause for not making the complaint earlier.
- C. Initial fact finding into internal affairs investigations will be the responsibility of the immediate supervisor of the employee. If the employee's supervisor is not on duty at the time the complaint is received the duty supervisor will record the initial complaint information and forward that report to the proper supervisor.
- If after initial fact finding it appears the investigation may be criminal in nature, or due to its complexity, the investigation will be immediately reviewed with the Chief of Police and Internal Affairs supervisor for further guidance.
- D. Each supervising or command officer will assume the duties and obligations of his rank in the investigation of all areas of police action under his purview in an effort to discover inefficiency or misconduct at its earliest states. He will not look to higher authority to initiate investigations when subjects complained are within the scope of his own authority and responsibility, except when the complexity of the case justifies assistance from the office of the Chief, which he may request at any time.
- E. When there are indications that the person complained against has been drinking and/or is under the influence of drugs, he will immediately be required to submit to visual tests, the results of which will be formally recorded, fortified by a chemical test for intoxication. The lapse of time expressed in minutes, between the initial report or observations of the person's condition and the intoxication tests will be accurately recorded.
- F. When the investigation is completed, the final report will be submitted to the Chief of Police and will conclude with classification of the case into one of the following categories:
1. Unfounded - allegation is false or not factual.
 2. Exonerated - incident occurred, but was lawful and/or proper.
 3. Not Substantiated - insufficient evidence either to prove or disprove the allegation.

4. Sustained - the allegation is supported by sufficient evidence to justify a reasonable conclusion of a violation of law or Division regulations.
- G. When the act complained of is a crime, and the evidence is such that had the action been by private person it would have resulted in his arrest, the investigative officer will explain the circumstances to the Chief of Police, and request a decision as to whether:
1. The accused person should be arrested forthwith, or;
 2. A warrant for his arrest should be first applied for, or;
 3. Whether criminal action should be delayed pending further investigation.
- H. When the investigating officer determines that the allegation is sustained, the level of the offense must then be considered. The examples of Group I, II, and III offenses, set forth below, are characteristic of offenses/infractions which have been historically judged to be of such nature so as to warrant those penalties established for each group. The offenses included are to be used as examples, and are not meant to be an exhaustive list of possible offenses.

GROUP I OFFENSES

1st Offense	Oral Reprimand
2nd Offense	Written Reprimand
3rd Offense	One (1) - Three (3) Day Suspension Without Pay
4th Offense	Five (5) - Ten (10) Day Suspension Without Pay
5th Offense	Reduction in Pay Grade(s) and/or Rank
6th Offense	Termination

1. Failure to commence duties at the beginning of the work period, or leaving work prior to the end of the work period.
2. Failure to "report off" work for any absence.
3. Discourteous treatment of the public.
4. Leaving post, assignment or position prior to being relieved or without authority.
5. Neglect or carelessness in reporting for work.
6. Creating or contributing to unsanitary or unsafe conditions.
7. Distracting the attention of others by shouting, demonstration or otherwise causing disruption in the work place.
8. Malicious mischief, horseplay, wrestling, or other undesirable conduct, including excessive use of profane or abuse language.
9. Failure to cooperate with other employees as required by job duties.
10. Failure to use reasonable care of City property or equipment.
11. Use or possession of another employee's working equipment without authorization.
12. Neglect or carelessness in observance of official safety rules, or disregard of common safety practices.
13. Obligate the City for any expense, service or performance without authorization.
14. Failure to report accidents, injury, or equipment damage.
15. Unsatisfactory work.
16. Violation of division uniform regulations.
17. Failing to submit reports in a timely manner.
18. Distributing or posting written or printed matter of any description on City premises unless authorized.
19. Excessive sick leave and/or pattern of abuse of sick leave.

GROUP II OFFENSES

1st Offense	Two (2) or Three (3) Day Suspension Without Pay
2nd Offense	Ten (10) Day Suspension Without Pay
3rd Offense	Reduction in Pay Grade(s) and/or Rank
4th Offense	Termination

1. Reporting for work or working while unfit for duty.
2. Being in possession of or drinking alcoholic beverages on duty.
3. Conduct violating morality or common decency (e.g., sexual harassment).
4. Unauthorized use of City property or equipment.
5. Willful failure to report for work when required.
6. Failure to report for overtime work without good reason after being scheduled to work according to scheduling policy.
7. Willful failure to make required reports.
8. Solicitation on City premises without authorization.
9. The making or publishing of false, vicious, or malicious statements concerning employees, supervisors, the City or its operations.
10. Threatening, intimidating, coercing, or interfering with subordinates or other employees.
11. Refusing to provide testimony in court, during a criminal or accident investigation, or any type of public hearing.
12. Giving false testimony during a complaint or grievance investigation, or a disciplinary inquiry.
13. Unauthorized posting, removal or defacing of notices or signs from bulletin boards on City property.
14. Willful disregard of Division Rules.
15. Use of abusive or threatening language toward supervisors.
16. Unauthorized absence from work.
17. Criminal misdemeanor conviction.

GROUP III OFFENSES

1st Offense From Ten (10) Day Suspension to Termination

1. Wanton or willful neglect in the performance of assigned duties or in the care, use or custody of, any City property or equipment. Abuse, or deliberate destruction in any manner of City property, tools, equipment, or the property of another.
2. Falsifying testimony when crimes or accidents are being investigated, falsifying or assisting in falsifying or destroying any City records, including work performance reports, or giving false information or withholding pertinent information called for in making application for employment.
3. Making false claims or misrepresentation in an attempt to obtain any City benefit.
4. Stealing or similar conduct, including destroying, damaging or concealment of any property of the City or of other employees.
5. The use of or the sale of any illegal drug or narcotic.
6. Fighting or attempting injury to other employees.
7. Knowingly concealing a communicable disease which may endanger other employees.
8. Misuse or removal of City records or information without prior authorization.
9. Dishonesty or any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are: theft, pilfering, opening desks assigned to other employees without authorization, theft and pilfering through file and storage cabinets or other property of the City or other employees without authorization; inserting slugs in vending machines without paying the proper charge therein; making false statements to secure an excused absence or to justify an absence or tardiness; making or causing to be made inaccurate or false reports concerning any absence from work. The foregoing examples are only and do not limit the terms "dishonesty" or "dishonest action."
10. Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of the supervisors.
11. Falsifying a sick leave report, any doctor's or medical excuse, or any verbal or written statement that is used to obtain sick leave benefits.
12. Any felony conviction.

- J. Once the investigating officer has determined the level of the offense, he shall reduce the investigation to a formal report. Within this report the investigating officer shall identify the allegation, the finding (unfounded, exonerated, not substantiated, or sustained), any recommendations for changes in policy, procedure, training, or equipment, and discipline as outlined below:
1. Should the infraction be defined as one of those which are of a relatively minor nature (Group I), and the discipline involved not be above a written reprimand, the investigating officer shall include within his formal report a finding of discipline. The investigating officer shall issue the discipline to the employee, and document same within the formal report. This report will be forwarded to the Chief of Police via the Internal Affairs Supervisor. The Internal Affairs Supervisor and the Chief of Police will take into consideration any previous discipline, or other circumstances, that the investigating officer may not have been aware of when considering the discipline. Should the Chief of Police believe that the discipline needs to be modified due to these circumstances, he shall, within 3 business days of receiving the report, advise the supervisor and the officer involved that a hearing will be held regarding the discipline.
 2. Should the infraction be defined as one of those which are of a more serious nature than a Group I offense, or should the circumstances dictate that the offense may warrant discipline of a suspension or more, or criminal complaint, the investigating officer shall forward his formal report to the Chief of Police via the Internal Affairs Supervisor. The investigating officer may include within his report a recommended level of discipline.
- The employee enjoys the right to a pre-disciplinary hearing in front of the Chief for all discipline of a suspension or more.
- K. The employee is entitled to appeal the findings of the investigating supervisor and/or the Chief of Police. All appeals are to be handled as grievances as set forth by the employee's contract.
- L. The Chief of Police will recognize that discipline is a function of command, and that an important purpose of his office is to promote the initiation of disciplinary action at the lowest level of supervision and command, and to assist in the investigation of incidents on request of line officers and others who may fear that they are in a situation where they may be falsely accused.
- M. The Chief of Police will:
1. Maintain a file of all current internal affairs investigations.
 2. Critically examine all areas of police action wherein may exist a threat to the integrity of effectiveness of the Division.
 3. Make an investigation at the request of any member or employee of the Division who feels threatened in any manner. Such persons are authorized to report their situations direct to the Chief of Police without reporting to their supervisors.
 4. The Chief of Police will give assistance to investigative officers engaged in a disciplinary investigation.
 5. Prepare all documents necessary for disciplinary proceedings.
- N. On direct receipt of an alleged violation, the office of the Chief may refer it to the supervisor of the accused directly, or may make an independent investigation of the complaint or information.

- O. The Chief of Police will review all disciplinary investigation reports received or prepared by the Internal Affairs Supervisor or his designee.
1. The thoroughness and promptness of the investigation and the completeness of the reports in order to discover failures or delinquencies in the investigation or the reports that in turn deserve disciplinary investigation.
 2. The need for providing advice, suggestions, or assistance to the officer in charge of the investigation.
 3. The desirability of taking charge of the investigation.
 4. The suitability of the classification of the case.
- P. Investigations conducted by personnel other than supervisor rank will conform to the foregoing provisions of this order insofar as they are applicable.
- Q. Confidential Nature of Investigation and Files.

Many mistaken or even deliberately false reports and accusations are made against police division employees. In some instances the most conscientious and hard working employee will be the subject of such reports.

In order to insure the integrity of the division, it is necessary to investigate completely and thoroughly all reports and accusations from all sources. This must be done. At the same time, the reputations and good names of innocent employees must be protected. This is important to morale, and thus to the effectiveness of the police operations. All cases will be regarded as confidential and the records of such cases will be retained only in the files of the Chief.

R. Emergency Suspensions

Any supervisor may impose an emergency suspension against a member or employee when it appears that such action is in the best interest of the division.

Any person so suspended shall be instructed to report to the office of the Chief of Police at 9:00am on the next business day, unless the circumstances dictate a different course of action.

The supervisory officer imposing or recommending the suspension will report at the same time.

Final division authority and responsibility rests with the Chief of Police. The Chief of Police retains the prerogative and right to sanction or withhold any disciplinary action until such time as any appeal has been concluded.

V. DISTRIBUTION

- A. This order will be reproduced and a copy given to each member of the division.

VI. EMPLOYEE'S RIGHTS DURING AN INTERNAL INVESTIGATION

A. Requirements of Formal Complaints Against Employees

1. Formal complaint statements must be reduced to writing and signed by the person filing the complaint. Complaints in affidavit form are not required, but all signed letters will be verified to ensure that they are not fictitious.
2. The person making the complaint must have firsthand knowledge of the incident.
3. A written and signed letter from a supervisor, or from another employee who is aware of the facts, may fulfill the requirements of a complaint.

B. Employee Required to Answer Questions

1. An employee can be required to answer questions relating to his/her duties, and he/she can be disciplined, up to and including dismissal, for refusal to answer such questions.
2. Any required statements can be used against the employee in a disciplinary action or in an administrative proceeding. However, these required statements would be inadmissible in subsequent criminal action.
3. Voluntary statements or confessions made by an employee while being questioned would be admissible in criminal proceedings.
4. When an employee is ordered to submit to a polygraph examination, the information gained cannot be used against the employee in any subsequent criminal proceedings. Disciplinary action, including dismissal, may be taken against the employee if he/she refuses to take the polygraph examination or fails to answer truthfully.
5. Polygraph questions asked during the course of the examination will pertain only to the investigation and said questions will be narrow in scope.

C. Counsel at Internal Investigations

1. An employee will be permitted to have counsel present during an interview pertaining to an investigation of a non-criminal matter.

2. An employee will be permitted to have counsel present during any interview pertaining to an investigation of a criminal matter.
3. For the purposes of this section, counsel will refer to legal counsel or union representation.

D. Miranda Warnings

It is not necessary to give an employee Miranda Warnings during Division investigations of non-criminal matters. However, Miranda Warnings must be given to an employee who has been accused of a criminal matter and who is being interviewed concerning that matter.

E. Special Tests

1. An accused employee may request a breath test (if available), a blood test, a urine test, a psychological test, or a polygraph test if he/she believes such a test would be beneficial to his/her defense. Also, the Division may require such tests upon the direction of the Chief of Police.
2. An on-duty supervisor is required to direct an employee to submit to a breath, blood, or urine test when the level of inebriation is a factor directly related to duty performance or to operating a Division vehicle.

F. Confidentiality of Reports

All complaint investigation reports related to an Internal Affairs investigation are confidential and will not be released to unauthorized persons.

G. Interview Rights

1. All interviews will be conducted while the employee is on duty, if possible.
2. The interviews will be held at the Police Division, or at a location designated at the Chief of Police.
3. During the interview, there will be one individual designated as the interviewer, and only he/she will ask the interviewee(s) questions.
4. Prior to answering any questions, signing a statement or participating in an identification lineup, the accused employee shall be informed of the allegations made against him/her and (when applicable) receive a copy of the original complaint and a statement of charges.
5. The accused employee being interviewed shall not be subjected to offensive language or threatened with transfer, dismissal or disciplinary action. No promise or reward shall be made as an inducement to answer any questions.
6. Once an employee has been officially charged, all further interviews or interrogations shall be recorded. Any interruptions will be duly noted and any relevant discussions transpiring during breaks will be summarized, transcribed on the tape recorder, and verified for accuracy by the accused.

COMMENDATIONS AND AWARDS

General Order 1-14
July 2015

The purpose of this order is to establish a uniform means of recognizing actions or performances by members of the Division, and citizens, which are either outstanding or beyond that which is normally expected.

I. POLICY

All personnel of the Moraine Police Division consistently display a high level of professionalism, which is readily apparent in their conduct. The Division has developed this awards procedure to permit public recognition of personnel who bring honor to themselves and the Division through heroic or meritorious acts, or through outstanding service which is beyond that normally expected, or which exceeds the highest standards.

This procedure will also serve to provide a system for public recognition of citizens whose actions have contributed to the apprehension of criminals, the prevention of crime, or the safety of the community.

All personnel are encouraged to submit a recommendation for award when the actions of other personnel or citizens are deserving of recognition. It shall be the responsibility of supervisory and administrative officers to observe carefully the actions of subordinates and report any action deserving of special recognition.

The standard to achieve these awards has purposefully been set high. The administration hopes that the attainment of awards engenders well earned respect within the Division.

II. COMMENDATIONS AND AWARDS

A. Medal of Valor Award

1. To be awarded for outstanding service, such as a deliberate, thoughtful action involving extraordinary heroism and extreme risk to the life of the recipient, in an effort to save the life of another person. Example: Risking one's own life in the line of gunfire to rescue another.
2. The Medal of Valor may be awarded posthumously.
3. The award shall consist of an award certificate, gold medal with a red Maltese cross suspended on a red ribbon, and a red award ribbon.
4. A plaque shall be established and the names of all personnel who receive this award shall be placed on it.

B. Distinguished Service Award

1. To be awarded for highly creditable unusual law enforcement accomplishments, above and beyond the call of duty, which may stem from an individual incident or a series of incidents. Must be evidenced by highly professional conduct (a performance); or give evidence of selfless conduct by an employee, usually in a crisis or emergency situation; or involve an act of significant risk to the life of the employee; or, in a stressful situation, exercise good judgment to save the life of another.

2. The Distinguished Service Award may be awarded posthumously.
3. The award shall consist of an award certificate, a gold eagle medal suspended on a blue and white ribbon, and a blue/white vertically striped award ribbon.
4. A plaque shall be established and the names of all personnel who receive this award shall be placed on it.

C. Purple Heart Award

1. To be awarded for wounds sustained in the line of duty (officer negligence excluded) as a direct result of hostile action (violence, i.e., aggravated assault) that caused serious physical harm as defined by the O.R.C., Section 2901.01E. The definition of a wound is an injury to any part of the body from an outside force or agent. A physical lesion is not a requirement if concussion or other form of injury is the direct result of the hostile action.
2. The Purple Heart Award may be awarded posthumously.
3. The award shall consist of an award certificate, a gold medal with a purple star suspended from a purple ribbon, and a purple award ribbon.

D. Commendation

1. A commendation shall be issued when a member of the Division, through his/her knowledge, initiative, or common sense, performs his/her duty in an outstanding manner. Such performance may be evidenced by selfless conduct by the member during a time of crisis or emergency; or by skillful handling of a difficult assignment.
2. A commendation shall consist of a letter issued by the Chief of Police; upon receipt of a fifth commendation, the member will be awarded a gold ribbon. Upon receipt of the tenth commendation, and each subsequent fifth commendation, the member will be awarded a silver star to append to the ribbon.

E. Letters

1. Letters of Recognition: In recognition of a member's thorough and skillful handling of a difficult assignment through the performance of one's duties, a ranking officer may give the member a Letter of Recognition, for actions which do not merit a Commendation.
2. Letters of Appreciation: Letters of Appreciation are frequently received from persons outside this Division, (i.e., citizens, other city divisions, and other police departments.)
3. Original Letters of Recognition or Appreciation will be given to the member so honored. Copies of the letters shall be forwarded to the Chief's office for inclusion in the member's personnel file.

III. SPECIAL ANNUAL AWARDS

A. Officer of the Year Award

1. An award designed to recognize the efforts of an officer throughout the year. The officer should exhibit a continuous concerted effort, or individual acts, demonstrating a superior ability and dedication.
2. The award shall consist of a certificate (plaque) and a dark blue ribbon.

B. Rookie Officer of the Year Award

1. An award to recognize an officer with two years or less service who demonstrates effectiveness and efficiency coupled with a dedication surpassing normal expectation of a rookie officer.
2. The award shall consist of a plaque.

C. Best Arrest Award

1. An award to recognize an officer or officers who, having captured a criminal or criminals, in doing so made a significant contribution to the division's mission. Two distinct awards exist in this category:
 - a. Best Arrest in Progress.
 - b. Best Arrest - Investigative.
2. The award shall consist of a plaque.

D. Team Commitment Award

1. An award to recognize an individual who by act or acts contributes to the goals of the Police Division, enhancing the ability of the Division to achieve success.
2. The award shall consist of a plaque.

IV. OTHER AWARDS

A. Armed Forces Veteran Award

1. To be awarded to personnel who have honorable service for at least 180 consecutive days in a division of the Armed Forces. The employee must substantiate same with a copy of military form DD214 as proof of qualification for the award.
2. The award shall consist of a red/white/blue ribbon. Combat veterans shall receive a silver star for display in the center of the ribbon. "Combat Veteran" shall be defined as a person who, while serving in the armed forces of the United States, served within an area designated by the Department of Defense as a combat zone.

B. Academic Achievement Award

1. To be awarded as recognition for attainment of college degree.
2. The award shall consist of a white/light blue ribbon for an Associate's Degree; addition of a gold star for a Bachelors Degree, or a silver star for a Masters Degree.

C. Driving Award

1. To be awarded as recognition of those employees with no "chargeable" or "non-chargeable but negligent" accidents. Each fifth year qualifies for the addition of a bronze star.
2. Eligibility toward earning this award is accountable only during that time that the employee is assigned to operate a division vehicle. A "chargeable" or "non-chargeable

but negligent” accident disallows the wearing of this ribbon for two years from the date of the finding, providing the employee meets all requirements.

3. The award shall consist of a red/green ribbon.

D. Attendance Award

1. Shall be awarded as recognition for personnel who have three years of perfect attendance, and rate “Exceeds Standards” in punctuality/attendance on their performance evaluation for that year.
2. The award shall consist of a plaque and a white ribbon for three years. A gold star shall be appended to the ribbon after five years, and for each five years after that.

E. Physical Fitness Award

1. Shall be awarded to personnel who participate in the physical fitness program and who score above average on all phases of the fitness test.
2. Award shall consist of an orange/red ribbon. Ribbon shall be worn only as long as the employee qualifies.

V. CITIZEN AWARDS

A. Commendation

1. Shall be awarded to those citizens who provide direct assistance to the Division which results in the apprehension of a criminal, or the prevention of a criminal act. The assistance goes beyond the mere reporting of an incident, and entails direct involvement such as foot pursuit, maintenance of surveillance of an offender, detention of an offender, or other activity which could pose a threat to the life or safety of the citizen.
2. This award shall consist of a plaque.
3. The award shall be presented to the citizen by the Chief of Police at a Council Meeting.

B. Letter of Appreciation

1. Shall be awarded to those citizens whose assistance results in apprehension, detection, or rescue, but whose involvement is less than direct and is an act which poses no threat to the life or safety of the citizen.
2. The award shall consist of a letter to the citizen, which identifies the activity for which the citizen is being recognized, and expresses the Division’s gratitude for such assistance.

C. Recommendations for citizen awards shall be reviewed in a timely manner by the Chief of Police.

VI. SUBMITTING RECOMMENDATIONS

- A. All recommendations for awards shall be submitted on a “Recommendation for Award” form.

- B. The Recommendation for Award form shall be forwarded, via the chain of command, to the Deputy Chief. Each level of command shall endorse the form and enter appropriate comments or information.
- C. Appropriate documentation must be submitted with the recommendation, including all reports, follow-up information, and witness statements.

VII. AWARDS REVIEW BOARD

- A. All recommendations for awards shall be reviewed by the Awards Review Board. The Board may rely on the submitted documentation, or may conduct additional investigation. The Board will make a recommendation to the Chief of Police as to the merit of the request.
- B. The Board shall be composed of the command staff.
- C. An employee nominated for an award, if on the board, will not be present for consideration of the award. A board member who has made a nomination can participate in the consideration but not vote.
- D. The Board members will be approved by the Chief of Police and convene as directed by the Chief.

VIII. ISSUANCE OF AWARD

- A. All awards, other than letter of recognition or appreciation, will be conferred by the Chief of Police.
- B. Medal awards and the Special Annual Awards will be presented at the Police Awards Banquet, or other assembly, each year.
- C. Commendations and other awards will be presented at the direction of the Chief.

BLOODBORNE PATHOGENS EXPOSURE CONTROL PROGRAM

General Order 1-15
December 2015

I. PURPOSE:

OSHA Title 29 CFR 1910.1030. The goal of the standard is to protect workers from unnecessary exposure to health hazards in blood and bodily fluids, called bloodborne pathogens. It requires:

- Written exposure control program, including annual review;
- Engineering and work practices controls;
- Personal Protective Equipment (PPE) use and procedures;
- Training and communication with employees;
- Post exposure evaluation and follow-up requirements; and
- Record keeping.

A. Design of Standard

This standard covers all employees who have on-the-job potential exposure to bloodborne pathogens without taking into account the use of any Personal Protective Equipment (PPE).

B. Definitions

1. Bloodborne Pathogens - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, HBV and HIV.
2. Occupational Exposure - Reasonably anticipated skin, eye, or nasal membrane contact with blood or other "potentially infectious materials" that may result from one's job.
3. Potentially Infectious Materials - Fluids including semen, vaginal secretions, amniotic fluid, breast milk, saliva, urine, vomit, any bodily fluid that contains blood, and other bodily fluids.
4. Universal Precautions - All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.
5. Personal Protective Equipment - 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.
6. Contaminated Sharps - Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.
7. Decontamination - 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.

II. RESPONSIBILITY

The person responsible for implementing and coordinating the Bloodborne Pathogen Exposure Control Program shall be appointed and supervised by the Division Head. This person shall be responsible for determining exposures and identifying job classifications where there is an exposure to blood and other potentially infectious material. This person or their designee will ensure that all employees with potential exposure are provided with:

- A. An accessible copy and explanation of the OSHA regulatory text;
- B. Appropriate training within 90 days of employment and at least annually thereafter, to include topics listed below;
- C. General explanations of epidemiology, symptoms, and transmission modes;
- D. Insight into how to recognize events that may involve possible exposure;
- E. Procedures to following the event of exposure;
- F. Basis for selection of PPE including proper use, location, removal, handling, decontamination and disposal of PPE;
- G. Use and limitations of practices to reduce exposure include:
 - 1. Engineering controls;
 - 2. Work practices; and
 - 3. PPE.
- H. Hepatitis B vaccination information, such as safety, benefits, efficacy and availability;
- I. Procedures to follow after an exposure with information on reporting and medical follow-up available;
- J. Post exposure evaluation and follow-up;
- K. Use, location and decontamination/disposal of PPE and clothing;
- L. Emergency response with information on follow-up and medical counseling; and
- M. An explanation of warning signs, labels and color coding.

III. PROCEDURES

- A. Exposure Determination

OSHA requires that employees who may be exposed to blood or other potentially infectious materials be identified. And, when identifying such employees, OSHA requires that personal protective equipment not be taken into account and that individual tasks/procedures that place a particular employee at risk be identified.

B. Hepatitis B Vaccinations

All employees identified as having an occupational exposure to bloodborne pathogens will be offered the opportunity to be vaccinated against Hepatitis B. Such vaccination is to be offered after initial training in exposure risks and within 10 days of initial assignment.

Vaccines must be made available with all medical evaluations and procedures with post-exposure evaluation and follow-up. These must be:

1. At no cost to the employee;
2. At a reasonable time and place;
3. Available from competent personnel; and
4. Provided according to U.S. Public Health Specifications.

Any employee may refuse to be vaccinated. If an employee does not wish to be vaccinated they must complete a declination form (see Appendix A), the City becomes non-responsible for medical treatment for any Hepatitis B infection. If an employee later reconsiders and changes their mind, the vaccination must be provided.

C. Workplace Controls

Universal precautions will be followed. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

Hand washing facilities will be readily available to all employees who have an occupational exposure. When this is not feasible, employees will be provided with either an appropriate antiseptic hand cleanser in conjunction with clean cloth-paper towels or antiseptic towelettes. Do note that if these alternatives are used, employees should be instructed to wash with soap and water as soon as feasible.

Employees shall be required to wash their hands and any other skin with soap and water, or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or other potential infectious materials.

In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses.

Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets, or on counter tops or bench tops where blood and other potentially infectious materials are present.

Mouth pipetting/suctioning of blood or other potentially infectious materials is prohibited.

Specimens of blood or other potentially infectious materials will be placed in a container that prevents leakage during the collection, handling, processing storage, and transport of the specimens. The container used for this purpose will be affixed with a BIOHAZARD warning label. Any specimens that could puncture a primary container will be placed within a secondary container that is puncture resistant. If outside contamination of the primary container occurs, the primary container shall be placed within a properly labeled secondary container that prevents leakage during the handling, processing, storage, transport, or shipping of the specimen.

Contaminated needles and other contaminated sharps will not be bent, recapped, removed, sheared, or purposely broken. OSHA allows an exception to this if the procedure would require that the contaminated needle be recapped or removed and no alternative is feasible and the action is required by the medical procedure. If such action is required then the recapping or removal of the needle must be done by the use of a mechanical device or a one-handed technique.

Equipment and Personal Protective Equipment (PPE) that has become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary unless the decontamination of the equipment is not feasible. If this is the case, it should be properly disposed of.

Employees who administer mouth-to-mouth resuscitation shall use, if at all possible, pocket masks equipped with one-way valves.

The following signs are required:

1. Biohazard signs on refrigerators, freezers or similar storage areas where blood or potentially infectious materials are stored;
2. Signs in work areas forbidding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses due to the presence of blood or potentially infectious materials;
3. Warning signs for specific working areas where limited access is in force or that additional practices or PPE are necessary due to the presence of blood or potentially infectious materials are mandatory in research laboratories and production facilities involving HIV and HBV; and
4. Location signs for storage of PPE.

D. Personal Protective Equipment

The Division will provide employees with an occupational exposure with disposable (single use) gloves to wear while performing those functions where the exposure exists. Utility gloves can be substituted if they can be decontaminated for re-use without a loss of integrity to the gloves.

All personal protective equipment used will be provided at no cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

Masks in combination with eye protection devices, such as goggles or glasses with solid side shield, or chin length face shields, are required to be worn whenever splashes, spray, splatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can reasonably be anticipated.

Appropriate protective clothing such as lab coats, aprons, clinic jackets and similar outer garments should be worn.

For emergency situations, each permanent place of work within the Division where it has been determined that employees have an occupational exposure and all police division vehicles will be equipped with a bloodborne pathogen kit that contains the following:

1. 1 Tyvek QC Coverall with Hood and Booties;
2. 1 Fluidshield Procedure Mask w/ Wraparound Splashguard Visor;
3. 1 Antimicrobial Towelette;
4. 1 Biohazard Bag, 12 Gallon
5. 1 pair Heavy Duty Latex Gloves.

All garments and other PPE that are penetrated by blood shall be removed immediately or as soon as feasible. All personal protective equipment will be removed prior to leaving the work area. The PPE will be stored in an identified storage area until it is either decontaminated or disposed of.

The Division, at no cost to employees, will make all repairs to and/or replacement of PPE. All personal protective equipment will be cleaned, laundered, and/or disposed of by the Division at no cost to employees.

E. Housekeeping

All equipment and environmental and working surfaces shall be cleaned and decontaminated after contact with blood or other potentially infectious materials.

Contaminated work surfaces shall be decontaminated with an appropriate disinfectant immediately or as soon as feasible when surfaces are overly contaminated or after any spill of blood or other potentially infectious materials.

Protective coverings, such as plastic wrap, aluminum foil, or imperviously-backed absorbent paper used to cover equipment and environmental surfaces shall be removed and replaced as soon as feasible when they become overtly contaminated.

All bins, pails, cans and similar receptacles intended for reuse which have a reasonable likelihood of becoming contaminated with blood or other potentially infectious materials shall be inspected and decontaminated on a regular scheduled basis and cleaned and decontaminated immediately or as soon as feasible upon visible contamination.

Broken glassware that may be contaminated shall not be picked up directly with the hands. It shall be cleaned up using mechanical means such as a brush and dust pan, tongs, or forceps.

Reusable sharps that are contaminated with blood or other potentially infectious materials shall not be stored or processed in a manner that requires employees to reach by hand into containers where these sharps have been placed.

F. Laundry

Contaminated laundry will be handled as little as possible with a minimum of agitation. Those employees handling contaminated laundry will wear protective gloves and any other necessary personal protective equipment.

Contaminated laundry shall be bagged or containerized at the location where it is used and shall not be sorted or rinsed in the location of use.

Contaminated laundry shall be placed and transported in bags or containers that prevent soak-through or leakage and are labeled as a BIOHAZARD. Officers may use the laundry at any fire station to wash their clothing.

G. Disposal Procedures

All PPE that is to be disposed of will be placed in appropriately marked BIOHAZARD bags/containers.

Contaminated sharps will be discarded immediately or as soon as feasible into containers that are:

1. Closable;
2. Puncture resistant;
3. Leak-proof on sides and bottom; and
4. Labeled as a BIOHAZARD.

All contaminated waste shall be placed in containers that are:

1. Constructed to contain the contents and prevent leakage of fluids during handling, storage, transport and shipping;
2. Are labeled as a BIOHAZARD; and
3. Closed prior to removal to prevent spillage or protrusion of contents.

Disposal of all waste shall be done in accordance with applicable Federal and State Law.

H. Post-Exposure Protocol

The employee will immediately contact their supervisor, who in turn will fill out an exposure report (see Appendix B) and a BWC First Report of Injury form for any of the following exposures:

1. Needle stick injury;
2. Break in skin caused by a potentially contaminated object;
3. Splash of blood or other potentially infectious materials onto the eyes, mucous membranes, or other non-intact skin;
4. Mouth-to-mouth resuscitation without a pocket mask; and
5. Other exposure that the employee may feel is significant.

The report will include details on the task being performed, the means of transmission, the portal of entry and the type of personal protective equipment in use at the time.

If there is a possibility that an employee was exposed, medical evaluation will be arranged as soon as possible. If no exposure took place, the employee should be counseled on exposure hazards. The supervisor will comment on the overall disposition of the incident in the exposure report. This report should be forwarded to the Division Head.

If possible infection was by another individual, the Division will make every reasonable effort to obtain pertinent information on the individual. Results of this investigation including any blood testing or other accessible medical data will be shared with the employee.

Any employee who has been potentially exposed to Hepatitis B will, if not previously vaccinated or if the consulting medical professional states that such vaccination is called for, be offered immunization as soon as possible after the potential exposure. The employee must sign a declination statement if he/she does not desire the vaccination.

The Division will ensure that the health care professional evaluating an employee after an exposure is provided with:

1. A copy of OSHA Title 29 CFR 1910.1030;
2. A description of the employee's duties as they relate to the exposure event;
3. Results of the sources individual's blood testing, if available; and
4. All medical records relevant to the appropriate treatment of the employee including status.

The Division will collect from the Healthcare Professional a written opinion within 15 days after the evaluation that will state:

1. Whether Hepatitis B vaccination is indicated for the employee and if the employee has received such vaccination; and
2. That the employee has been informed of the results of the evaluation and has been told about any medical conditions resulting from the exposure to blood or other potentially infectious materials which require further evaluation or treatment.

All other finds or diagnoses shall remain confidential and not be included in this written report. All exposure incident information will be provided to HR for processing and retention.

I. Training

The Division is responsible for ensuring that the following subjects are covered with new employees or those who will be transferring to a position with potential exposure. Those attending such training should sign an infection control training acknowledgment form (see Appendix C).

1. 29 CFR Park 1910.1030 - a copy should be made available;
2. A review of job classifications determined to present potential exposures to bloodborne pathogens;
3. A general explanation of the epidemiology and symptoms of bloodborne diseases;
4. An explanation of the modes of transmission of bloodborne pathogens;
5. An explanation of this infection control program;
6. Information of Hepatitis B vaccinations;
7. Information on the appropriate caution to take and persons to contact in an incident involving potential exposure; and
8. A review of the personal protective equipment being provided to employees.

APPENDIX A

Hepatitis B Vaccination Declination Form

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials, and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

As a result of not having the Hepatitis B vaccination, I hold the City of Moraine harmless in the event I receive the Hepatitis B infection.

NAME: _____
(Please Print)

SIGNATURE: _____

DATE: _____

Distribution: Original to Employee's Medical File
Copy to Employee

I. DEFINITION/TERMS

City Employee - any person employed by the City of Moraine.

Sworn Police Officer - for purposes of this General Order, any person employed as a police officer for any municipal law enforcement agency other than the Moraine Police Division; also, any sworn member of a county, state or federal law enforcement agency.

Member of an Authorized Organization - any person employed by an organization in the criminal justice field; to wit; FBI, DEA, ATF, Miami Valley Regional Crime lab, BCI&I, Attorney for a County Prosecutor's Office, members of Police Explorers groups, Police Chaplain, etc.

II. GENERAL POLICY

Due to considerations of liability and potential hazard to civilians, permission for any non-sworn personnel to ride as observers in police vehicles will be strictly limited as outlined in this procedure.

No person is authorized to ride in a Moraine Police Division vehicle with an officer without prior permission of the Chief of Police or his designee, except when the officer is transporting such person in his/her official capacity as a police officer. Prior permission may be granted to the following persons:

- A. Sworn police officers.
- B. Members of an authorized organization.
- C. Citizens wishing to observe police officers at work and the law enforcement profession.

III. APPLICATION FOR PARTICIPATION/RELEASE OF LIABILITY

- A. Any person wishing to participate in the Ride-Along Program will complete an Application for Participation and a Release of Liability form and submit it at least 24 hours in advance to the Lieutenant or his designee. (Note: this time period may be waived only with the approval of the Chief of Police or Chief's designee) The Lieutenant will review the request with the Sergeant in charge of the shift where the ride-along will take place. If approval is given, the person will be notified as to the date and hours of the ride-along. The Sergeant, or in his absence the Lieutenant, will designate which officer will escort the ride-along passenger. Requests to ride with a specific officer may be denied, without explanation, with assignments being made by the Sergeant that are in the best interest of the police division.
- B. Any application for participation in the Ride-Along Program may be denied if the request is not considered to be in the best interest of the person making application or in the best interest of the Police Division and City. In any case, failure to complete the application form in its entirety may be cause for denial of the person's request. Applicant(s) may be screened by the police division for criminal history and may be denied admission to the program on this basis.

- C. Persons under the age of 18 must have their parent or legal guardian witness/sign the Release of Claims form prior to approval of the request to ride. No person younger than 15 years of age is authorized to participate in the Ride-Along Program. This restriction may be waived only by the Chief of Police.
- D. City employees will be required to complete the Application for Participation/Release of Liability form; however, they are exempt from the 24 hours time limit.
- E. If the applicant is a relative of, or engaged in a relationship with, police division personnel, the application shall not be approved until all such affected police personnel submit a letter to the Chief of Police requesting permission for the applicant to ride. It is suggested, but not required, that the applicant ride with an officer other than the related officer. If the related officer elects to have the applicant ride with him, that officer will be held accountable if the applicant violates this policy, and will be subject to discipline.
- F. Police Division employees are exempted from Section III of the General Order, with the exception of (E) above, and Section VII with regards to participation and time limits.

IV. DRESS CODE/PERSONAL APPEARANCE

Persons participating in the Ride-Along Program are expected to be neat and clean in their clothing and their personal appearance. Dress clothing is preferred however, casual wear is permitted.

Shorts, cutoffs, sandals, blue jeans, T-shirts, sweatshirts, etc., are not acceptable attire. Police officers from other agencies are encouraged to wear the uniform of their agency; however, this is not required. If an officer chooses to wear civilian attire, he/she must comply with the dress code as stated.

All riders will wear seat belts.

V. LIMITATIONS ON PARTICIPATION

Persons other than sworn police officers will only observe. They will not participate or intervene in any manner with the police officer in the performance of his/her duties. No rider will possess or use any type of weapon. The person will remain in the cruiser at all times unless directed to do otherwise by a police officer. The officer is reminded that by federal law, riders are not to be given access to information or allowed to be in any location where the public is not generally permitted. No rider will have access to or view LEADS or other confidential or privileged information

Failure to comply with this policy may result in immediate and permanent termination of the person's participation in the program. Sworn police officers are also expected to observe only and should not intervene or assist except in an emergency.

VI. VEHICLE PURSUITS

At no time will an officer enter into a vehicle pursuit with a civilian Ride-Along passenger in the cruiser. The officer may follow, while observing all traffic and speed regulations, until such time as the passenger can exit the cruiser at a safe location. If the person exits the cruiser so that the officer may become involved in the pursuit, the dispatcher will be notified immediately in order to have the person picked up and transported to the proper location.

VII. TIME LIMITS/FREQUENCY OF PARTICIPATION

Persons riding with an officer will be limited to observing for four (4) hour periods during any ride. Persons riding with an officer will be limited to participation in three (3), four (4) hour sessions every quarter for a total of twelve (12) times a calendar year. Deviation from these limitations may be taken only with the approval of the Chief of Police.

The presence of an observer must be included in an officer's daily activity log. Logging in and out must also be included in the dispatch log.

VIII. FORMS

- A. Application for Ride-Along Program.
- B. Waiver of Liability.

CHAIN OF COMMAND

General Order 1-18
July 2015

I. PURPOSE

To provide for a logical flow of policy, instructions, directions, information and requests. The direction, upward or downward, is determined by the nature of the communications.

II. POLICY

Members of the Division of Police will follow the chain of command and will not visit the office of, or have direct communication with the City Manager or Members of Council, with regard to Division of Police business without first following the appropriate chain of command or as authorized within the Collective Bargaining Agreement.

III. PROCEDURE

- A. The Chain of Command within the Police Division is:
 - 1. Chief of Police
 - 2. Deputy Chief of Police
 - 2. Lieutenant
 - 3. Sergeant
 - 4. OIC, when applicable
 - 5. Patrol Officer, Dispatcher, Cadet, CSO.
- B. At the direction of the Chief of Police any member may be removed from the normal chain of command and directed to report to a different level of command.
- C. No member will be denied an interview with his or her supervisor.
- D. All correspondences, requests, and grievances directed to a higher level must be processed within the chain of command.
- E. In the absence of a direct supervisor, the ranking member on duty, or OIC, may approve a request to the next higher level to avoid an unnecessary delay.
- F. Whenever two or more officers of the same rank are on duty within the same area of responsibility, the chain of command will be determined according to time and rank in grade, except when otherwise designated by the superior officer.

I. POLICY AND PURPOSE

- A. General Orders - General Orders are issued to announce policies and to direct procedures for the long term operation of the Police Division. The following are proper subjects for General Orders:
 - 1. Institution of permanent procedures, policies, rules and revisions.
 - 2. Permanent changes in organization.
- B. Special Orders - Special Orders are issued to announce policies or direct procedures for a specific event or circumstance and is temporary in nature. Special orders will be self-canceling or will have an expiration date not to exceed 60 days. Special Orders may be in the form of paper or electronic message, email, webpage, video, etc.
- C. Training Bulletins - Training Bulletins are to provide timely information to guide the decision making process. Training Bulletins are advisory in nature. Training Bulletins may be in the form of paper or electronic message, email, webpage, video, etc...
- D. Memoranda (Correspondence) - Memoranda disseminate information or instructions that do not require a formal order. Memoranda shall not conflict with established policies and procedures of the Police Division. Memoranda may be in the form of paper or electronic message, email, webpage, video, etc...

II. MANUAL OF PROCEDURE, DISTRIBUTION OF DIRECTIVES

- A. Each employee of the Division of Police will be issued a procedure Manual in a loose leaf binder. This manual is the official repository of the agency policy, procedures, and rules. Each employee will be responsible for incorporating new, revised, or updated procedures issued to them into their Procedure Manual, and removing deleted, amended, or canceled procedures.
- B. Each employee will become thoroughly familiar with the contents of this Procedure Manual.
- C. Each employee will be given a copy of procedures as they are issued, modified, or updated.
- D. Additional updated copies of the Procedure Manual will be placed in the Patrol Room and Communications Center.
- E. The General Orders will be also be provided in digital and kept current by the Administrative Assistant to the Police Chief.

III. REVIEW OF PROCEDURES

- A. The Chief of Police will annually initiate a review of the Procedure Manual. The review may be done by the Chief of Police, his designee, or a committee appointed to that task.
- B. Any employee may request a review of a particular procedure by making a written request to the Chief of Police. The request must contain the procedure title, index number, the reason for the requested review, any question, and any suggestion for modification of the procedure.

**SEXUAL HARASSMENT AND OTHER FORMS
OF ILLEGAL HARASSMENT**

General Order 1-20
November 2003

(See City of Moraine Personnel Manual, Section 6.5)

I. TRAINING GOAL

- A. The Moraine Police Division will provide training for all personnel in accordance with the Ohio Revised Code and the Ohio Peace Officer Training Council.
- B. The following objectives will be used to attain our goal in all training:
 - 1. The understanding of the Division's role in service to the public, in the protection of lives and property.
 - 2. The understanding of the police officer's role in interacting with the criminal justice system, and the police officer's role in exercising authority.
 - 3. Increase productivity and effectiveness through enhanced knowledge.
 - 4. Utilizing the expertise of professional trainers coupled with in-house talent to provide quality instruction on numerous topics.
 - 5. To provide unity of purpose to personnel through common training.
 - 6. Improve officer safety in varying environments.

II. TRAINING FUNCTION

- A. The training function within the Division will be structured by the Deputy Chief of Police who shall be assisted by the Training Coordinator.
- B. An annual training calendar of prospective in-service training will be announced by the Chief of Police.
- C. A catalog of available training outside of the Division will be maintained for review in the Roll Call Room.

III. ACTIVITIES OF THE TRAINING COORDINATOR

- A. Duties of the Training Coordinator:
 - 1. To plan and develop training programs according to the needs of the Division.
 - 2. To register personnel for mandatory and all other available in-house training for all personnel.
 - 3. To maintain training records of all personnel.
 - 4. To maintain attendance of all mandatory training programs.
 - 5. To select instructors and develop training resources.
 - 6. To evaluate all training programs.
 - 7. To coordinate all training programs.

- B. All training will be conducted within the framework of division goals and in cooperation with all operational units.

IV. TRAINING RECOMMENDATION

- A. Individual personnel may request specific training in areas that they have a specific interest or areas that they feel deficient in.
- B. Supervisors and all other personnel are encouraged to make recommendations for training. Major training budget requests will, by necessity, need to be submitted prior to the next year's budget hearings.

V. ATTENDANCE REQUIREMENTS

- A. Mandatory training may not be excused except for vacation or illness. Only the Chief of Police may excuse an employee for additional reasons.
- B. Optional or specialized training is available to employees within need and availability guidelines. Employees desiring to attend this type of training must submit a Request to Attend Training letter. If the training requested is an identified specific class, the employee will identify it as such. If a particular topic is requested, then the letter shall be worded accordingly.

Specialized/Optional Training Request shall include the following to the extent available:

1. Training location, identity of the sponsor (O.P.O.T.A., State Patrol, etc.)
 2. The cost related to the training, tuition, meals, travel, etc.
 3. The schedule the employee will need to attend the class, travel time, if any, etc.
 4. The benefit to the employee/division to be derived from this training as opposed to other similar training.
 5. Submissions shall be advanced through the chain of command with comment offered by the employees immediate supervisor regarding the training sought. Other supervisor comment as appropriate.
- C. The location of training shall be considered to be the employee's "point of assignment."
 - (1) Mileage will not be paid if a division vehicle is available to the employee for transportation.
 - (2) Overtime will not be paid for travel time if the point of assignment is less than fifty miles from the City of Moraine.
 - (3) Lunch breaks will be an unpaid period.
 - D. In addition to the individual employee training files, the training coordinator shall maintain a file of instructors, sites and sponsors to be available for future training review decisions.
 - E. The Training Coordinator will have available training schedules and notices from various sites, including O.P.O.T.A., Ohio State Patrol and others as made available.

VI. TRAINING COSTS REIMBURSEMENT

- A. The Division's training budget pays for all authorized training registration fees and associated training costs which include mileage, meals, housing, books or materials in compliance with the City of Moraine policy.
 - 1. Reimbursement of expenses will require the employee to complete a Travel Expense Form for the Finance Department.
 - 2. The Travel Expense Form must be accompanied by written receipts. No allowance is possible without a receipt.
 - 3. Meal per diem will be distributed within two weeks prior to authorized training.
 - 4. Use of personal vehicles for travel must be approved in advance.

VII. TRAINING RECORDS OF EMPLOYEES

- A. Any training received by personnel will be maintained in training records by the Personnel and Training Unit.
- B. Training records include the following:
 - 1. Name
 - 2. Course title/where and when attended
 - 3. Hours of instruction
 - 4. Certificates issued.

VIII. TRAINING RECORDS, EMPLOYEE'S RESPONSIBILITY

- A. Training records of classes attended.
 - 1. The employee must complete a "Confirmation of School/Seminar Attendance" form and submit it to the Training Coordinator, within five (5) days of course completion.
 - 2. If a certificate is issued for attendance, a copy of the certificate must be submitted to the Chief's Secretary for the personnel record.
 - 3. The employee must complete a School/Seminar Evaluation Form to be provided to the Training Coordinator for use in considering future training assignments.

IX. TRAINING RECORDS RELEASE

- A. Training records will not be released to anyone outside the Division except with the approval of the Chief of Police.

TEMPORARY HOLDING FACILITY

General Order 1-22
December 2012

I. POLICY

The Moraine Police Division Temporary Holding Facility is a three (3) hour facility which physically detains arrestees for a maximum of three hours for processing and/or awaiting transportation. The Division has a comprehensive policy which establishes specific procedures that conform to rules and regulations consistent with state standards as established by the Ohio Bureau of Adult Detention.

II. PROCEDURE

A. The Organization, Management and Administration

1. Responsibility and accountability for THF operations rests with the Operations Commander. Direct supervision of THF operations is under the control of the THF Sergeant.
2. The training of all personnel, pertinent to the operation of the THF, shall be an ongoing process, based upon and in compliance with state standards.
3. Access of Nonessential Persons.
 - a. Essential persons are detainees and Division staff conducting business in the facility. All other persons are considered to be nonessential persons, and will only be allowed in the facility with the permission of the on duty supervisor. In all cases, privacy of detainees is to be protected.
 - b. It will be the shift supervisor's responsibility not to allow any person to enter the THF without first obtaining the permission of the shift supervisor, the THF Sergeant, or other person designated by the supervisors.
4. Reporting Emergency Situations
 - a. Temporary Holding Facility Log

The THF log book will be kept in the Jail Booking Desk and used to informally report significant incidents and items of importance. Examples of items which would be noted:

 - 1) new bookings and releases
 - 2) mechanical problems
 - 3) notations about problem detainees
 - 4) unusual incidents

A Daily Check List form will be completed daily and retained in a three ring binder at the Jail Booking Desk.
 - b. Incident Reports

A miscellaneous incident report will be completed for unusual incidents which significantly affect detainees, staff, or the THF operation. The report will be forwarded to the THF Sergeant. Examples:

- 1) medical removals
- 2) incidents leading to detainee discipline
- 3) finding of contraband
- 4) use of force

c. Formal Reports

- 1) Whenever an incidence of criminal activity occurs within the THF, an officer will make an offense case report. The report will be forwarded through the normal channels and the incident thoroughly investigated. Prosecution will be pursued as appropriate.
- 2) The report will be forwarded to the THF Sergeant.
- 3) The incident will be logged in the THF Log book.

B. Physical Plant

1. Detainees shall have access to a toilet, wash basin and drinking water.
2. No juvenile shall be placed in the THF.
3. No female detainee shall be placed within sight or touch of male detainees if unsupervised.
4. All detainees shall be provided sufficient space for reasonable and necessary movement, and have sufficient seating.
5. Reasonable efforts shall be made to maintain comfortable temperatures in the THF.

C. THF Fire Safety

1. Fire Prevention

- a. Mattresses and pillows used by detainees are required to be made of fire retardant materials.
- b. Detainees are not allowed to possess matches, lighters, or cigarettes.

2. Fire Equipment

- a. There is a one hundred feet garden hose in the sally port which can be used as a backup on Class "A" (combustible materials) fires.
- b. One fire extinguisher, of the type approved by the fire department, will be located in the THF area.
 - 1) The THF Sergeant will conduct weekly visual inspections of the fire extinguisher to verify its presence and check for possible damage.
 - 2) Twice a year, the fire department will inspect and test the fire extinguisher to ensure it is operational and functional as designed. Inspection and testing dates will be marked on a card attached to the fire extinguisher.
- c. The THF has a smoke detector which will alert staff when smoke or fire is present in the facility. The detector will be inspected daily by the THF Sergeant or "B" relief supervisor. Results of the tests and inspections will be documented in the Daily Check List.

3. Facility Inspection

The THF Sergeant will arrange annually for inspection by a certified local or state fire safety inspector who shall apply the National Fire Protection Association 101 Life Safety Code.

D. THF Security and Control

1. Weapons Security

No firearms or weapons, other than OC spray, will be allowed in the THF except in emergency situations.

2. Entry of Occupied Cells

a. Normally an officer will enter an occupied cell only when accompanied by another officer and under the following conditions:

- 1) When **all** detainees are locked down.
- 2) Communications Center is monitoring the facility, using both audio and visual systems.

b. In the event of an emergency in a cell, the officers will respond as follows:

- 1) Notify dispatcher and request immediate assistance from sworn officers. Dispatchers should start visual and audio monitoring of the facility.
- 2) Observe the detainee and determine the nature of the emergency.
- 3) If emergency is believed to result from illness or injury, determine if it is life threatening and requires immediate response, or if assistance can wait until other officers arrive.

3. Security Checks of Unoccupied Cells

The on-duty shift supervisor will, when a cell becomes vacant and prior to its use, conduct a security check of that cell, for any damage or items in need of repair or replacement, as well as for contraband or weapons. Any unusual conditions will be noted in the THF Log book and/or as an incident report and forwarded to the THF Sergeant as soon as possible.

4. Key Control

The cell keys shall be kept in the Communications Center at all times when not in use. Officers removing them will make an entry of the time taken/returned on the THF Log.

5. Door Security

In order to maintain security within the THF, all cells, whether occupied or unoccupied, will remain locked at all times.

6. Security Inspections

Once a week there will be a thorough inspection of the THF's bars, locks, doors, floors, walls, access plates, and other security devices for wear and/or tampering. Cells will be inspected for weapons and contraband. Notation in the THF Log will list the date, time,

inspecting person and any irregularities found. Unusual conditions will be reported on an incident report and forwarded through the chain of command to the Chief of Police. Damaged or defective security equipment will be replaced or repaired immediately.

7. Audio/Visual Communication System

To enhance personal supervision of detainees, the THF can be visually and audibly monitored by dispatchers. Electronic surveillance will not be used to violate the personal right to privacy of detainees.

E. Searches of Detainees

1. Frisk Searches

a. In an effort to prevent the introduction of contraband into the facility, yet respecting persons and their property, all detainees will be subject to a frisk search before being placed in a holding cell.

- 1) Detainees will be required to surrender all personal property to the facility's custody.
- 2) Any evidence found on the detainee will be tagged as evidence and placed in the property room.

2. Body Cavity and Strip Searches

a. As a rule, body cavity and strip searches are not performed on incoming detainees. However, ORC 2933.32 provides that a strip search can be performed under the following conditions:

Whenever an officer has probable cause to believe the prisoner is concealing evidence, fruits or tools of a crime, contraband or a deadly weapon that would not otherwise be discovered.

If strip and/or body cavity searches of detainees are necessary, they are to be conducted in accordance with ORC 2933.32.

b. The following guidelines will be followed when performing a strip search.

- 1) Unless there is a legitimate medical reason or medical emergency justifying a warrantless search, a body cavity search shall be conducted only after a search warrant is obtained which authorizes the search. In any case, a body cavity search shall be conducted under sanitary conditions, and only by a physician, or a registered nurse or licensed practical nurse who is registered or licensed to practice in this state.
- 2) Unless there is a legitimate medical reason or medical emergency that makes obtaining written authorization impractical, a body cavity search or strip search shall be conducted only after the arresting/transporting officer or THF staff obtains written authorization from the command officer of the Police Division, or the person specifically designated by the person in command to give written authorization.
- 3) Strip search will be conducted in a manner that preserves the dignity of the prisoner.

- 4) Strip search will be conducted by staff of the same sex.
- 5) Strip search will be conducted in a non-public area.

3. Written Report of Cavity/Strip Search

- a. Upon completion of a cavity/strip search, the person who conducted the search shall prepare a written report concerning the search that shall include all of the following:
 - 1) The written authorization for the search obtained from the relief supervisor.
 - 2) The name of the person who was searched.
 - 3) The name of the person who conducted the search, the time and date of the search, and the place at which the search was conducted.
 - 4) A list of the items, if any, recovered during the search.
 - 5) The facts upon which the officer based his probable cause for the search.
 - 6) If the cavity search was conducted before or without the issuance of a search warrant, or if the cavity/strip search was conducted before or without the granting of written authorization, the legitimate medical reason or medical emergency that justified the warrantless search or made obtaining written authorization impracticable.
- b. A copy of the written report shall be kept on file at the police department, and another copy shall be given to the person who was searched. If a body cavity search was conducted, a copy of the search warrant and inventory will be given to the person searched.

F. Medical and Health Care Services

1. Preliminary Health Screening

- a. It is the policy of the Moraine Police Division that no person will be admitted to the THF in an unconscious state, and that any evidence of illness or injury will be given prompt attention by medical personnel prior to acceptance of custody.
- b. The receiving THF staff shall complete a preliminary health evaluation record for all new detainees including but not limited to:
 - 1) Current illness and health problems,
 - 2) Medications taken and special health requirements,
 - 3) Behavioral observation, including the state of consciousness and mental status,
 - 4) Notation of trauma, bruises, lesions, ease of movement, jaundice,
 - 5) Conditions of skin indicating rashes and infestations.
- c. Detainees with serious illness or injury will not be admitted to the THF; said persons shall be incarcerated at the Montgomery County Jail if necessary.

2. Emergency Medical Care

- a. If a detainee requests emergency medical care, THF staff will notify the Moraine paramedics; paramedics will examine the detainee and determine the extent of treatment needed, if any.
- b. Detainee is to be transported to Kettering Medical Center or other medical facility, if he requests such transport, by Moraine paramedics.

3. Distribution of Medication

Detainees who would require medication while in the THF, are not to be admitted to the facility; they shall be incarcerated at Kettering Jail or Montgomery County Jail.

4. A first aid kit shall be accessible in the area of the THF.

G. Supervision of Detainees

1. There shall be at least one person available to immediately respond in the event of an emergency in the THF.
2. Each detainee shall be visually observed by facility staff personally at least once every sixty minutes, to make sure no unusual events have occurred. Each surveillance check will be noted in the THF Log by the staff conducting the check.
3. Detainees at special risk shall be subjected to visual surveillance every ten minutes. Special risk detainees include:
 - a. Emotionally unstable or violent persons,
 - b. Intoxicated persons,
 - c. Escape risks,
 - d. Physically ill persons awaiting transport to a medical facility or arrival of paramedics if constant attention is not necessary,
 - e. Suicidal.
4. Detainees must be able to contact a staff person at all times. Audio monitoring is to be activated at all times when the THF is occupied.
5. Video surveillance of the THF is accomplished by use of CCTV. When CCTV is used, precautions must be taken to preserve the dignity of detainees such as not showing toilets or other areas where detainees might disrobe.
6. The use of force within the THF shall require the officer to file a "Use of Force" report.
7. The use of physical restraints within the THF shall require the officer to file a "Use of Restraints" report.

H. Facility Sanitation

1. Sanitation Inspections

- a. The THF Sergeant will make weekly inspections of the THF to ensure sanitary conditions exist. These inspections will be documented, listing the date and time of inspection, name of inspector, and any conditions which may create an unsanitary atmosphere. The THF Sergeant shall take steps to correct the situation as soon as possible. Inspection records will be maintained by the THF Sergeant.
- b. Complaints by detainees of the presence of insects, rodents, or other vermin will be promptly investigated by the shift supervisor. If the complaint is found to be valid, the THF Sergeant will be notified and pest control professionals may be called to clean or fumigate the facility. If feasible, staff may eliminate the pests, using chemical agents on hand.
- c. The THF Sergeant will arrange annually for inspection by local or state health authorities.

I. Emergency Response: Escape, Death, Fire, Evacuation

1. Escape Procedures

- a. Every attempt will be made to prevent a detainee from making an escape from the THF. In the event an escape does occur, staff will use the following procedure:
 - 1) When an officer discovers the escape, he will immediately notify the dispatcher and lock the remaining detainees in their cells; then advise the dispatcher of the name of the detainee, clothing description, date of birth, SSN, nature of the original crime, if the prisoner was armed or considered dangerous, method and location of escape.
 - 2) Relief supervisor and THF Sergeant will be immediately notified.
 - 3) Relief supervisor will initiate a search of the area adjacent to the escape.
 - 4) An officer will initiate an incident report.
 - 5) Relief supervisor will advise neighboring police agencies of the escape. If the escapee represents a risk of physical harm to others (i.e complainants, victims, etc.) those persons at risk should also be advised.
 - 6) Relief supervisor may notify the media of the escape, if such notice is deemed appropriate. This notice may include a description of the suspect, and a photograph for telecast.
 - 7) After the escapee is captured, the relief supervisor shall advise the parties notified in (5) and (6) above, that the suspect has been captured.
 - 8) The THF Sergeant shall conduct a post-escape debriefing for all supervisory personnel. Topics of discussion shall include method of escape, security defects, and methods of correction and any THF policies which may need to be corrected.

2. Death of a Detainee
 - a. Should a detainee die within the THF or after removal from the THF to a medical facility due to natural or unnatural causes, the first officer learning of the death is to immediately notify the shift supervisor, who will then notify the county coroner, a command officer, an investigator, and an evidence technician.
 - b. Disturb the THF as little as possible.
 - c. If death occurs in the THF, remove other prisoners to the County Jail or Kettering Jail until the investigation is completed.
3. Fire Control Procedures
 - a. Major fires: A major fire is defined as a fire too large to control with fire extinguishers and in the process of extending to uninvolved areas. If there is a major fire within the THF, staff are to:
 - 1) Notify the dispatcher, who will then immediately alert the fire department, and order all available patrol officers to come to the building.
 - 2) Evacuate all detainees, as outlined in the Evacuation Procedure, Section I.4.
 - b. Minor fires: A minor fire is defined as a fire that is contained (not extending to uninvolved areas) and small enough to be controlled with a fire extinguisher. If a minor fire occurs in the THF, staff is to:
 - 1) Notify dispatcher, who will then immediately alert the fire department, and call in a patrol unit to assist.
 - 2) Evacuate all detainees, as outlined in the Evacuation Procedure, Section I.4.
 - 3) Staff's decision to extinguish the fire should be based on several factors, including:
 - a. size of the fire,
 - b. location of the fire,
 - c. whether the fire can be isolated or contained.
 - c. In the event of a fire in the THF, the relief supervisor will initiate an investigation, and submit a report to the THF Sergeant.
4. Emergency Evacuation Procedures
 - a. There is a clearly posted map and written emergency evacuation plan in the area of the THF for the facility.
 - 1) The Primary Emergency Exit is from the detainee booking/processing area, into the sally port. If necessary, exit from the sally port to the outside parking area. In the event of power failure, the sally port overhead doors will have to be raised manually, after being disconnected from the lifting mechanism.
 - 2) If the Primary exit route is inaccessible, a Secondary Exit leading from the THF corridor to the main building hallway will be used. If necessary, exit from the hallway via the rear exit to the parking area.

PRISONER PROCESSING

General Order 1-23
June 2009

I. The Moraine Police Division has rules and regulations for prisoner processing.

II. DEFINITIONS

Court Holding Area - The area of the old jail which is not the THF (see General Order 1-22) and not being used for storage.

III. RULES AND REGULATIONS

A. All prisoners shall be searched prior to transporting to the Court Holding Area.

B. Court Holding Area

1. Prisoners awaiting court or awaiting transport or release after court may be locked in the Court Holding Area for a reasonable time.
2. No other prisoner may be locked in this area for any reason.
3. Prisoners in the Court Holding Area who are not awaiting court (before or after) must be physically watched the entire time.
4. No smoking is permitted in the Court Holding Area.

C. Fingerprinting

1. Who must be fingerprinted:

- a. All adults physically arrested shall be fingerprinted prior to being released or transferred to another facility if it is a criminal offense other than minor misdemeanor traffic charges or warrants where a Fingerprint Classification Code (FPC) already exists. An exception to this requirement is that prisoners who are incarcerated at the Montgomery County Jail will be fingerprinted by personnel at that facility. Prisoners with foreign warrants who bond out from our facility need only be photographed, not fingerprinted.
- b. As with adult offenders, juveniles arrested or otherwise taken into custody upon probable cause to believe they have committed a felony, or a misdemeanor other than a minor misdemeanor or traffic offense, shall be fingerprinted and photographed prior to being released. Juvenile print cards (green print) shall be used. Juvenile print cards shall be maintained by the SAS supervisor or his designee.

Any juvenile who is subject to be fingerprinted/photographed per the previous paragraph, and who is to be incarcerated at the Montgomery County Juvenile Detention Center, shall, prior to incarceration, be taken to the Montgomery County Jail and fingerprinted and photographed by jail staff. Under these circumstances, Moraine PD officers will not fingerprint and photograph juveniles who are to be incarcerated.

When a juvenile is fingerprinted or photographed, the officer causing the fingerprints or photographs to be made shall complete a "**Notification to Juvenile Court of Photographs and Fingerprints Taken**" form. The fingerprints / photographs shall be attached to the form and submitted with the case report. If the fingerprints or photographs are retained by another agency, for example the MCSO when AFIS is utilized at the county jail, the notification form is still to be completed and submitted in same manner. When the case report is processed by the records clerk, the notification form and all fingerprints and photographs shall immediately be forwarded to the MPD juvenile officer.

2. Fingerprint cards are to be completed as follows. The print cards will be submitted with the case/arrest reports.
 - a. Four ten-print cards (2 BCII, 2 FBI).
 - b. One BCII Form 2-71 (Final Disposition Report), if final disposition is not entered on the ten-print cards.
 3. Fingerprint cards are to be signed by the officer and the person printed. Cards will be completed by the Special Investigation Section or other designated person. (A copy of the completed arrest report will be forwarded with the cards to facilitate this process).
 4. Shift Supervisors will insure that each prisoner is fingerprinted.
 5. Ill, injured or intoxicated prisoners may not be fingerprinted if it is determined that the process would be unsafe or so difficult as not to be warranted.
 6. Prisoners who refuse to cooperate with the fingerprinting process will be considered to have not completed the booking process and will be detained until their cooperation is obtained. If the prisoner is transferred to another facility, those officials will be requested to fingerprint the prisoner prior to his release.
 7. Prisoners who may have been involved in the discharge of a firearm or who may have other evidence (blood, semen, other bodily fluids) will not be fingerprinted until processed for evidence relative to the investigation.
 8. All officers will familiarize themselves with the procedures involved in rolling good Print Cards. Officers will seek advice and instruction in the process and will be given the necessary training by the Division.
 9. Minor misdemeanor violators may be excluded from the fingerprinting procedure. However, if the prisoner is suspected of involvement in more serious criminal activity, that prisoner shall be fingerprinted.
 10. Prisoners whose identity is questionable shall be fingerprinted prior to their release.
- D. Photographs
1. All adults physically arrested shall be photographed prior to being released or transferred to another facility. An exception to this requirement is that prisoners who are to be incarcerated at the Montgomery County Jail will be photographed by personnel at that facility.

2. Photographs will be taken with the Computerized Photo Imaging System (CPIS). If the booking officer knows for certain that recent photographs of a prisoner have been collected by the Moraine Police Division, collection of the photographs may be waived. If the CPIS is not in service, a Polaroid photo may be substituted.
 3. Shift Supervisors will insure that each prisoner is photographed adhering to this procedure. This does not imply that the Shift Supervisor will photograph the prisoners.
- E. Prisoners Detained at Montgomery County Jail (MCJ)
1. A prisoner who is to be detained at the MCJ shall be transported directly to the MCJ from the scene of arrest. The prisoner shall not be transported to the MPD unless it is necessary to the facilitation of additional investigation, such as interrogation or the administration of a breathalyzer test. The shift supervisor shall determine if it is appropriate for an MCJ-bound prisoner to be brought to MPD first.
 2. Prisoners detained at the MCJ will not be fingerprinted or photographed by our division. Those functions will be performed by MCJ personnel. Sections C and D of this general order do not apply to prisoners to be detained at MCJ.
 3. Affidavits, probable cause forms, and other paperwork shall be forwarded to the MCJ via the fax machine.
- F. Detention of Juveniles at Moraine Police Division (MPD).
1. A juvenile may be detained at MPD for processing purposes only. This includes fingerprinting, photographing, interrogation, contacting the juvenile's parent or guardian, or arranging for transfer of the child to another facility.
 2. The place of detention must be a non-secure area, such as the patrol room or other office. **If no adult prisoners are present**, the juvenile may also be detained in the prisoner booking area, provided the door is not locked.
 3. The juvenile must be visually supervised by an officer throughout the period of detention.
 4. The juvenile at all times must remain beyond the range of touch of all adult detainees.
 5. The juvenile may be handcuffed when necessary, but may never be handcuffed or otherwise physically secured to a stationary object.
 6. The juvenile may be detained at MPD for a period not to exceed **six hours** if he is alleged to be a delinquent child for the commission of an act that would be a felony if committed by an adult.
 7. The juvenile may be detained at MPD for a period not to exceed **three hours** if he is alleged to be a delinquent child for the commission of an act that would be a misdemeanor if committed by an adult or is alleged to be an unruly child or a juvenile traffic offender.
 8. If a juvenile is held in a secure status, as defined by the Ohio Department of Youth Services, this status must be reported bi-annually to the ODYS. The THF Supervisor will complete the form. Any juvenile held in a secure status will be recorded on the Juvenile Log. The Juvenile Log will be incorporated in the THF Log.

G. Foreign Prisoners

1. According to the United States Treaty Alien Obligations, whenever a national of a foreign country is arrested or detained in any manner, a notice of this incident shall be faxed to the Bureau of Immigration and Customs Enforcement at 513-246-1404.
 - a. The notice will have the national's full name, date of birth, country of citizenship. The passport or visa number and other identifiers, if known, should be included in the fax.
 - b. The national must be advised without delay that, if he or she so requests, we will telephone the consular post of his nation to inform them that one of their nationals has been arrested or detained. Telephone numbers of consular posts are listed at www.state.gov/s/cpr/rls/fco.
 - c. If necessary, interpreters should be used to convey this information. Consular officers shall be free to communicate with and visit with the national unless the national expressly opposes such communication and visitation.

SPECIAL ASSIGNMENTS PERSONNEL

General Order 1-24
January 2015

I. POLICY

Special assignments of police personnel are a crucial aspect of accomplishing the overall goals of the Police Division. Many tasks are impossible or ineffective if attempted as part of routine patrol assignments. The Special Assignment Section is therefore established.

II. PROCEDURE

- A. Special Assignment Officers will be under the specific supervision of the Special Assignments Supervisor and the general supervision of the Deputy Chief of Police.
- B. Special Assignments Section may include Investigators, both uniformed and plain clothes, any task force assigned officers, and other assignments as necessary.
- C. Officers transferred to the Special Assignments Section may request the Chief of Police review their assignment. Officers in the S.A.S. will, for obvious reasons, typically have hours of work differing from patrol officers.
- D. Non-sworn employees may be assigned to special duties from time to time as the mission of the Police Division dictates. Employees so assigned also may request a review of assignment by the Chief of Police.
- E. No employee, sworn or non-sworn, will be assigned to a special duty in opposition to their request, for a period longer than sixty days in a calendar year. In most instances the assignment will be discussed with the employee prior to transfer, and if the employee declines, another employee will be considered.
- F. When an assignment is discontinued, an attempt will be made to coincide that with the shift selection period to afford the special assignment personnel their seniority shift selection option.
- G. Emphasis is placed on the fact that the mission and goals of the Police Division, by their nature, evolve and change. The Police Division must continue to address those changes and evolutions.
- H. Special Assignments Officers will not typically be scheduled to work holidays:
 1. Task Force assigned officers will work the schedule consistent with their assignments. If the members are off, the officer may elect to receive holiday pay, or may take a vacation/P.A. day at his/her discretion.

**SPECIAL ASSIGNMENT REVIEW FORM
(PLAIN CLOTHES DETECTIVE)**

- A. Patrol officers may be assigned as Plain Clothes Detectives to provide the appropriate specialized investigation of criminal offenses. Patrol officers so assigned shall receive their specific case load assignment from the Special Assignments Supervisor.
- B. Officers so assigned shall be governed by the General Orders which reasonably apply to all police officers. Variations will occur and all cannot reasonably be specified here.
- C. Hours of work shall be generally 8:00am - 4:00pm, Monday through Friday but, those hours may vary due to a specific assignment or investigation.
- D. Detectives are to keep a specific record of their case assignment status, and are to keep their follow-up schedule as outlined or advise their supervisor.
- E. Professional business attire will be worn unless the nature of an investigation dictates otherwise. Detectives will attend the appropriate intelligence meetings as assigned by their supervisor.
- F. Any police officer assigned to an undercover investigation shall adhere to all general procedures as appropriate and the undercover assignments general order.
- G. The supervisor of the Special Assignments Officers shall approve time off and work schedules, so that at least one investigator shall be reasonably available should an offense occur necessitating immediate attention.
- H. Investigator working the holidays shall adhere to the specific rules governing Special Assignments Officers scheduled to work holidays. The Special Assignments Supervisor shall establish the annual schedule for such assignments.

**SPECIAL ASSIGNMENT REVIEW FORM
(SPECIAL ASSIGNMENTS SUPERVISOR)**

- A. A senior police officer or sergeant shall be assigned to supervise the Special Assignments Section. That assignment shall be viewed as a very critical point within the Division due to the very visible results of the activities of that section, and the impact upon the Police Division as a whole.
- B. The Special Assignments Supervisor is responsible for case and duty assignment as well as review of any crime statistical trends or developments requiring action. The Special Assignments Supervisor shall report any scheduled raids or unusual criminal targets to the Chief of Police, if reasonably possible, prior to any overt action.
- C. The Special Assignments Supervisor shall wear "plain clothes" and normally work Monday through Friday, 8:00am - 4:00pm. Professional business attire will be worn unless the nature of an investigation dictates otherwise.
- D. The Special Assignments Supervisor shall see that the officers within his supervision adhere to assigned duties, and shall keep a record of the progress of case assignments, including his own case load.
- E. The Special Assignments Supervisor or Senior Investigator shall update the Operations Lieutenant routinely on any crime trends, significant investigations, or other matters as directed.

**SPECIAL ASSIGNMENT REVIEW FORM
(UNIFORMED INVESTIGATOR)**

- A. Patrol officers may be assigned as Uniformed Investigator to provide the appropriate specialized investigation of criminal offenses. Patrol officers so assigned shall receive their specific case load assignment from the Special Assignments Supervisor.
- B. Officers so assigned shall be governed by the General Orders which reasonably apply to all police officers. Variations will occur and all cannot reasonably be specified here.
- C. Hours of work shall be generally 8:00am - 4:00pm, Monday through Friday but, those hours may vary due to a specific assignment or investigation.
- D. Investigators are to keep a specific record of their case assignment status, and are to keep their follow-up schedule as outlined or advise their supervisor.
- E. Attire shall be the uniform of the day unless the nature of an investigation dictates otherwise. Investigators will attend the appropriate intelligence meetings as assigned by their supervisors.
- F. Any police officer assigned to an undercover investigation shall adhere to all general procedures as appropriate and the undercover assignments general order.
- G. The supervisor of the Special Assignments Officers shall approve time off and work schedules, so that at least one investigator shall be reasonably available should an offense occur necessitating immediate attention.
- H. Investigator working the holidays shall adhere to the specific rules governing Special Assignments Officers scheduled to work holidays. The Special Assignments Supervisor shall establish the annual schedule for such assignments.

VOLUNTEERS

General Order 1-25
December 2012

I. DEFINITION

A person who performs a service willingly without pay.

II. PURPOSE

The City of Moraine Police Division's Volunteer Program assists the Division in its efforts to provide superior services to its residents, and extends opportunities for citizens to participate in their government and community.

III. GOALS

- A. To encompass and provide opportunities for citizens to participate in police division operations and in their community.
- B. To enhance police division services by utilizing volunteers to supplement the efforts of police division personnel.
- C. To promote and assist citizen understanding of police division problems, issues and programs.
- D. To instill in each volunteer an understanding of the goals of the volunteer program and of the role of the individual volunteer within the program.
- E. To insure a positive working experience for each volunteer and the successful completion of the job assigned to each volunteer.
- F. To provide sufficient recognition of each volunteer's contributions.

IV. SELECTION OF VOLUNTEERS

- A. After a prospective volunteer expresses interest in the Volunteer Program, the Volunteer Program Supervisor will contact him/her. The prospective volunteer and the Volunteer Program Supervisor will discuss those interests, and position availability, either by phone or in-person.
- B. All applicants will have a background check to include CCH, O.L. check, etc.
- C. An interview will be scheduled with the Volunteer Program Supervisor.
- D. Based on the prospective volunteer's interest and availability and the Division's needs, the Volunteer Program Supervisor matches the volunteer to a job within the Division.
- E. During this initial meeting, an orientation to the program takes place.
- F. After the meeting the Volunteer Program Supervisor forwards the application and other information (i.e., background checks, criminal history checks, driving status/record) to the Chief of Police.
- G. The Chief of Police will approve or reject the applicant/application and, at his discretion, conduct an interview with the prospective volunteer.
- H. After acceptance into the program, the Program Supervisor and volunteer will then devise a

work schedule.

- I. The prospective applicants can come from the Division's Citizen Police Academy. In addition, the program will not be restricted to just the residents of the City of Moraine.

V. STAFF RESPONSIBILITIES

A. Chief of Police

1. Oversees the volunteer program at the Division level.
2. Approves volunteer job descriptions.
3. Approves the volunteer applicants for placement.
4. Periodically evaluates the volunteer program.

B. Volunteer Program Supervisor

1. Designated by the Chief of Police.
2. Analyzes the Division's needs and writes job descriptions.
3. Interviews prospective volunteers for placement.
4. Provides Division orientation for volunteers.
5. Schedules, supervises and trains volunteers.
6. Maintains accurate records of volunteer hours.
7. Recognizes volunteers of the Division.

VI. VOLUNTEER RESPONSIBILITIES

- A. Completes assignments to the best of ability.
- B. Maintains confidentiality of sensitive information.
- C. Notifies the appropriate person if unable to work as scheduled.
- D. Accepts supervision and follows the guidelines of the Division.
- E. Works as a member of the team, with staff and other volunteers.
- F. Is professional in contacts with the public.
- G. Attends scheduled orientations and training.
- H. Keeps an accurate record of hours worked.

VII. VOLUNTEER REIMBURSEMENT

If volunteer responsibilities require services that involve a cost, a reimbursement form will be completed (Appendix A), which is then submitted to the Volunteer Program Supervisor.

VIII. INSURANCE COVERAGE

Volunteers are rarely injured while working. However, if an accident does occur while volunteers are performing Division duties, they will be covered by Worker's Compensation. If the volunteer is in a City-owned vehicle while volunteering, they will be covered by the City's automobile insurance policy; if in their own car, their insurance carrier will be the primary insurance, the City's insurance will be the secondary. If their duties include areas that may make them liable (helping organize an event, etc.), they will be covered under the City's comprehensive general liability insurance.

IX. VOLUNTEER OPPORTUNITIES WITHIN THE DIVISION

A. The following list of opportunities for volunteers is not all inclusive.

1. Data Entry - enter division reports into computer.
2. Microfilm - division records and reports.
3. General/On-Call Volunteers - assist police division with one-time only projects on as needed/as available basis.
4. Dispatcher duties.

OFF-DUTY EMPLOYMENT

General Order 1-26
May 2005

I. POLICY

To establish guidelines governing off-duty employment and for contracted employment through the Police Division.

II. OFF-DUTY EMPLOYMENT

A. Police Division employees may engage in off-duty employment subject to the following limitations.

1. Such employment shall not interfere with the employee's ability to perform their duties with the Police Division.
2. Prior to engaging in any outside employment, an employee shall submit a request in writing via chain of command to the Chief of Police. Included in the request shall be the name of the employer or company, the address of the employer, a description of the nature of work to be performed and the number of hours involved.

B. Approval may be denied when it appears the outside employment might:

1. Render the employee unavailable during an emergency.
2. Physically or mentally exhaust the employee to the point that his or her job performance may be effected.
3. Require that any special consideration be given to scheduling of the employee's regular duty hours.
4. Bring the Division into disrepute or impair the operation or efficiency of the Division or the employee.

III. CONTRACTED EMPLOYMENT

A. The Division, from time to time, contracts with companies to provide police related services. The following shall be the guidelines for selecting employees and supervising the use of contracted personnel.

1. The contracting of personnel shall be coordinated by the Operations Lieutenant and in his absence the Support Services Lieutenant.
2. Once an officer is assigned to provide contracted services he/she must fulfill his/her date and time. If an officer needs to be off during the assigned time it shall be his/her duty to find a suitable replacement. If the officer can not do this he/she will not be considered for any other contracted duty during that period.

B. The turn down of contracted employment will not affect the employee's overtime equalization.

C. The provisions in this general order can be modified as needed by the Chief of Police or his designee.

- D. Officers, while off-duty, will not engage in outside employment which requires them to exercise police powers, or to identify themselves as police officers. Any request from the private sector for special police services will be processed by administrative personnel, and if the request is approved, officers will be assigned in an on-duty status to perform such service at their regular rate of pay. If the delivery of these services requires officers to work on an overtime basis, the officers will be paid overtime.

DEATH OR SERIOUS INJURY NOTIFICATION

General Order 1-27
May 2001

I. PURPOSE

To promote direction of personnel and a protocol to follow after a critical incident is experienced by any member of this department.

II. OFFICER DEATH NOTIFICATION

- A. Officer Death Notifications will be made in person if at all possible. If notification must be made to someone out of the area, the assistance of the specific jurisdiction should be obtained to make the notification.
- B. Notification should be made to the spouse/parents of an officer by a high ranking command officer.
- C. Notification teams should consist of the high ranking command officer and an officer of the opposite sex. Notification teams should drive to the site in separate vehicles.
- D. Questions may be answered but every attempt should be made to not make any statements which would jeopardize the criminal investigation.
- E. If the spouse/parents wish to view the body an effort should be made to see that this occurs. The family will be told what to expect prior to viewing the body.
- F. Notification will be made in a timely manner to avoid the family learning of the death from other means. Do not use the name of the deceased over the radio.
- G. The command officer will act as (or assign) a liaison officer to work with the family. The liaison officer will assist in obtaining family/friend/professional support for the family. The liaison officer will assist the family in filing for benefits. The liaison officer will arrange assistance for the family via screening calls/security of residence/screening media. The liaison officer will help make funeral arrangements and provide information to the department and to the family regarding funeral plans/arrangements and family requests and wishes. The liaison will maintain support for the family throughout the funeral and criminal trial process and afterward as needed.
- H. A command officer will enlist the assistance of outside agencies for honor guard duties, traffic control for funeral, and other duties as necessary.
- I. The victims personal effects will not be given to the spouse upon notification. A supervisor will later gather the victim's personal belongings and present at an appropriate time. Items such as badges, name tags, and other appropriate items will be available for the victim's family if requested.

III. SERIOUS INJURY NOTIFICATION

- A. Notification should be made in person by command officer/officer male/female pairs if possible. Notification team should drive separately. Speedy notification is critical and time should not be wasted assembling the notification team when other personnel could make timely notification.

- B. The spouse/parents should be driven to the hospital. If the spouse/family insists on driving, a notification officer should ride along.
- C. The second notification officer can remain at the notification scene to watch children if necessary.
- D. The family should be kept separate but not isolated from the injured officers co-workers who have arrived at the hospital for support. The number of officers can be overwhelming if not properly handled.
- E. The family, if at all possible, will be afforded the opportunity to be with the victim. The family will have precedent over friends and officers.
- F. A command officer will act as (or assign) a liaison officer to assure that benefits are properly filed and bills are sent to the correct place.

IV. CRITICAL INCIDENT

- A. In all cases of critical incidents a command officer, at a time which is appropriate, will obtain the assistance of a debriefing unit or counseling services for officers as necessary.
- B. The following information forms should be completed by officers and utilized by notification team members when appropriate.

SURVIVOR INTAKE FORM

The following questions should be answered and retained by the notifier:

Name of Survivor: _____

Person providing information (if other than survivor): _____

Full address of survivor: _____

Home phone: _____ Work phone: _____

Relation to the deceased: _____

Name/Address of funeral home to which the body of the deceased should be sent:

If the survivor has no preference in funeral homes,
would he/she like the medical examiner to choose one? _____

Do any survivors wish to see the body? Yes _____ No _____ Will decide later _____

Are there any special items that might be in the possession
of the officer who died? (jewelry, photos, a donor card, etc.) _____

Others to be contacted by the Division Notifier and phone numbers: _____

Persons contacted by the Notifier to provide support to the survivor and their phone numbers:

Signature of Notifier

Date Completed

COMMUNITY RESOURCE INFORMATION

The following form should be presented to the surviving spouse for further reference:

1. You may obtain copies of the death certificate from the funeral home.
2. You may obtain a copy of the autopsy report from the county medical examiner (include name, address and phone).
3. You may obtain a copy of the police report from the agency investigating the incident (include agency, contact name(s), phone(s)).
4. You may obtain medical records from the hospital or clinic where your officer was taken (include name, address, phone).

**Note that it takes varying amounts of time to get the above documents. Ask officials when you can expect them.

5. You may file for social security benefits by contacting the Social Security Administration at: (800) 772-1213
6. If your spouse was a veteran, contact the Veterans Administration regional office to find out about benefits you may qualify for through their office (include address, phone for your area).
7. Notify your personal insurance company and the bank that your spouse has died.

[If the officer was killed by a drunk, reckless or hit-and-run driver, the spouse may be eligible for "Crime Victim Compensation" for medical, funeral and counseling bills and for loss of wages. Have them contact your state's Crime Victim Compensation Program.]

8. If there is a criminal case pending, contact the county attorney in the county where the crime occurred for more information (include name, address, phone).
9. Name of the person who notified you of your officer's death (include phone):

-
10. Additionally, you may want to provide the survivors with copies of "A Guide to Survival for Family and Friends of Homicide Victims" which is available through the Iowa Attorney General's Office: (800) 373-5044. This brochure includes information on common reactions, tips for dealing with the reactions of others, coping with the holidays and coping with the criminal justice system.

CONFIDENTIAL LINE-OF-DUTY DEATH INFORMATION FORM

The information you provide on this form will be used ONLY in the event of your serious injury or death in the line of duty. Please take the time to fill it out accurately because the data will be of extreme comfort to your family and the department in fulfilling your wishes. The form should be updated annually.

1. Officer's name, full address and home phone: _____

2. Spouse's name (address and phone if different from above): _____

3. Spouse's employer and work phone: _____

4. Names and birth dates of children: _____

5. If divorced, provide information on your ex-spouse (name, address, phone, work phone, etc.):

6. Do you want a police representative to contact your ex-spouse? _____

7. List the names, addresses and phone numbers of children who live outside the family home and key relatives (parents, siblings, in-laws, etc.): _____

8. List names, addresses, home & work phones and relationship of the persons you would like contacted by a police representative in case of your serious injury or death. Begin with the first person you would like notified:

9. Is there anyone you would like to accompany the police representative when the notification is made to your immediate family? If someone other than a fellow officer, please list name, address and phone number:

10. Is there anyone you would like contacted to assist your family, or to assist with funeral arrangements or related matters who is not listed above? This person should be knowledgeable concerning your life insurance representatives, location of your will, etc. List name, address and phones:

11. List any preference you have regarding funeral arrangements (funeral home, church, cemetery):

12. Are you a veteran of the U.S. Armed Services?
If you are entitled to a military funeral, do you wish to have one? _____

13. Do you wish a law enforcement funeral? _____

14. Please list memberships in law enforcement, religious or community organizations that may provide assistance to your family:

15. Do you have a will? _____ If yes, list location: _____

16. List any life insurance policies you have (include company name, policy number(s) and location(s):

17. Are there any special requests or directions you would like followed upon your death? _____

Signature

Date

GROUPS POSSIBLY INFORMED
OF A LINE-OF-DUTY DEATH

1. The FBI's Law Enforcement Officers Killed and Assaulted (LEOKA) Program compiles statistical data used to improve officer survival training. A detailed form outlining the specifics of the officer's death can be obtained by contacting them at: Uniform Crime Reporting Program, FBI, Washington D.C. 20535 or by calling (304) 625-4995.
2. Concerns of Police Survivors, P.O. Box 3199, Camdenton, MO 65020, phone (573) 346-4911, fax (573) 346-1414. This organization will provide valuable assistance to the surviving family and your department.
3. National Law Enforcement Officers Memorial Fund, 605 E. Street, NW, Washington, D.C. 20004, phone (202) 737-3400.

VICTIM'S ASSISTANCE GROUPS YOU MAY WANT TO SHARE
WITH FAMILY MEMBERS OF SLAIN OFFICERS

1. Concerns of Police Survivors
PO BOX 3199
Camenton, MO 65020
1-800-784-2677
2. Compassionate Friends
P.O. Box 3696
Oakbrook, IL 60522
(630) 990-0011
(A nation-wide organization for parents and family members who have experienced the death of a child or sibling)
3. Homicide Survivors Group
P.O. Box 6201
Clearwater, FL 34618
(813) 535-1114
4. Mothers Against Drunk Driving
511 E. John Carpenter Freeway, Ste. 700
Irving, TX 75062
(800) 438-MADD
(214) 744-MADD
5. National Organization of Parents of Murdered Children
100 E. Eighth Street, Ste. B-41
Cincinnati, OH 45202
(513) 721-5683
6. National Organization for Victim Assistance
1757 Park Rd., NW
Washington, D.C. 20010
(202) 232-6682
7. National Victims Resource Center
Box 6000
Rockville, MD 20850
(800) 627-6872

(Provides victim referral services and information on all issues dealing with the criminal justice system)

8. Office for Victims of Crime
U.S. Department of Justice
633 Indiana Ave., NW, Room 1342
Washington, D.C. 20004
(202) 514-6444

9. Victim's Assistance Legal Organization, Inc. (VALOR)
P.O. Box 862
McLean, VA 22101-0862
(701) 538-6898
(National organization dedicated to promoting the rights of crime victims in the civil and criminal justice system)

IN LINE OF DUTY DEATH PROCEDURE

General Order 1-28
May 2001

I. PURPOSE

The purpose of this manual is to establish procedures that will ensure the proper support and emotional care for an officer's family, co-workers, and the division following a line-of-duty death.

II. OBJECTIVE

It is the objective of this procedure to provide assistance to the immediate survivors of any member who dies in the line of duty. This assistance will be provided whether the death was either unlawful or accident while the member was performing a police-related function, either on or off duty and while the member was in active status with the division. Portions of this manual may be instituted in the case of a member's natural death.

III. RESPONSIBILITIES

Coordination of events following a line-of-duty death is complex. There is no set course of action or predictable outcome. However, the degree of compassion and professionalism shown by a division meeting this challenge will have a direct affect on the healing process of survivors and the police family. Specific tasks may be assigned to members of the division. Their titles are:

1. Notification Team
2. Hospital Liaison
3. Family Liaison
4. Division Liaison
5. Benefits Coordinator

Note: Depending upon the size of a division, a member may be called on to fill more than one of these roles. It is important that there be contingency in case the deceased is one of these designees or the designated member is so emotionally debilitated by the loss that he/she cannot perform the role.

1. Notification Team

Proper notification of survivors can make a major difference in how a family eventually begins to deal with the unexpected loss of a loved one.

In Person: Notification must always be in person and **never** over the telephone. The human presence will convey a certain degree of compassion that is needed in this most stressful time. A team that is present can also help if the survivor has a dangerous shock reaction. If it is known ahead of time that a survivor has a particular medical condition (i.e., pregnancy or heart condition), EMS could be put on standby. The team can also assist if multiple family members and children are present and need assistance. The team should be prepared to assist adult survivors notifying children. If survivors live out of the area, the team should contact the police department in that area to make notification.

In Pairs: The team should consist of two or three people. Separate vehicles should be driven. The team never knows what it will encounter. One may drive a spouse to the hospital while another stays to watch children, or help contact family and friends for support. Ideally the team should consist of an officer in uniform, and perhaps a clergy member or counselor. The makeup of the team depends upon the culture of the department and the family. A line of duty death information sheet could provide assistance in choosing team members, but don't waste time assembling a team. The media certainly won't waste time reporting the death.

In Plain Language: Once at the location, the team should attempt to move the notification inside, not on the doorstep. The presence of the team already has alerted the survivor of a problem. Identify yourself, move inside, and make sure you have the right person, then relate the message in plain language. Vague expressions such as "passed away" or "lost" do not help. State clearly "your husband was shot today and he died", or "your daughter was in a car crash and she was killed." Use the name of the victim if possible.

Notification may not always occur at the home. The survivors may be at work or school. Request a private room or location. The survivor's boss or co-workers do not need to be told your purpose. Release of information to them should be with the survivor's permission only.

In notification takes place at the hospital, the team should coordinate with hospital officials. A private room should be provided and if possible, have the doctor present in clean clothing, to answer questions.

The survivor should be allowed to view the body if that is their wish. However, they should be advised as to the condition of the body and any forensic concerns if the death was unlawful. Be honest regarding the disposition of the body and any need for an autopsy.

Response: The team should be prepared for a wide range of responses from the survivors. Responses can vary from violent, lashing out to a numb almost non-response.

The team should remain with the survivors until a support structure of family and friends is in place. The team needs to be aware that they cannot "fix" this problem, they cannot make it all better. Their presence and compassion are the most important resources they provide to the survivor. The team should coordinate with the survivor the follow-up contact that will be made the next day.

Debriefing: Once clear of the family, the team should discuss the follow-up tasks. They should critique the notification for future improvements. The team needs to be frank and honest in discussion of their own feelings and concerns and they need to support each other.

B. Hospital Liaison:

The hospital liaison coordinates the activities of the hospital personnel, the member's family, police officers, and the press.

1. Waiting area for family and notification team. Room should be quiet and secluded.
2. Waiting area for police and friends. Access to family should be at the family's request only.
3. Establish a separate staging area for the media. If known, advise them as to when and who will brief them.
4. Ensure information regarding the officer's condition goes to the family first, before general release.

5. Notify the hospital that medical bills relating to the deceased officer should be directed to the department or municipality. The family should not receive any bills at their residence.

C. Family Liaison:

Each member of the department will make the selection of a personal family liaison when they complete a line of duty death information packet. The officer and his/her family can select a fellow officer or supervisor for this role. This is not a decision making position. The liaison acts as the family's advocate when dealing with the department on matters involving benefits, funeral arrangements, etc.

1. The family liaison ensures that the needs and wishes of the family come before those of the department. The family may not want an elaborate police funeral. If they do, the liaison can brief them on the procedures.
2. The family liaison will keep the family apprised of investigations and accompany the family to court proceeding if they choose to go.
3. Provide assistance overseeing travel and lodging arrangements for out-of-town family members, arrange for food for the family and help meet childcare needs.
4. The family liaison can expect to work closely with the department liaison and the benefits coordinator.
5. Should clean out the officer's locker and deliver items to the next of kin. This could avoid added pain for family, should unexpected items be found in a locker.
6. Assist survivors with banking, insurance and safe deposit box matters using the line of duty death information sheet previously filled out by the officer.

D. Department Liaison:

1. Due to the coordination of resources, it is preferable that a supervisor holds this position.
2. Handle the media during the incident. If the family chooses to accept an interview, the liaison should attempt to screen questions for appropriateness and those that may jeopardize subsequent legal proceedings.
3. Meet with the following to coordinate funeral activities and itinerary:
 - a. Family Liaison
 - b. Chief of Police
 - c. Funeral Director
 - d. Family Clergy
 - e. Special Services (i.e., honor guard, piper, bugler, etc.)
4. Direct funeral activities according to the wishes of the family.

5. Issue a teletype message to include the following:
 - a. Name of deceased.
 - b. Date and time of death.
 - c. Circumstances of death.
 - d. Funeral arrangements.
 - e. Uniform of the day.
 - f. Expressions in lieu of flowers.
 - g. Name and phone number of contact person for visiting departments.
6. If the family desires a burial in uniform, have the family liaison obtain uniform and all accouterments for the funeral home. (Make arrangements to recover these items before burial.)
7. Some funeral reminders:
 - a. A flag for the coffin should be obtained. Determine who will present it to the family member.
 - b. Assign members of the department to serve as ushers and honor guard to stand post during viewing.
 - c. Brief staff and Chief of Police regarding arrangements.
 - d. Ensure that all surviving family are recognized and placed for funeral.
 - e. Coordinate traffic management and manpower with other departments during viewing, funeral and procession.
 - f. Maintain roster of visiting and assisting departments for later acknowledgment.
 - g. Assign a marked unit to remain at the officer's residence during viewing and funeral proceedings.
 - h. Arrange for regular checks of the survivor's residence by patrol units for several weeks following the funeral.
8. Prepare a briefing as soon as possible for the department. Citing information at roll call will help with rumor control.

E. Benefits Coordinator:

1. Shall gather and maintain information on all benefits available to families experiencing a line of duty death, so that the most up to date information is readily at hand.
2. Shall file appropriate paperwork for benefits, including workers' compensation and victims of crime compensation on behalf of the family. Will follow through with family to ensure benefits are being received.

3. Contact appropriate agencies to ensure death and retirement benefits, remaining paychecks, payment for remaining vacation and compensatory time or any other type of benefits, are paid to the family.
4. Set up trust funds or educational funds.
5. Contact organizations such as the Fraternal Order of Police, the Attorney General's Office, the Blue Coats, and Concerns of Police Survivors for additional benefits information that may be available to the family of the officer.
6. Meet with the family a few days after the funeral. Supply in writing a list of benefits/funeral payments to which the family may be entitled. Assist with collection of these benefits.
7. If there are surviving children from a former marriage, the guardian of those children should also receive a list of qualifying benefits.
8. Schedule follow-ups to ensure that benefits are being received.

IV. CONTINUED SUPPORT

All members of the department must remain sensitive to the needs of the survivors long after the officer's death. The grief process has no timetable and the experience may be complicated. More than half of the surviving spouses can be expected to develop a post-traumatic stress reaction to the tragedy.

Survivors should continue to feel a part of the "police family". They should be invited to department activities. Members should be encouraged to keep in touch with them. Arrange to visit the family at home. So long as the family expresses a desire for these contacts, they should continue.

The Chief of Police should observe the anniversary of the officer's death with a short note to the family and offer to accompany them to place flowers on the grave.

Holidays may be an especially difficult time for the family, particularly if children are involved. Increased contact and support are important at these times.

The family liaison acts as a long-term contact with the surviving family. The family liaison should continue to ensure the family's needs are met, and if the death was unlawful, keep them informed of proceedings, accompany them to court and arrange for them to speak with investigators after the trial. The family liaison should also inform the family of future parole proceedings.

V. OFFICER SUPPORT

A line of duty is one of the most tragic critical incidents that a department will face. It is also one of the few where a critical incidents stress debriefing is recommended to be made mandatory instead of voluntary. These services can be easily obtained, often without cost. For information on how to contact an independent critical incident stress management team in your area, contact the Fraternal Order of Police, Critical Incident Response Service at 1-800-367-6524.

CRITERIA FOR APPRAISAL OF POLICE EMPLOYEES

General Order 1-29
October 2004

I. PURPOSE:

To establish criteria for appraising all Police Officers and Dispatchers of the Moraine Police Division. Appraisals will be completed at the end of each six month shift cycle and submitted by January 15 and July 15.

II. AREAS OF APPRAISAL:

A. Interpersonal Skills

1. Interacting with Co-Workers
 - a. A police officer/dispatcher should be able to give and take criticism from fellow employees and be able to give and take direction without creating ill feelings.
2. Interacting with Citizens
 - a. A police officer/dispatcher should be able to handle assigned tasks and responsibilities while minimizing conflicts with citizens. Police officers should be able to complete required tasks with the professionalism and demeanor required of professional law enforcement employees. Police officers/dispatchers should be able to use effective communication techniques to minimize the number of citizen complaints.

B. Duty Performance

1. Compliance and Knowledge of Division Policies and procedures
 - a. A police officer/dispatcher should be able to follow the intent of the General Orders and Rule and Regulations. The only deviation is for minor infractions due to an oversight or unusual circumstance.
2. Care of Equipment
 - a. All department equipment, including vehicles, shall be given proper care to make sure they are properly working at all times and shall not knowingly be misused and/or abused.
3. Personal Appearance/Fitness
 - a. Wearing of the duty uniform will conform to division policy. Members shall be physically fit, neatly and properly groomed and with all prescribed and assigned equipment.
4. Punctuality
 - a. The police officer/dispatcher is on time or early. Tardiness should be infrequent and reasonably beyond the control of the employee.
5. Reliability
 - a. If given an assignment, the police officer/dispatcher can be expected to complete the tasks without unreasonable delay.
6. Attention Reference Assignment
 - a. Refers to the thoroughness a police officer/dispatcher puts into his/her work. There should be evidence of detail and completeness.

1. Officer examples may include, but not limited to, quality in a report will be evidenced by the thoroughness of an investigation, attempt to contact additional witnesses, suspects and subjects, the expertise to carry an investigation all the way to its completion in a timely manner and to the extent that the resources of the job assignment and shift allow. Quality in another area would be shown by fulfilling their job responsibilities in a time-efficient manner.
 2. Dispatcher examples may include, but not be limited to, proper radio procedures, response to radio traffic, demeanor of radio traffic, relay of information to officers, knowledge of fire and police procedures, geographical knowledge of the city, knowledge of LEADS/NCIC system, gathering of information from complainants and general telephone procedures.
- b. Attention Reference Assignment also refers to the volume of initiated work done by the police officer/dispatcher.
1. Officer examples may include, but not be limited to, number of physical property checks, open doors found, foot patrol, persons, vehicles and property investigated. Criminal enforcement, traffic enforcement and other self-initiated activity.
 2. Dispatcher examples may include, but not be limited to, warrant entries, warrant checks, general dispatch/clerical duties, second party checks, validation checks, night reference information updates, etc.
- c. The police officer should reflect activity in a number of categories rather than only concentrating in one or two areas. A valid measuring tool is the activity attributed to the police officer that is reflected in the officer's monthly activity logs.
7. Attendance
- a. Employees are expected to come to work as scheduled. Sick leave may be taken for absence as described in the contract. Employees determined to have abused sick leave are subject to discipline.

The City provides a "Wellness Incentive" which provides a cash bonus for non-used sick leave. Employees are encouraged to accrue and maintain a healthy sick leave balance.

III. CRITERIA FOR EVALUATION

The police officer/dispatcher will be evaluated in the previous listed areas according to five levels: Unsatisfactory, Improvement Needed, Acceptable, Proficient, Superior/Exceptional. The criteria to determine each level for the areas of evaluation are as follows:

A. Interacting with Co-Workers

1. Unsatisfactory - Performance indicates that there are frequent unpleasant situations or that communication to and from the employee can be expected to be tense and lead to hard feelings or are counter-productive to the goals and objectives of the division.
2. Needs Improvement - Performance indicates that the relationship between fellow employees and/or supervisors is not the best. There are infrequent times when unpleasantness occurs.
3. Acceptable - Meets minimum standards as stated.

4. Proficient - Above minimum standards as stated but less than superior/exceptional.
5. Superior/Exceptional - Performance elicits good feelings from those communicated with. Seldom or never are intentions misunderstood because of a breakdown of communication. The police officer/dispatcher goes out of their way to ease communications problems throughout the division and helps to facilitate better communication and understanding.

B. Interacting with Citizens

1. Unsatisfactory - Performance indicates that there are frequent unpleasant situations or that communication to and from the employee can be expected to be tense and lead to hard feelings or are counter-productive to the goals and objectives of the division. Citizen complaints are received frequently.
2. Needs Improvement - Performance indicates that the relationship with citizens is not the best. There are infrequent times when complaints are received on the officer.
3. Acceptable - Meets minimum standards as stated.
4. Proficient - Above minimum standards as stated but less than superior/exceptional.
5. Superior/Exceptional - Performance elicits good feelings from those communicated with. Seldom or never are intentions misunderstood because of a breakdown of communication. Citizens frequently make it known that they commend the officer/dispatcher for his or her performance and appreciate the employee's diligence and concern.

C. Compliance and Knowledge of General Orders and Rules & Regulations

1. Unsatisfactory - Indicates that performance is such that rules are constantly broken and to the point that it impedes on the effectiveness of the division.
2. Needs Improvement - The employee frequently violates the intent of the rules due to an oversight or ignorance. The effect on the division is not to any great extent.
3. Acceptable - Meets minimum standards as stated.
4. Proficient - Above minimum standards as stated but less than superior/exceptional.
5. Superior/Exceptional - The employee's knowledge of the rules are above those of his fellow police officer and they rarely deviate from policy or procedure.

D. Care of Equipment

1. Unsatisfactory - The condition of the equipment is such that it impairs the performance of the police officer/dispatcher, or equipment is misused / or abused.
2. Needs Improvement - Indicates that the police officer/dispatcher, on occasion, neglects to maintain equipment but the condition does not impair performance.
3. Acceptable - Meets minimum standards as stated.
4. Proficient - Above minimum standards as stated but less than superior/exceptional.

5. Superior/Exceptional - The police officer/dispatcher points out ways to care for equipment, and cares for equipment that they may not be directly responsible for.
- A. Personal Appearance/Physical Fitness
1. Unsatisfactory - Dirty or soiled clothing, lack of personal hygiene, hairstyle does not meet uniform standards, etc. (occurs frequently)
 2. Needs Improvement - Requires occasional reminders to conform to uniform standards.
 3. Acceptable - Meets minimum standards as stated.
 4. Proficient - Above minimum standards as stated but less than superior/exceptional.
 5. Superior/Exceptional - Immaculate personal appearance. Participates in the voluntary fitness program and passes all five (5) categories.
- B. Punctuality
1. Unsatisfactory - Tardiness is frequent and often impairs the ability of the shift to operate properly. Places hardship on others.
 2. Needs Improvement - The employee is late on occasion and reasons are not logically beyond his control. The extent of the tardiness does not impair the performance of the shift.
 3. Acceptable - Meets minimum standards as stated.
 4. Proficient - Above minimum standards as stated but less than superior/exceptional.
 5. Superior/Exceptional - Always early and ready for work.
- E. Reliability
1. Unsatisfactory - Assignments are frequently delayed or "botched up" because of serious errors in judgement, or intentional slowness on the part of the employee. The errors and slowness tend to impair the proper completion of the task.
 2. Needs Improvement - Assignments on occasion are delayed due to errors in judgement or unintentional slowness on the part of the employee. The delays do not impair the function of the division.
 3. Acceptable - Meets minimum standards as stated.
 4. Proficient - Above minimum standards as stated but less than superior/exceptional.
 5. Superior/Exceptional - Tasks are completed early, and the employee assists in the early achievement of other tasks assigned to themselves or others in the division.
- F. Attention Reference Assignment
1. Unsatisfactory - Errors, though minor, are frequent and should have been self-corrected if the police officer/dispatcher had reviewed their work. Major errors are serious and cause work to be redone. Work output is well below the comparable average (shift average for officers) or the output is very erratic and/or is narrow in one area and all others areas are ignored.

2. Needs Improvement - There are infrequent but major errors that are caused by unfamiliarity with the subject matter at hand. Minor errors are of the technical variety. Employees average is slightly below the comparable average and output is seldom erratic.
3. Acceptable - Meets minimum standards as stated.
4. Proficient - Above minimum standards as stated but less than superior/exceptional.
5. Superior/Exceptional - Work performance is error free. Quality of work is such that it eases the division's overall operations. Work generated is well above the comparable average and is of the nature that it contributes to effective policing. Work output is very steady and encompasses the broadest range activity possible for the employees assignment. Able to perform in various job assignments.

G. Attendance

1. Unsatisfactory - Employee utilizes excessive sick leave and/or has a pattern of sick leave use in conjunction with days off or other leave.
2. Needs Improvement - Employee has utilized more than 3 incidences in a six month period.
3. Acceptable - Employee utilizes 1-3 incidences of sick leave in a six month period. No pattern of abuse in regards to days off.
4. Proficient - Employee has perfect attendance for a six month period.
5. Superior/Exceptional - Employee has consecutive years of perfect attendance.

* Supervisors will have the discretion to consider specific incidences of sick leave usage such as surgeries, broken bones, serious illness, etc.

III. GENERAL INSTRUCTIONS

- A. Any rating other than Acceptable or Proficient requires written explanation in the comments section.
- B. Any rating of Unsatisfactory or Needs Improvement must indicate what counseling was given to the police officer/dispatcher in the Goal to Improvement Performance section.
- C. Any police officer/dispatcher rated Unsatisfactory in any category shall be evaluated again in that category after two months. Failure to improve in that category shall be cause for the Chief of Police or his designee to personally review the matter to determine if a solution can be attained through additional training or discipline. The solution shall be noted on the officer's re-evaluation.
- D. If an employee does not agree in whole or part with their appraisal, the officer/dispatcher may discuss the appraisal with his/her supervisor or have their written comments regarding the specific area of the appraisal attached to the Appraisal Report.

I. INTRODUCTION

Professionalism, ethics, and integrity are of paramount importance in the law enforcement community. To achieve and maintain the public's highest level of respect, we must place reasonable restrictions on our conduct and appearance, and hold to these standards of conduct whether on or off duty. An employee's actions must never bring the department into disrepute nor should conduct be detrimental to its efficient operation.

II. PURPOSE

The Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

III. POLICY

Social media provides a new and potentially valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role these tools play in the personal lives of some current and prospective department personnel. This personal use of social media can have bearing on departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel. Any on-line actions taken that detract from the mission of the department or reflect negatively on our status as public servants will be viewed as a violation of this policy.

IV. DEFINITIONS

- A. For purposes of this policy, the following definitions apply:
1. Page; The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
 2. Post; Content an individual shares on a social media site or the act of publishing content on a site.
 3. Blog; A self-published commentary on a particular topic that may allow visitors to post responses, reactions, or comments. This term is short for "Web log."
 4. Social Media; A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (e.g. Facebook, MySpace, Snap Chat and Instagram), micro blogging sites (e.g. Twitter, Nixle), photo- and video-sharing sites (e.g. Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (e.g. Digg, Reddit).

5. Social Networks; Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
6. Speech; Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
7. Wiki; Web page(s) that can be edited collaboratively.

V. PROCEDURES

A. On-the- Job Use / Department-Sanctioned Presence

1. All department social media sites or pages shall be approved by the Chief of Police in accordance with City of Moraine policies.
2. Where possible, social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed.
3. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
4. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
5. Pages shall clearly indicate that there is no expectation of privacy for any content posted or submitted for posting on these pages. All comments, posts, or other content is subject to the Ohio Public Records Act (Ohio Revised Code 149.43).
6. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.
7. Pages shall clearly indicate posted comments will be monitored and the department reserves the right to remove;
 - a. Comments not directly related to the topic being discussed;
 - b. Profane language;
 - c. Sexually suggestive language;
 - d. Personal attacks;
 - e. Comments supporting or opposing a political issue or candidate;
 - f. Comments that promote discrimination in the basis of race, color, sex, religion, age, national or ethnic origin, HIV status, marital status, sexual orientation, regional Appalachian ancestry or disability;
 - g. Commercial advertising;
 - h. Comments encouraging illegal activity;
 - i. Comments violating a citizen's privacy;
 - j. Comments violating the intellectual property rights of another party.
8. Department personnel representing the department via social media outlets shall conduct themselves as representatives of the department and the City of Moraine and shall adhere to all department and City standards of conduct. They shall identify themselves as members of the department; not make comments regarding the guilt or innocence of suspects or arrestees; not make comments concerning pending prosecutions and not post, transmit or otherwise disseminate

confidential information, including pictures, videos, evidence, or other materials in the department relating to training, work assignments, and enforcement efforts without the express written permission of the Chief of Police.

9. Department personnel shall not conduct political activities or private business on departmental social media.
10. The use of departmental computers, telephones, and other electronic communications devices to access social media is prohibited without the authorization of the Chief of Police.
11. Department personnel shall not use personal electronic communications devices and computers to manage the department's social media sites unless they have the express written permission of the Chief of Police.
12. Department personnel shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

VI. POTENTIAL USES

- A. Social media is a valuable investigative tool when seeking evidence or information about:
 1. Missing persons;
 2. Wanted persons;
 3. Gang participation;
 4. Crimes perpetrated online (i.e., cyber bullying, cyber stalking); and
 5. Photographs or videos of a crime posted by a participant or observer.
- B. Social media can be used for community outreach and engagement by:
 1. Providing crime prevention tips;
 2. Offering online-reporting opportunities;
 3. Sharing crime maps and data; and
 4. Soliciting tips about unsolved crimes (i.e., Crime stoppers, text-a-tip).
- C. Social media can be used to make time-sensitive notifications related to:
 1. Road closures,
 2. Special events,
 3. Weather emergencies, and
 4. Missing or endangered persons.
- D. Social media may be used for:
 1. Recruiting;

2. Advertising employment positions;
3. Publicizing volunteer opportunities.

VII. MANAGEMENT OF NETWORKING ACCOUNTS

- A. The police department's social networking accounts are established and maintained by the deputy chief who will have primary responsibility for the maintenance of the content contained on or distributed through the sites.
- B. The deputy chief will rely heavily on personnel to contribute information in a timely manner. In certain circumstances, postings will need to be made within minutes of an incident occurring, such as for ongoing dangers within the community, critical missing persons, or major traffic disruptions. In these circumstances authorized personnel may make the appropriate postings.
- C. Personnel authorized to access, post and modify social media accounts are:
 1. Chief of Police;
 2. Deputy Chief;
 3. Sergeants;
 4. Public Information Officers (P.I.O.);
 5. Officers in Charge (O.I.C.).

VIII. PERSONAL USE

- A. Precautions and Prohibitions: Barring state law or employment agreements to the contrary, department personnel shall abide by the following when using social media.
 1. Department personnel are free to express themselves as private citizens on social media sites to the degree their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department
 2. As public employees, department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties -- that is, that owes its existence to the employee's professional duties and responsibilities -- is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume their speech and related activity on social media sites will reflect upon their office and this department.
 3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police or designee.
 4. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission. As

such, department personnel are cautioned not to do the following:

- a. Display department logos, uniforms, or similar identifying items on personal web pages.
 - b. Post personal photographs or provide similar means of personal recognition which may cause them to be identified as a police officer of this department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
5. When using social media, department personnel should be mindful their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:
- a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - b. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
7. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.
8. Department personnel should be aware they may be subject to civil litigation for:
- a. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
 - b. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - c. Using someone else's name, likeness, or other personal attributes without the person's permission for an exploitative purpose; or
 - d. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
9. Department personnel should be aware privacy settings and social media sites are constantly in flux, and they should never assume personal information posted on such sites is protected.
10. Department personnel should expect any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.
11. Reporting violations -- Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

IX. RELEASE OF SOCIAL MEDIA INFO

- A. Upon receipt of information an employee has violated this policy, the employee shall complete an affidavit attesting to all the social media and social networking platforms in which they participate or maintain.

I. INTERNAL CONTROL FOR FEDERAL LAW ENFORCEMENT TRUST FUND

Moraine City Council passed legislation on March 8, 1990, specifically Ordinance #889-90, for purposes of establishing, among other Funds, the Federal Law Enforcement Trust Fund, numbered fund #907 in the City's financial chart of accounts. Fund number 907, the Federal Law Enforcement Trust Fund was established to properly account for the receipt and disposition of money and proceeds from the sale of forfeited property paid to the City in a cooperative effort with the Federal Government.

All monies received from the sale of forfeited property paid to the City in a cooperative effort with the Federal Government shall be receipted into the Federal Law Enforcement Trust Fund.

Monies expended from the Federal Law Enforcement Trust Fund shall be used exclusively for law enforcement purposes, including but not necessarily limited to those specific items detailed below:

- 1) Law enforcement investigations;
- 2) Law enforcement training;
- 3) Law enforcement and detention facilities;
- 4) Law enforcement equipment, including but not necessarily limited to
 - A. Cruisers, and
 - B. Pistols, weapons and ammunition;
- 5) Law enforcement travel and transportation;
- 6) Law enforcement awards and memorials; and
- 7) Drug and gang education and awareness programs.

Additional detail regarding permissible and impermissible uses can be found in the most recent Federal guidebook titled "Guide to Equitable Sharing for State and Local Law Enforcement Agencies"

Monies expended from the Federal Law Enforcement Trust Fund shall be approved by the Police Chief, City Manager and the Finance Director and / or their appropriate designee(s) prior to disbursement. Signatures on a requisition or purchase order shall serve to satisfy this requirement.

In addition to the financial records maintained in the Finance Department, the Police Department shall maintain a detailed log of such receipts paid into and disbursements made from the Federal Law Enforcement Trust Fund.

II. INTERNAL CONTROL FOR STATE LAW ENFORCEMENT TRUST FUND

Moraine City Council passed legislation on March 8, 1990, specifically Ordinance #889-90, for purposes of establishing, among other Funds, the State Law Enforcement Trust Fund, numbered fund #908 in the City's financial chart of accounts. Fund number 908, the State Law Enforcement Trust Fund was established to properly account for the receipt and disposition of money and proceeds from the sale of forfeited property paid to the City under the provisions of Ohio statutes.

All monies received from the sale of forfeited property paid to the City under the provisions of Ohio statutes shall be receipted into the State Law Enforcement Trust Fund.

Monies expended from the State Law Enforcement Trust Fund shall be used exclusively for law enforcement purposes, including but not necessarily limited to those specific items detailed below:

- 1) To pay the costs of protracted or complex investigations or prosecutions;
- 2) To provide reasonable technical training or expertise;
- 3) To provide matching funds to obtain federal grants to aid law enforcement, in the support of DARE programs or other programs designed to educate adults or children with respect to the dangers associated with the use of drugs of abuse; and
- 4) For other law enforcement purposes that the Chief of Police, City Manager and City Council deem to be appropriate, including but not necessarily limited to:
 - A. Costs associated with a tactical response team, and
 - B. Costs of regional crime lab services.
- 5) Ten percent of the first one hundred thousand dollars of amounts deposited during each calendar year in the agency's law enforcement trust fund under this section, and at least twenty per cent of the amounts exceeding one hundred thousand dollars that are so deposited, shall be used in connection with community preventive education programs. The manner of use shall be determined by the sheriff, prosecutor, department, police force, or office of the constable after receiving and considering advice on appropriate community preventive education programs from the county's board of alcohol, drug addiction, and mental health services, from the county's alcohol and drug addiction services board, or through appropriate community dialogue.

Additional detail regarding the usage of these funds may be found in Ohio Revised Code Section 2981.13 "Sale of forfeited property – application of proceeds – forfeiture funds."

Monies expended from the State Law Enforcement Trust Fund shall be approved by the Police Chief, City Manager and the Finance Director and / or their appropriate designee(s) prior to disbursement. Signatures on a requisition or purchase order shall serve to satisfy this requirement.

In addition to the financial records maintained in the Finance Department, the Police Department shall maintain a detailed log of such receipts paid into and disbursements made from the State Law Enforcement Trust Fund.

III. INTERNAL CONTROL FOR DRUG LAW ENFORCEMENT TRUST FUND

Moraine City Council passed legislation on March 8, 1990, specifically Ordinance #889-90, for purposes of establishing, among other Funds, the Drug Law Enforcement Trust Fund, numbered fund #909 in the City's financial chart of accounts. Fund number 909, the Drug Law Enforcement Trust Fund was established to properly account for the receipt and disposition of mandatory drug fines and forfeited drug bails.

All monies received from mandatory drug fines and forfeited drug bails shall be receipted into the Drug Law Enforcement Trust Fund.

Monies expended from the Drug Law Enforcement Trust Fund shall be used exclusively for drug enforcement activities and to subsidize the resources of the Moraine Police Department in accordance with the laws of the State of Ohio, including but not necessarily limited to those specific items detailed below:

- 1) Drug enforcement investigations;
- 2) Drug enforcement training;
- 3) Drug enforcement equipment including but not necessarily limited to
 - A. Surveillance vehicle(s);
- 4) Drug and gang education and awareness programs; and
- 5) Drug enforcement confidential funds.

Additional detail regarding the revenues, expenditures and stipulations concerning this fund may be found in Ohio Revised Code Section 2925.03.

Monies expended from the Drug Law Enforcement Trust Fund shall be approved by the Police Chief, City Manager and the Finance Director and / or their appropriate designee(s) prior to disbursement. Signatures on a purchase order or requisition shall serve to satisfy this requirement.

In addition to the financial records maintained in the Finance Department, the Police Department shall maintain a detailed log of such receipts paid into and disbursements made from the Federal Law Enforcement Trust Fund. Given that such financial records are open for inspection under section 149.43 of the Ohio Revised Code, such detailed log shall be maintained in coded or redacted format so as to NOT provide for or permit the identification of any specific expenditure that is made in an ongoing investigation.

I. PURPOSE

The Moraine Safe Seniors Initiative (MSSI) provides the City of Moraine residents a secure and voluntary service to identify, locate and/or assist seniors and other at risk citizens in times of emergency. In order to qualify, citizens must meet one of the following criteria:

- A. Suffers from Alzheimer's/Dementia.
- B. Is 65 years of age or older and mostly lives alone with a medical condition that is potentially incapacitating.
- C. Is a juvenile or adult with developmental disorders (i.e. Down Syndrome or Autism)
The MSSI provides the Police and Fire Departments a safe and secure way to develop and maintain a database of information on citizens that are in need of emergency services due to certain medical conditions. MSSI is a voluntary program for those citizens that do not have 24 hour nursing care.

II. POLICY

Administration of the MSSI will be the responsibility of the Police Department and the program will be overseen by the MSSI administrator who will be appointed by the Chief of Police. Detectives and patrol officers should forward referrals to the MSSI administrator when they have contact with an eligible candidate of the Initiative.

III. PROCEDURE

A. Life File Database

- 1. The Life File database will contain an updated digital photo, personal information, emergency contacts, points of interest (for wanderers), vehicle information, alarm information, medical history, current medications, pet information, and firearm information.
- 2. Each file will be numbered to correspond with the numbered ID bracelet issued to the enrollee.
- 3. Each individual file will be stored in a sealed envelope in a binder in the Communication Center.
- 4. Access to the Life File database is restricted to supervisors (to include OIC), dispatchers and the MSSI administrator.
- 5. A report will be completed anytime officers use the Life File to access information on a MSSI enrollee. When a file is accessed the following information shall be recorded on the outside of the envelope:
 - a. Report Number
 - b. Name and unit number of person accessing the file
 - c. Date and time file was accessed.

6. After the incident that resulted in access to the file the file should be resealed completely with clear evidence tape.
7. The information enrollees have entrusted to MPD is no different than the information obtained from LEADS and shall never be copied or used for personal use. The database should only be accessed for emergencies.
8. The Life File number for an enrollee will also be stored in CAD as a HAZARD attached to the address.

B. Medical ID bracelets

1. Enrollees in the MSSSI will be issued a numbered medical ID bracelet. The bracelet number will correspond to the Life File number for the enrollee.
2. No personal information will be on the medical ID bracelet.

C. Lock Boxes

1. A limited number of Lock Boxes are available from the Moraine FD for use with the MSSSI
2. The lock box provides first responders a way to gain access to the residence of the enrollee to expedite entry during medical or other emergencies.
3. The lock box protects the resident's property from being damaged in cases where forced entry would otherwise be necessary. If first responders arrive and the emergency requires immediate entry, then force is still authorized.
4. The presence of a lock box at a given address, and the location of the lock box will be stored in CAD as a HAZARD attached to the address.
5. The code to the lock box will be stored in the Life File.
6. First responders are given the code via MDT message or cell phone. A lock box code should never be broadcast over the radio.
7. The lock box is never to be used a "lock out" tool in cases where a resident is locked out of his/her home.

D. Response

1. A patrol officer is dispatched with MFD on any call where the residence has been identified as a MSSSI enrollee.
2. Dispatch will advise the MFD and the patrol officer of the MSSSI address advisory.

PROCEDURES FOR COMMUNICATIONS

General Order 2-1
December 2018

Uniformity of operation in the Communication Center requires certain fundamental rules to be adopted as guidelines. These rules shall be followed by all dispatchers and officers acting as dispatchers. Loitering will not be tolerated around the center.

I. GENERAL TELEPHONE USE

A. Telephone Calls for Police & Fire Service.

1. In some cases, the dispatcher may ask if it is necessary for the officer to make contact with complainant on minor complaints, (ex., hot rodding, dogs barking, etc.). It must be remembered that police action on misdemeanor violations can only be taken when the police officer views the violation or in some instances where reasonable grounds exist that a violation is now occurring.
2. The dispatcher shall make every effort to ascertain the exact nature of the service required, so that when officers are assigned they will have some idea of what to expect on their arrival.
3. Whenever a call is received that requires the immediate dispatching of a fire official or alert of the Fire Department or Paramedics, the dispatcher shall follow the prescribed procedures for fire and ambulance.

B. Telephone Numbers and Addresses

1. Police Division employee home phone numbers and addresses will not be given out to anyone under any circumstances. If the dispatcher deems the call to be essential, the dispatcher may advise the caller that he will call the unit and give him/her a message to return a call.

C. 911 Emergency Telephone System

1. When a call is received on the 911 system that requires immediate dispatch of the fire or police division, the regular procedure applies.
2. When a call is received on 911 and is a hang up, the dispatcher will:
 - a. Dispatch a police officer to all residential addresses.
 - b. Not call back the telephone number to obtain further information unless the responding officer requests call be made.
 - c. If no address is listed or spoken, attempt to contact the caller by the listed telephone number.
 - d. If answer is received on call back, ascertain if there is an emergency and handle accordingly.
 - e. Any responding officer(s) will not be canceled even if telephone contact is made.
3. Due to the size of some businesses, if a hang-up call is received from a business a call back will be made to ascertain if a problem exists. If it is reasonably determined that no problem exists, no officer needs to be dispatched.

4. When a wireless 9-1-1 call is received, and it is a “hang up” or a disconnected call, the dispatcher will:
 - a. Call back the cell phone number from which the call was made.
 - b. If call-back is answered, ascertain if there is an emergency, the location of the emergency and handle accordingly.
 - c. If call-back goes unanswered, if possible, leave a message identifying yourself as calling from the Moraine Police Department, the reason you are calling, and our call-back number.
5. When a wireless 9-1-1 call is received, the ALI that is displayed is not necessarily the tower closest to the caller. The wireless system uses a voting system where the wireless call is directed to the closest available tower.
6. The phone number that is displayed on the ANI screen is the phone number for the cell phone tower that the wireless call is being routed through and not the phone number the call is coming from. The cell phone number the call is originating from is located in the text of the ALI screen, prefixed by “CALLBK=”.
7. Wireless 9-1-1 calls that are received with an ANI displaying an area code of (911) for the calling cell phone, means that this is a cell phone that can only make outgoing calls to 9-1-1 and cannot receive incoming calls.

II. 911 PRIORITIZATION

- A. 911 calls will be given priority status over all other non-emergency or administrative calls and duties.

III. FIRE CALLS

- A. Whenever a fire, possible fire or large amount of smoke is reported, immediately dispatch fire personnel. The dispatcher shall take the following action:
 1. Get the exact location of the fire to the extent you know exactly where the fire is located.
 2. Obtain the name and telephone number of the person calling, if at all possible.
 3. Create a call for service in CAD.
 4. Immediately alert the fire personnel using the Fire Division alerting system. After the tone clears, give the necessary information by radio to the fire personnel.
 - a. Select “Multi Sel 1”
 - b. Push the “Fire” button, unlock and then
 - c. Push musical scale icon to send out tones
 - d. When the tone stops, press and hold the lightning bolt icon to give the dispatch message.

- e. Assign Ops frequency as required. Ops frequencies are generated by CAD.
 5. After the fire alert is made, then advise the police crew in the beat affected.
- B. To avoid confusion and attempt to clarify situations that may occur, the following rules shall apply:
1. If the location of the fire is questionable, the Fire Department shall be alerted and the fire procedure shall apply.
 2. If the location of the fire is in another jurisdiction, that department shall be called by the dispatcher, giving them location, name, and telephone number of the person reporting the fire to our division.
 3. On all fire calls which necessitate the immediate dispatch of fire personnel, the fire procedure shall apply except in those few instances where the dispatcher knows there is no immediate fire danger to persons or property, which may necessitate only the inspection by the Fire Chief or other ranking fire official to determine the exact course of action to follow, or those instances that may be promulgated by the Fire Chief, Safety Service Director, or legislative authority.

This rule shall be interpreted as follows:

The information the dispatcher has on hand at the original call shall determine if the fire procedure is applicable. If there is the slightest question as to the nature of the call, the fire procedure shall apply.
 4. Upon first receipt of the call, the dispatcher may alert the fire personnel and then proceed to execute the remainder of the CAD entry while keeping the caller on a standby basis.

IV. MEDIC CALLS

- A. Whenever an ambulance call is received, the following action shall be taken by the dispatcher:
1. Get the exact location of the call for service to the extent you know exactly where the call is coming from.
 2. Obtain the name and telephone number of the person calling and the nature of the call, if possible.
 3. Create a call for service in CAD.
 4. Immediately alert the paramedics by using the Fire Division Alerting system.
 - a. Select "Multi Sel 1"
 - b. Push the "Fire" button, unlock and then
 - c. Push musical scale icon to send out tones
 - d. When the tone stops, press and hold the lightning bolt icon to give the dispatch message.

- e. Assign Ops frequency as required. Ops frequencies are generated by CAD.
 - f. A police officer should be dispatched to the scene after the paramedics have been dispatched if:
 - 1. The call involves violence or threat of violence including suicide.
 - 2. The call involves a mentally disturbed person.
 - 3. The dispatcher believes the call is potentially drug related including drug overdose.
 - 4. Liquor establishment.
 - 5. When in doubt, a police officer should be dispatched.
 - 6. Industrial accident with life threatening injury.
- B. To avoid confusion and attempt to clarify situations that may occur, the following rules shall apply:
- 1. The dispatcher shall make every effort to ascertain if such call is an emergency call. If there is any doubt as to the nature of the call, the call shall be treated as an emergency call and the prescribed procedure be followed.
 - 2. If a motor vehicle accident is reported and the dispatcher knows without further investigation that injuries exist, the paramedics on duty shall be alerted. (If subsequent investigation reveals no paramedic is required, or no assistance is needed in treating the injured, the paramedics can then be so advised).
 - 3. If a removal is called for and the paramedics have been alerted, the paramedics shall make the removal, except in those rare instances where the nature of the injuries dictates immediate action by the police officer. Never will a heart case be transported in a cruiser.

V. ON-CALL FOREIGN LANGUAGE INTERPRETIVE SERVICE

- A. Telephone Language Line Services:
 - 1. Routine Calls 1-800-874-9426
 - 2. For an Emergency 1-800-523-1786
 - 3. Alternate telephone number: 1-877-261-6608
- B. When prompted, enter information below on keypad or provide to a representative:
 - 1. Our 6-digit Client ID: 912036
 - 2. Organization Name: Moraine Police Division

3. Personal Code: 911

C. For hearing impaired callers see General Order 2-8.

VI. GENERAL HOUSEKEEPING

- A. The dispatchers shall be held accountable for the Communications Center.
- B. The dispatcher will be under the direct supervision of the shift supervisor and the general supervision of the Chief and Support Services Lieutenant.

VII. A.E.D. (Automated External Defibrillation)

A.E.D. equipment is stored in the Dispatch Center. When the A.E.D. is needed for a heart attack victim, the dispatcher will first dispatch a medic to the scene and summon a police division employee who is trained in the use of the A.E.D. That employee can render first aid until medics arrive. A dispatcher working alone in dispatch is not permitted to leave the dispatch center in order to administer the A.E.D.

If a non-employee wishes to use the A.E.D. equipment for an emergency in the building or parking lots, it will be given to them.

The A.E.D. coordinators will be assigned by the Fire Division and they will perform set-up tests on the A.E.D. and assure it is in working order. When an employee uses the A.E.D. he or she is responsible for notifying the Fire Division.

VIII. MISCELLANEOUS PROVISIONS

- A. Any person questioning the reasonableness or the applicability of these procedures shall be referred to the Chief of Police for clarification.
- B. Telephone calls and radio traffic shall be conducted in a business-like manner.
 - 1. Division signals should be used in radio transmissions of a sensitive nature.
 - 2. The response voice to callers, and while using the radio, shall be clear and concise so that the affected parties may clearly understand what the communication is all about.
- C. If an incident occurs, either police or fire, of such seriousness that almost all of the communications officer's attention and time is required to handle that incident, the communications officer may restrict radio traffic to only emergency and incident related radio traffic. This restriction is to be rescinded at the earliest possible time.

RADIO SIGNALS

General Order 2-2
March 1999

I. PURPOSE

To establish a set of uniform radio signals for brevity and clarity of communications.

II. POLICY

All members are expected to use the radio signals applicable to the nature of the call if practical.

00	Riot	35	Ambulance
1	Homicide	36	Fire
2	Rape	37	Explosion
3	Robbery	38	Emergency Traffic
4	Assault, Aggravated	39	Location
5	Burglary, B&E	40	Meet Unit At _____
6	Theft	41	LEADS Down
	(A) Grand (B) Petit	42	Wants & Warrants
7	Auto Theft	43	911 Call
8	Assault, Other	44	Disturbing the Peace
9	Criminal Damaging	45	Peace Officer
10	Bomb Threat	99	Officer Needs Help
11	Narcotics		
12	Morals & Vice	100	Out of Service
13	Weapons, CCW	200	In Service
14	Disorderly	300	Out of Service but subject to call
15	Family / Domestic		
16	Prowler	10-1	Stop Transmitting
17	Alarm Drop	10-2	Unable to Copy
18	Public Intoxication	10-3	Unable to Answer Now
19	DUI	10-4	Acknowledge
20	Hot Rodding	10-5	At Your Convenience
	(A) Other Violation	10-6	Ref. Previous Traffic
21	Traffic Jam	10-7	Contact _____
	(A) Motorist Assist	10-8	Contact Dispatch
22	Suspicious	10-9	Residence
23	Juvenile	10-10	Meal Break
24	Animal Complaint	10-11	Coffee Break
25	Warrant Service	10-28	Registration
26	Special Assignment	10-29	File Check
27	Escort	10-79	Notify Coroner
28	Change Channel to _____	10-96	Mental
29	Unclassified Calls _____	10-97	Emergency Notification
30	Cancel	10-98	Jail Break
31	Accident		
	(A) Prop. Damage (B) Injury	101	Tow (last number to indicate the number of tows needed)
	(C) Pedestrian (D) Car-Train		
32	Plane Crash		
33	Suicide (A) Attempt		
34	Drowning		

III. PHONETIC ALPHABET

At times it is necessary to spell words over the radio. Effective immediately, the following phonetic

alphabet will be used to assure radio system uniformity with other radio stations throughout our network.

A - Adam	N - Nora
B - Boy	O - Ocean
C - Charles	P - Paul
D - David	Q - Queen
E - Edward	R - Robert
F - Frank	S - Sam
G - George	T - Tom
H - Henry	U - Union
I - Ida	V - Victor
J - John	W - William
K - King	X - X-Ray
L - Lincoln	Y - Young
M - Mary	Z - Zebra

DISPATCHING WRECKERS

General Order 2-3
June 2009

I. REGISTERED WRECKERS

- A. Wrecker service shall mean any wrecker service situated in the City of Moraine and registered with the Chief of Police.
 - 1. Registered wreckers will have an office located within the City of Moraine.
 - 2. Will be responsible for removal of glass and debris at the scene of a traffic accident.
 - 3. Will provide 24 hour service to the Police Department.
 - 4. Will provide a secured fenced-in storage lot.
 - 5. Will serve at the pleasure of the Chief of Police.
- B. A list of registered wreckers will be established and updated by division correspondence.

II. STAND-BY WRECKERS

- A. Stand-by wrecker service shall mean any wrecker service who wishes to be placed on the stand-by list and is approved by the Chief of Police.
- B. Names of stand-by wreckers will be located in the dispatch rolodex.

III. PROCEDURE PERTAINING TO WRECKER SERVICE

- A. When wrecker service is needed and no emergency exists such as a traffic hazard or blocked roadway, the officer will ask the parties involved if they have a preferred wrecker service. If no preference is requested, the officer shall advise the dispatcher, who will call Sandy's.
 - 1. If Sandy's is unavailable, refer to the stand-by list for next agency in line for call.
- B. The wrecker dispatched will be noted in the appropriate areas within the call for service.
- C. Use a TOW TICKET on any vehicle you have towed to an impound lot.
 - 1. The TOW TICKETS have three sections that can be torn apart easily. Fill out the TOW TICKET, front & back, and if you check the HOLD box, leave the claim ticket section attached for filing in dispatch by the end of your shift.
 - 2. For easier filing please indicate owner's name: last name / first name.
 - 3. Give the VEHICLE COPY section of the TOW TICKET to the tow truck driver who will file it in their impound envelope.

4. If you are not putting a HOLD on a vehicle that is being towed to an impound lot, you can give the CLAIM TICKET section to the owner of the vehicle before filing the remaining section in dispatch.

LEADS & NCIC TELETYPE SYSTEM

General Order 2-4
June 2009

All members of the Division shall familiarize themselves with the manuals pertaining to the teletype system.

I. RULES

The following rules shall be applicable and carried out by the persons responsible.

- A. All dispatchers shall be familiar with all functions of the LEADS and NCIC Operating Manuals.
 - 1. No LEADS/NCIC information, (i.e., registrations, driver's license checks, etc.) will be given out to the public, or any other non-authorized person(s) or agency.
 - 2. All CCH record checks for outside agencies will be entered in the CCH Log Book prior to being given to that agency.
 - a. The printed record will be appropriately marked by the dispatcher, and the officer will be required to sign the log book before receiving the record.
 - b. Only CCH certified employees may run CCH records.
- B. The LEADS/NCIC shall be monitored for incoming messages and relayed to patrol units as applicable by the dispatcher on duty.
- C. Any item monitored of extreme importance shall be relayed to the shift supervisor or patrol units as applicable and entered onto MR log.
- D. Entries into the computer shall be authorized by the reporting officer (i.e., stolen vehicles, articles, etc.), by use of the LEADS/NCIC Entry form. Information on the LEADS/NCIC Entry Form will be checked by another LEADS certified employee and noted in the appropriate box before being submitted for supervisor approval or to the Records Section.
- E. Non-relevant teletypes shall be shredded at the end of each shift.
- F. All LEADS Certified employees shall read the monthly newsletters from LEADS and NCIC to familiarize themselves with any new procedures or discontinued procedures and amend the manuals where applicable.
- G. All personnel will log onto the LEADS system using their password and will log off when finished.
 - 1. All printouts that leave the Communications Center will be appropriately marked, showing the initials of who

receives or requests the printout and of the dispatcher disseminating the printout.

2. Any information that is obtained thru LEADS by anyone other than the on-duty dispatcher, is the responsibility of that other person.
- H. All teletypes concerning officers killed summary, schools, seminars, etc. shall be disseminated to the officer(s) in charge of that operation.
 - I. All MDTs will be used in accordance with all applicable rules and regulations.
 - J. All personnel within the Patrol Section & Communications Section will maintain current LEADS certification.
 - K. A member of the Communications Section will be designated as the Police Division's LEADS T.A.C. Officer. This person will be responsible for the security, training, and related areas in reference to the LEADS system.
 - L. System users must strictly adhere to the standards and procedures contained in the LEADS operating manual. Failure to do so could result in discipline, as described in General Order 1-14, the City's Internal Affairs and Discipline Policy. Violations could also result in LEADS sanctions and criminal charges.
 - M. Discipline for Violations of LEADS/CJIS Police
 1. Employees who violate any LEADS/NCIC/CJIS policy that leads to the disclosure of sensitive or classified information to unauthorized individual(s) shall be subject to disciplinary action as per the appropriate collective bargaining agreement and any criminal charges that may apply. Consideration will be given to the extent of loss or injury to the system, agency or other person upon release or disclosure of the sensitive or classified information.
 2. Any employee who makes or allows to be made, any unauthorized modification to LEADS/NCIC/CJIS computer equipment is subject to disciplinary action as per the appropriate collective bargaining agreement and any criminal violations shall be investigated. Any employee that removes or allows to be removed any computer equipment, such as memory chips, optical or magnetic storage medium, hardcopy printout, etc. is subject to disciplinary action as per the appropriate collective bargaining agreement and subject to any criminal charges

that may arise.

N. Dissemination of LEADS/NCIC Information

1. Information obtained from the LEADS/NCIC system shall only be disseminated to authorized personnel. Examples of authorized personnel are as follows:
 - a. Police officers/police employees;
 - b. Agents of other law enforcement agencies/Bureau of Motor Vehicles (BMV) personnel;
 - c. Court employees - court use only;
 - d. Prosecutor's office - criminal justice use only.
2. LEADS printouts may only be given to court and Police officials.
3. Information may not be disseminated to private individuals or private security police.

COMMUNICATION SYSTEM FAILURE

General Order 2-5
June 2009

I. PURPOSE:

To provide a procedure in the event of a failure with our communications system.

II. ALL RADIO EQUIPMENT FAILS

Meaning unusual occurrences on traffic on all mobiles, portables, and consoles.

- A. First, contact the Montgomery County Sheriff Dispatch. Since the City of Moraine and MCSO both share the same system, both parties may be experiencing similar occurrences, in which case, MCSO will advise what steps they are taking to correct the problem(s).
- B. If in doubt contact P&R Communications:
 - 1. Normal Hours (M-F, 8am - 5pm) at telephone #222-0861.
 - 2. After Hours - call 222-3230; you will get a recorded message. State your name, City of Moraine, the nature of the call, and the phone # to reach you at. The on-call technician will be paged immediately. If he doesn't respond within 30 minutes, try the number again. If this fails, call Midwest Protective Service at 461-7261, account number S172. Midwest has a call down list for contacting P&R employees at home.

III. CONSOLE FAILURE

- A. The first step is to determine the result of the error. If the screen displays an error - determine the effect that it has had. Is the system operating fine or is it completely down? Is one position operating fine but the other is down? Depending on the answer, determine if you can live with the result until regular business hours or if P&R needs to be contacted. If in doubt, contact P&R as described in II.B.
- B. In the event that both systems are not functioning, the Motorola mobile radio that is installed in the console at position 2 can be used in place of the radio systems, as well as a portable radio that is kept in the communications center. The mobile radio has multiple channels as does the portable radio. When using the mobile or portable, make sure the selected volume control on the radio positions is turned down so as not to receive feedback when transmitting.

IV. MICROWAVE FAILURE

Problem with the microwave will activate an alarm on the dispatch console. This alarm can be found under the door tab on the Radio System Screens.

- A. Make the contacts as described in II.B.
- B. P&R may request that someone go downstairs where the microwave equipment is located and check for any error light indications. If P&R so requests, notify the on-duty supervisor who will go downstairs to check for any error lights. A key to the radio room is in dispatch keybox.
- C. To turn off the alarm push the "alarm reset" button."
- D. The alarm will be designated either as "microwave major alarm" or "microwave minor alarm." Follow procedures listed above for both.

V. ALERT TONE FAILURE

Problems with the alert toning for the Fire Division will not always be obvious. After a dispatch has been made and the computer generated tones were not heard and/or the fire department has not responded in a reasonable time, then the tones may have failed.

- A. The consoles are equipped with "Back-up Station" alerting to be used when tones fail to go out.
 - 1. Push the "Back-up Station Alert" button.
 - 2. Press the transmit button under "Alert VHF" to broadcast the dispatch.
 - 3. Repeat Steps 1 and 2 a second time.
- B. Notify P&R as described in II.B.
- C. The Back-Up Station alerting will be tested monthly upon notification from the Fire Division.

VI. BACKUP RADIO SYSTEMS

- A. Switch to the Dayton/Moraine Backup Channel. This channel is on the Dayton 17 channel 800 MHz system. This system is completely separate from our Current Montgomery County Radio System. While on the Dayton Radio System some radios, especially portable radios, may not work due to the location of Dayton's Antenna Towers which are concentrated downtown Dayton and the airport.

- B. Failsafe Mode. Failsafe is when the radio system sees a problem and puts your radio traffic signal on a preprogrammed conventional repeater channel. You will hear a beep every ten seconds, but you can still transmit with the radio. When in failsafe mode you will also hear background noise from another designated agency that we are programmed to share with, but your radio traffic will still be transmitted.
- C. The VHF non-trunk channels may be used.
- D. Simplex Radio Channels may be used if above channels fail and if you are within a mile of the one you wish to communicate with.

COMMUNICATIONS

General Order 2-6
May 2011

I. PURPOSE

To process and handle calls in the most efficient and expedient way for both the citizens and the police division.

II. CALL PROCESSING

- A. When taking calls for service, the following will be obtained, in addition to the normal information required:
 - 1. Question the complainant to clarify if the call is an "in progress" emergency type call, or is reporting "past occurred" type call.
 - 2. Ask the complainant if they wish to be contacted, and if so, direct the officer to contact the citizen. Note same within the call for service.
- B. If, at the time of the call for service, it is reasonably certain that a delay in dispatching will occur, the dispatcher/officer will advise the complainant accordingly.
 - 1. The dispatcher/officer will advise the complainant that due to a heavy call load, that there will be a delay in the dispatching of their call and that it will be dispatched as soon as possible.
 - 2. If it is not apparent at the time of the call that there will be a delay, but a delay in dispatching does occur due to heavy call load or due to officer initiated activities, the complainant will be re-contacted within 15 minutes to advise of the delay. The complainant will be advised that their call will be dispatched as soon as possible. (This section will be carried out only if time permits.)
- C. Under no circumstance will a call of an emergency nature, or a call requiring immediate attention, be held. The on-duty shift supervisor or officer in charge (OIC) will be notified immediately of the situation.

III. COMMUNICATION BETWEEN THE DISPATCH CENTER AND THE OFFICER

In order to maintain high efficiency in disseminating information, the Dispatchers and Officers will utilize the respective Tiburon Users Manuals and Reference Manuals in order to properly input information and data into the Computer Aided Dispatch System. Additionally, the following guidelines will be utilized.

- A. A Call For Service (CFS) will be created in the computer aided dispatch system for calls requiring Moraine Police attention or action.
- B. In regards to most routine calls, the dispatch center will be responsible for entering all information onto the CFS. This will be done for calls regardless if the call comes into the dispatch center or whether an officer encounters the situation on patrol.
- C. The dispatchers will enter all of the pertinent call information onto the dispatch screen. Information contained on the screens will include anything pertinent known to the dispatcher at the time of call such as names, complainant's info, SSNs, DOBs, car descriptions, plate numbers, etc.

- D. The actual radio traffic between the dispatcher and the officers will be concise, as the officers will have the information on the call screen to refer to. Officers will need to refer to the call screen for the information and should be able to get most, if not all, the info they need.
- E. Obviously there will be in-progress situations or emergency calls where it is more important get the officers headed to the call and get the information broadcast over the radio in order to better facilitate handling the call. For these “hot calls” there will briefly be more information relayed over the radio but, as soon as practical, the dispatcher will update the CFS screen for the officers to refer to.
- F. Dispatchers will still perform the normal officer safety “check up”, otherwise the officers will be responsible for updating their locations and status, inputting transportation mileage, issuing their own report numbers and clearing themselves from the call.
- G. For administrative type functions **ONLY** (functional reports on post, follow-ups on post, condition equipment, court, etc.) Officers will put themselves on the CFS and clear themselves later. They will additionally call these out over the radio and will type in information as specific, accurate and complete as possible about what they are doing. Common call types the officer will be permitted to input will include “DETAIL”, “CHOW”, COURT, etc.
- H. Officers will not initiate their own CFS when an enforcement action is possible or when dealing with the general public, suspects or unknown risks. The officer’s focus should be on officer safety. It will be the dispatcher’s responsibility to input these CFSs.
- I. When an officer clears themselves from a call, they will include a sufficient amount of information on the status screen so the dispatch center and other officers can acquire pertinent information about the call if needed. Particular attention should be paid to the calls for service in which a report was not taken.
- J. Nothing in these directives should be construed to be “silent dispatching”. Officers are still required to call out the proper and necessary information on the radio. Nor should this effect officer safety or create substantially more work for the officer.
- K. If the officer is out of the car on a call there are times when the dispatcher will need to issue report numbers or status the officer. The officer needs to indicate to the dispatcher that the dispatcher needs to complete the action.
- L. The officer will clear themselves from the call using the MDT whenever reasonable possible.

USE OF MOBILE DATA TERMINAL

General Order 2-7
January 2011

I. PURPOSE

Mobile Data Terminals, sometimes referred to as MDTs or laptops, are deployed into the marked patrol car fleet giving the officers the ability to write reports, receive dispatch information, communicate with other officers, and to obtain information from the Ohio LEADS system and internal records systems.

II. GUIDELINES FOR THE USE OF THE MDTs

- A. Any message you send to another officer, or any Ohio LEADS information you run, will be logged at MCSO. All these actions and comments are public record and can be acquired by any citizen or defendant who requests the information. All comments, messages, and requests shall be professional in nature and law enforcement related.
- B. Any malfunctions shall be reported on an Equipment Repair Request. Do not attempt to repair a computer yourself.
- C. Do not change configuration settings on the MDTs. The MDTs are all set exactly the same; therefore, no matter who gets in the car, it will look and behave the same.
- D. Use caution when driving your cruiser and typing on the MDTs at the same time. It is a hazard to attempt to do that. Pull over and type or try to stop for a moment. It will be no defense on an at fault traffic accident that an officer was looking at or typing on the lap top.
- E. Do not load additional software onto the MDTs.
- F. Computer screens may only be cleaned with alcohol wipes provided by the Department. Do not clean computer screens with water or window cleaner. Touch screen computers should only be used with a finger as the touching implement.
- G. Extreme Weather - MDTs will not operate if they are very cold or very hot. During periods of extreme weather, officers should first start the car and turn on the heater or air conditioner. Once the passenger compartment reaches a comfortable temperature for the officer, the MDT can be operated.

I. OVERVIEW

It is the policy of the Moraine Police Division (Division) to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. This Division has specific legal obligations under the Americans with Disabilities Act to communicate effectively with people who are deaf or hard of hearing. To carry out these policies and legal obligations, the Division instructs its officers and employees as follows:

- A. People who are deaf or hard of hearing are entitled to a level of service equivalent to that provided to other persons.
- B. The Agency will make every effort to ensure that its officers and employees communicate effectively with people who are deaf or hard of hearing.
- C. Effective communication with a person who is deaf or hard of hearing involved in an incident — whether as a victim, witness, suspect, or arrested — is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
- D. The type of aid that will be required for effective communication will depend on the individual's usual method of communication, and the nature, importance, and duration of the communication at issue.
- E. In many circumstances, oral communication supplemented by gestures and visual aids or an exchange of written notes will be an effective means of communicating with people who are deaf or hard of hearing. In other circumstances, a qualified sign language or oral interpreter may be needed to communicate effectively with persons who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communications. For example:
 - 1. If there has been an incident and the officer is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language. A qualified oral interpreter may be required to communicate effectively with someone who has been trained to speed read (read lips).
 - 2. If a person is asking an officer for directions to a location, gestures or an exchange of written notes will likely be sufficient to communicate effectively.
- F. To serve each individual effectively, primary consideration should be given to providing the type of communication aid or service requested by the individual. Officers should find out from the person who is deaf or hard of hearing what type of

auxiliary aid or service he or she needs. Officers should defer to those expressed choices, unless:

1. There is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing; or
2. Doing so would fundamentally alter the nature of the law enforcement activity in question or would cause an undue administrative or financial burden; only the Chief of Police or his or her designee may make this determination.

II. ON-CALL INTERPRETIVE SERVICES

This Division has contracted with Community Services for the Deaf to provide 24 hour interpreter services. Contact information:

- A. Direct Line 222-9481, x110
- B. Call 24 hours a day 937-640-8032 to schedule an interpreter
- C. For emergency requests or less than 24 hour notice, requests after 5:00pm or before 8:30am, dial 937-640-8032 and listen for the prompt.

Have the following information available:

- A. Date and time of appointment
- B. Deaf/hard-of-hearing person's name and communications mode (i.e., ASL, Signed English, Oral, etc.)
- C. Nature of the appointment
- D. Location of appointment
- E. Contact person and number of appointment
- F. Preferred interpreter (if requested).

Billing information:

- A. Notify and relay any billing paperwork to the Chief's office by the next business day
- B. For more information on billing and services, refer to the contract in the white dispatch notebook.

III. TTY AND RELAY SERVICES

- A. In situations when a non-disabled person would have access to a telephone, officers must provide persons who are deaf or hard of hearing the opportunity to place calls using a teletypewriter (TTY, also known as a telecommunications device for deaf people, or TDD). Officers must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service in dispatch.

IV. TECHNIQUES FOR OFFICERS TO COMMUNICATE EFFECTIVELY

- A. Officers may utilize the following auxiliary aids, when available, to communicate effectively:
1. Use of gestures;
 2. Use of visual aids;
 3. Use of a notepad and pen or pencil;
 4. Use of a computer or typewriter;
 5. Use of an assistive listening system or device;
 6. Use of a teletypewriter (TTY);
 7. Use of a qualified oral or sign language interpreter.

TELEPHONE COMMUNICATIONS

General Order 2-9
November 2015

I. FACSIMILE MACHINE

The purpose of a facsimile machine is to expedite correspondence between various agencies and to have a certified record of same.

- A. The shift supervisor and officer in charge of a shift, or designee, shall check the facsimile machine periodically and distribute messages accordingly.
- B. The provided face sheet shall be used on all transmissions needing space for correspondence or explanation. You may use small post-it style transmission form if appropriate.
- C. The facsimile machine is generally to be restricted to official business. Personal calls may be made but, should be restricted to an "as needed" basis.
- D. Before operating the facsimile machine, familiarize yourself with the operation of same by reviewing the Operators Manual, referencing the Quick Guide located on the wall above the machine or be instructed by the key operator. If you have any trouble with the facsimile machine during operations, check with the designated key operator or shift supervisor.
- E. The Key Operator will maintain supplies and schedule any needed repairs for the facsimile machine.
- F. Command Staff fax machine - 535-1278
Communications Center fax machine - 535-1279
Records Center fax machine - 535-1280

II. TELECOMMUNICATION DEVICES

- A. Employees are encouraged to avoid personal telephone calls during their duty hours and are reminded that they are required to devote their full time and attention to their individual assignment.
- B. Use of telecommunication devices for other than City business purposes may result in disciplinary action or prosecution.
- C. All telephone calls occurring in the Communications Center are recorded.

**SUBPOENA, SUMMONS AND WARRANT
SERVICE PROCEDURE**

November 2009

General Order 3-1

I. SUBPOENAS ISSUED BY MAYORS COURT

- A. Officers receiving, from the Court Clerk, notification of a pending trial shall submit names of witnesses to be subpoenaed without unnecessary delay.
- B. Upon request for subpoena of witnesses, the Court Clerk shall issue subpoenas returnable at least three (3) days prior to trial.
- C. The Court Clerk shall prepare and submit two (2) copies of the subpoena issued for service.
- D. Subpoenas shall be delivered by the Court Clerk to the S.A.S. Supervisor for service. In the event the assigned officer does not execute service he shall return the subpoena to the supervisor, accompanied by a supplement, to the original complaint, detailing efforts taken to execute service. The shift supervisor will then initiate further action to complete service or return subpoena to the Court Clerk if person (subpoenaed) is not available for service. Unserved subpoena shall be returned to the Court along with supplement detailing why service is not possible.
- E. Upon service, the duplicate copy shall be given to the person served and the original copy shall be filled out properly by the executing officer and returned to the Court Clerk with a supplement detailing execution of service.

II. SUMMONS SERVICE

- A. The Court Clerk shall prepare and submit two (2) copies of affidavits/summons. The Clerk shall attach to the summons a copy of the report to which the summons pertains, to assist the executing officer in completion of service.
- B. The Summons shall carry the same incident number as the report to which it pertains. If a prior number has not been assigned, an incident number shall then be obtained by the executing officer.
- C. The Court Clerk shall deliver the summons to the S.A.S. Supervisor for service. If the S.A.S. Supervisor is unable to make service but has learned when and where service can be made, the Shift Supervisor shall be assigned the summons for service.
- D. The officer assigned shall serve the duplicate copy of the summons and shall complete an arrest report. The return on the original summons shall be completed and summons and arrest report submitted.
- E. If an assigned officer does not execute service of the summons, he shall return the summons to the shift supervisor, accompanied by a supplement detailing efforts taken to execute service. The shift supervisor will then initiate further action to complete service, or return the summons to the Court Clerk if the person (summoned) is not available for service, along with the report as to why the summoned person is not available and requesting the summons be turned into a warrant.

III. MORaine WARRANTS

- A. The Court Clerk shall prepare and submit two (2) copies of the warrant issued for service. The Clerk shall attach to the warrant a copy of the report or citation to which the warrant pertains, to assist the executing officer in completion of service.
- B. The warrant shall carry the same incident number as the report in which it pertains to. If a prior number has not been assigned, an incident number shall then be obtained by the executing officer.
- C. The Court Clerk shall deliver the warrant to the Police Records Clerk who enters the warrant into Tiburon and attaches a Warrant Route Sheet and LEADS entry sheet. The warrant is then forwarded to the Dispatch Center for LEADS entry into the Warrant File within 48 hours, a copy of the teletype entry is attached, then placed in the warrant file. Special attention is to be made to the "pick-up radius" which is assigned by the Clerk of Courts.
- D. The assigned officer will deliver the unserved warrant to the Communications Center for entry into LEADS. The Communications Center will:
 - 1. Enter the warrant into the LEADS warrant file.
 - 2. Attach one copy of the teletype entry and warrant route sheet to the warrant.
 - 3. Place the warrant in the Warrant File which is to be maintained in alphabetical order in the Dispatch Office.
 - 4. Shall inventory the warrants along with the Clerk of Courts to make certain they are kept up to date.
- E. After a warrant has been placed in the warrant file, under no circumstances will the warrant be removed from the file unless the person has been arrested and is in the Montgomery County Jail or Kettering Jail. If the person is incarcerated elsewhere then staple a copy of the confirmation and hold teletypes with the warrant and place it back into the warrant file.
- F. Upon arrest per warrant which is already in the Warrant File, it is the responsibility of the dispatcher to:
 - 1. Remove the warrant from file.
 - 2. Assure that the warrant is canceled from LEADS.

3. Attach a copy of the LEADS cancellation to the arrest report.
 4. Place canceled warrants in the Police Records Clerk's box who will cancel the warrant in Tiburon and create paperwork for the court. The warrants are stamped "CANCELED" and sent to the Court.
- G. The Clerk of Courts will maintain a current record of warrants and keep the dispatcher advised of any disposition made on a warrant assigned to the police division.
- H. The Clerk of Courts shall assure the following information appears on the face of the warrant: Name, DOB, OLN, Race, and a copy of the original arrest report or citation.
- I. All police officers should be aware of the defendant's rights should the warrant be served in any county other than an adjoining county where the warrant is issued from. See Ohio Rules of Criminal procedures, Rule #4 (E).
- J. If the validity of a warrant is questioned or a warrant cannot be found but an active entry is in the computer, the shift supervisor should be contacted prior to release of a detained individual, if possible.
- K. Every officer assigned a warrant shall make every effort to secure the service of the warrant in the prescribed manner.

IV. WARRANTS RECEIVED FROM OTHER LOCAL DEPARTMENTS

- A. When an officer from another department requests assistance, the shift supervisor will be notified and, after investigating the details of the warrant, may accompany the officer in the service of the warrant or, may assign an officer to assist.
- B. When an officer from another department requests assistance in the service of a search warrant, the shift supervisor will accompany the officer.
- C. We will not arrest on a verbal request.

V. OTHER MORAINÉ NOTICES RECEIVED

- A. When other notices are received for service, the officer assigned shall immediately proceed to handle the matter as any other complaint assigned.
- B. Other notices received will be assigned by the shift supervisor on duty when received.

VI. FOREIGN WARRANTS RECEIVED

- A. Whenever an out of state warrant is received by any means, the shift supervisor shall be notified upon receipt.
- B. Where situation permits, the foreign warrant shall be delivered to the supervisor of the Investigations Section to check the validity and procedure for service.

COURT PROCEDURES FOR FILINGS

General Order 3-2
November 2009

The following policy shall be adhered to by all members of the Police Division.

I. MORAINÉ MAYOR'S COURT

- A. Upon issuing a citation for Moraine Mayor's Court, assign an initial appearance date before Mayor's Court of no less than seven (7) days or more than fifteen (15) days (exception - five (5) day rule), on the date and time as designated by the court.
- B. No continuances can be granted by anyone except the Clerk of Courts or the Law Department.
- C. If a person advises he is unable to make the assigned date, he will be required to contact the Court Clerk or the Law Department in person to ask for a continuance and sign the appropriate waiver form.
- D. Each officer issuing a citation or making an arrest shall cause to be filed an affidavit charging the offense at the earliest possible time. The person cited or arrested shall be given a copy of the affidavit charging him with an offense.
 - 1. In those cases where the defendant is incarcerated, the officer shall have the statement of facts completed prior to departing at the end of his tour of duty.
 - 2. In those cases where the defendant is not incarcerated, the statement of facts shall be completed no later than the next duty day. If the officer is not scheduled to work the next day, the statement of facts will be submitted prior to departure at the end of the duty day.
 - 3. Each officer making an arrest where the defendant is incarcerated shall complete a probable cause form. This directive does not apply when the arrest is based on a court issued warrant.
- E. Each dispatcher shall familiarize themselves with the forms of the court to assist the officers when necessary to prepare the proper forms in the absence of the Court Clerk.
- F. It will be the arresting officer's responsibility to provide the Clerk of Courts or Dispatcher with the specific charge(s) when the forms are prepared. It will be the arresting officer's responsibility to sign the forms, check for accuracy and have them notarized.
- G. It shall be the duty of the officer to advise the Court Clerk of the names and addresses necessary for the prosecution immediately upon notification that a trial date has been set.
- H. If the officer feels that a review is necessary with the prosecutor prior to the trial, it shall be his responsibility to effect the review, except in routine traffic citations.

- I. In the event a person has filed charges and then requests to drop the charges prior to the assigned court date.
 1. The person will be informed that they are required to appear in court along with the defendant, on the assigned court date.
 2. They must request the dismissal before the City Prosecutor. If the Prosecutor agrees to dismiss the complaint, the complainant will be required to pay court costs.

II. STATE CHARGES UNDER OHIO REVISED CODE

- A. State charges shall be filed in the Kettering Municipal Court.
- B. Any matter involving the Kettering Municipal Court shall be guided by the rules of that court.
- C. Each member of the Police Division shall familiarize themselves with the Bail Bond Schedules established by the courts. Persons inquiring should be advised to contact the Clerk of Courts if any questions should arise.
- D. Persons in custody, either at the Montgomery County Jail or Kettering Jail, must be arraigned or served with a warrant within 48 hours. If the 48 hour time limit is due to expire before Kettering Municipal Court is next in session, one of the following must occur:
 1. Warrant must be issued and serviced on the defendant. The procedure for obtaining a warrant on weekends and holidays will be governed by the rules of Kettering Municipal Court; or
 2. The defendant must be released from custody.

COURT APPEARANCE

General Order 3-3
May 2005

I. PURPOSE

To establish a uniform procedure for court appearance.

II. POLICY

- A. It is the responsibility of each officer to attend court whenever subpoenaed. No officer may miss a scheduled court appearance unless permission is granted in advance by the prosecutor's office or arrangements have been made to have the case rescheduled.
- B. Uniformed officers will appear in court in uniform, unless directed otherwise by the prosecutor's office.
- C. All officers will abide by the security rules of the court in which they are attending.

III. ATTENDANCE AT JUDICIAL PROCEEDINGS

- A. All officers and members of the Moraine Police Division, in cases before the courts, are to be punctual in attendance. Patrol Officers shall appear in uniform and detectives in appropriate business-like clothes.
- B. When giving testimony, officers and members shall speak calmly and explicitly in a clear, distinct, and audible tone so as to be easily heard by the court and jury.
- C. No officer or member shall smoke or chew gum in the presence of the jury members, whether court is in session or not.
- D. Officers and members, while testifying in court, shall do so with the strictest accuracy, confining themselves to the case before the court and shall neither suppress nor overstate the circumstances with a view of favoring or discrediting any person or evidence before the court.
- E. During any questioning, officers and members of the Moraine Police Division shall show the same respect and objective attitude toward the defense as they do toward the prosecution.

COURT OFFICER'S DUTIES, MAYOR'S COURT

General Order 3-4
November 2009

I. PURPOSE

To establish a procedure for the officer assigned as Court Officer for the Moraine Mayors Court. To establish uniformity in the completion of the duties of Court Officer.

II. DUTIES

- A. Report to the Clerks Office 30 minutes before court, obtain a court docket, and the case jackets for court. The Court Officer will check with the Clerk and ascertain if there are any unusual cases or circumstances that should be known before court begins.
- B. Keep up to date court rules; cause same to be communicated to officers.
- C. Administer Traffic School Program - coordinate with Clerk of Courts.
- D. Other duties as assigned by Investigation Section Supervisor.

III. RULES OF CONDUCT

- A. No smoking, no food, and no beverage in the Court Room.
- B. Hats and caps must be removed.
- C. Small children must be controlled and remain quiet or removed from the Court Room.
- D. When the defendant's name is read they are expected to approach the bench and enter a plea.
- E. Only an attorney or person assisting a defendant due to illness or age may accompany the defendant to the bench.
- G. To expedite the proceedings a second case may be called while the Mayor is deciding the current case.
- H. At the conclusion of court the Court Officer will collect all jackets, folders, and forms and return them to the Clerk of Court.

IV. CALLING THE COURT TO ORDER

- A. The City Prosecutor will call the court to order, introduce himself, tell those assembled who will be presiding over the court, and introduce the Court Officer.
- B. The prosecutor will explain the various pleas, penalties, and legal rights.

INVESTIGATIVE SECTION

General Order 4-1
November 2009

I. INTRODUCTION

- A. The Investigative Section is a single, organized unit which is better equipped to enlist and utilize the assistance of various local, state, and federal agencies in the identification, enforcement, and prosecution of criminal activity in the City. It would control and prevent criminal activity within the City. The section would provide services to the City in the way of educational and criminal activities. This unit would maintain and establish a line of communication for the input and output to the residents, both adult and juvenile, business, and other departments of the City. A working relation and line of communication would be established with surrounding departments and other supportive agencies within the Criminal Justice System. They enhance the effectiveness of the unit to better serve the people.

II. AREAS OF ENFORCEMENT AND RESPONSIBILITY

- A. This section pertains to the administrative enforcement of criminal activity in the following fields:
 1. Homicide
 2. Questionable Deaths
 3. Robberies
 4. Assaults
 5. Rapes
 6. Burglaries
 7. Thefts
 8. Forgery
 9. Drug Violations
 10. Prostitution
 11. Any other investigation as designated by the Chief of Police.
- B. Specific Duties
 1. Conduct investigations and initiate prosecutive action on criminal operations in this area.
 2. Maintain liaisons with all other agencies relevant to the area of enforcement in exchanging intelligence information to the effected area.
 3. Process and charge all cases, misdemeanor or felony, including juvenile cases.
 4. Maintain arrest files on all persons arrested in any aforementioned areas.
 5. In the area of liquor enforcement, maintain liquor permit files and investigate new

permits, renewals.

6. Follow-up investigations on offenses where no arrest was made.

III. ASSIGNMENTS

- A. Case assignments and investigations will be made by the section supervisor. The officer assigned a case or an investigation will keep the section supervisor informed on the investigation.

IV. DUTY HOURS

- A. Normal hours are from 8:00am to 4:00pm, unless on special assignment with prior approval of the supervisor.
 1. All tours of duty will start at the police division, unless on special approved assignment, requiring a detective to report directly to that assignment (i.e., stake-out or call out). Personnel will be available at their office during the first hour of duty to receive messages and return phone calls.
 2. Tours of Duty will end at the police division. Personnel should return to the division at one hour prior to termination of duty. The reason for this is so messages can be received and phone calls returned.
 3. During tours of duty, officers will inform the section supervisor of their location and the investigation being conducted. Officers shall at all times be available for contact by the dispatcher and command officers.
 4. The SAS supervisor will ensure all investigative section personnel review the communications log, arrest log, and other documents as necessary to update personnel in reference to division activities which have transpired since the last tour of duty. The current day's activities will be discussed. All SAS personnel shall attend roll call except those expressly exempted from attendance by the SAS supervisor or a command officer.
 5. SAS personnel have a flexible work assignment, and they shall alter their work schedule as necessary to perform their duties. No SAS personnel will work in an overtime status unless previously and specifically approved to do so by the SAS supervisor or a command officer.

V. EQUIPMENT

- A. All SAS personnel are subject to assignment to uniformed details without notice. Therefor all members shall maintain uniforms and equipment as do uniformed officers, and shall

be prepared to assume uniformed assignments when directed to do so.

VI. GENERAL ASSIGNMENTS

- A. In addition, the section will be available for the following types of assignments as the needs arise, and with the approval of the Chief of Police:
1. Crowd control at special functions (i.e., 4th of July, and other similar type activities).
 2. Saturation patrol of problem areas (i.e., high crime areas, juvenile problem areas, strikes).
 3. Conduct surveillance of reported high crime areas.
 4. VIP protection, assist and/or act as security for VIP visiting this City.
 5. Public Education. Act as a resource unit for public information on drugs, vice, and crime laws, to the community.
 6. Special investigation. Investigations initiated at the discretion of the Chief, in those matters that require confidentiality.

VII. INTELLIGENCE

- A. All members are to develop informants and sources of information to contribute to the section intelligence gathering ability on criminal activities.
1. Sources: Intelligence information may be gathered through any of the following means:
 - a. Confidential Informants: Persons who are known to the member on a continuous basis and furnish information on crimes and/or criminals (i.e., junkies, prostitutes, bookies).
 - b. Confidential Sources: Persons who are known to the member who are non-criminals and are in a position to have knowledge of persons important to a member

(i.e., bank tellers, desk clerks, phone company employees).

- c. Anonymous Sources: These should be carefully weighed for their value. When persons of this type give information that can be verified by the member, is of magnitude that merits investigation, a report is to be made by clearly stating the source (i.e., phone tips, unsigned letters).
- d. Interviewing prisoners.
- e. Media Sources: Members are to maintain news clippings on police related subjects.
- f. Liaisons: With other police and law enforcement agencies on all governmental levels.

2. Intelligence Reports. The purpose of the intelligence report is to record events and information relevant to persons or circumstances involving criminal or suspicious nature, courses of conduct that may lead to criminal activity, and any intelligence that should be brought to the Chief's attention that may have a significant impact on crime or the division's ability to cope with a situation.

CRIME SCENE PROCEDURE

General Order 4-2
April 1996

The success or failure of a criminal investigation depends upon both the thoroughness and the immediacy of the preliminary investigation. What the officer does or fails to do in the earliest phase of the investigation will determine whether the perpetrator is identified and apprehended or goes undetected. Positive and effective police action in this vital state is also an important factor in determining the outcome of the case in court.

All personnel should familiarize themselves with General Order No. 4-3 and should utilize the EV Technician if the shift supervisor deems it necessary.

The purpose of this order is to help guide the uniform officer assigned the preliminary investigation and to assist him in the protection and preservation of the crime scene, until the EV Technician arrives, or in those incidents where the uniform officers are to perform the subsequent search and gathering of evidence.

I. CRIME SCENE

- A. Definition. The scene is not only the immediate location of where the crime occurred, but consists of any area where any portion of the crime occurred, point of entry or point of approach of the perpetrator, point of exit, and any location where any object from the actual scene has been transferred.
- B. Arrival at the scene. The police officer must arrive at the scene of the crime as soon as possible since it is the source of the most productive evidence. The principles were there or may still be present. Physical evidence in the form of weapons, tool marks, fingerprints, footprints, stains, etc. are present and time or elements may destroy or change the nature of them.

The value of the crime scene rapidly deteriorates, and the matter of minutes may be the difference between gathering overwhelming evidence or a frustrating hunt by the investigators.

The swift arrival of the officer may prevent the destruction or contamination of physical evidence, prevent further injury or loss of life or prevent the loss of valuable witnesses.

- C. Preservation of the scene. Preserving the crime scene means to keep the site in the same physical condition as it was left by the perpetrators. Preserving the crime scene should take into account that any evidence tampered with, handled, or moved becomes contaminated and becomes of little value to the investigating officers and often tends to complicate the reconstruction of a crime and the subsequent prosecution of the offenders.
 1. Do's of Crime Scene Preservation.
 - a. Do secure the scene by means of some type of perimeter. This should not only include the focal point of the crime, but also the outer fringes of the scene, thus if a crime occurred in a room of a building, the perimeter would include the entire building and possibly the lot.
 - b. Do remove any unauthorized personnel, including officers not necessary to the investigation, and permit only those necessary to complete the investigation.
 - c. Do remove witnesses from the immediate area of the crime.
 - d. Do separate the witnesses and prevent them from discussing the details among

themselves or anyone else.

- e. Do make notes of the condition of the scene upon your arrival, position of witnesses, their actions, location of items, weather, lighting conditions, time of arrival, etc. The notes may assist in the apprehension of the offender, the reconstruction of the crime, and serve as your memory months or years later.
 - f. Do watch where you step. Many times evidence has been destroyed or changed by persons walking on it.
 - g. Do remember that nothing is too small or insignificant to have value.
 - h. Do remember that the scene has been altered if you bring anything into it (i.e., cigarettes, candy wrappers, etc.).
- D. The Search. After the crime scene has been secured, it must be searched. This search is carried out to obtain all available physical evidence, (i.e., a weapon, clothing, fingerprints, etc.) or any other investigative leads which might help to achieve a successful conclusion to the case.

The search, although called the crime scene search, is not confined to the actual crime scene itself, but may extend along the path of approach and flight of the perpetrator.

The search is conducted in the area of a crime to uncover any physical evidence which will:

1. Determine the facts of the crime.
2. Identify the criminal.
3. Aid in the arrest and conviction of the criminal.

In conducting a search, there are several factors to take into consideration:

1. Definite plan for the search must be made and followed.
2. What to look for must be explained to the members of the searching teams.
3. Members must be assigned specific duties (i.e., one to record the location of and who discovered the evidence, one to photograph and sketch the evidence, and one to collect and mark same). These functions may be carried out by one person or several considering the amount of manpower available.

These guidelines are meant to only assist the responding officer in ensuring a complete and thorough preliminary investigation. However, it is recognized that in many instances the responding officer will be the only officer to respond, depending on the seriousness of the crime. These guidelines are not concrete and can be modified to fit the situation as necessary.

All officers should familiarize themselves with the proper methods of collecting and preserving evidence.

- E. In the event of a serious injury at the scene of a crime where the injured person is in danger of dying, the officer in charge shall make every effort to send a unit to the hospital in the ambulance to monitor any comments the victim may make. Good judgement shall prevail

and cooperation with the EMT in charge is mandated.

PROPERTY AND EVIDENCE PROCESSING

General Order 4-3
November 2009

I. PURPOSE

- A. To facilitate proper handling, documentation and custody of property and evidence.
- B. To maintain a high level of security for properties in the custody of the Division.
- C. To provide accountability for the safekeeping and proper disposition for properties in the custody of the Division.

II. PROCEDURES

A. Officer's Evidence Property Submission

- 1. All property and evidence shall be marked with Officer's name, unit number, case number or citation number, date and time the property was obtained.
- 2. Departmental property card shall be completely filled out and attached to each piece of property or each small property lot (in the event of numerous small pieces of evidence tagged as one lot) being submitted to the property room.
- 3. After evidence is marked and tagged, evidence will be placed into property room, or into the temporary storage lockers and locked when a Property Room Officer is not available.
- 4. The locker key will then be dropped through the slot into the main property room.
- 5. Any large or unusual type of evidence or property that is recovered, that is too big or unusual to fit into lockers will be safeguarded by the investigating officer until a Property Room Officer arrives to secure the property in the property room. If necessary a Property Room Officer may be contacted at home to respond and enter the property into property/evidence room .

B. Officer's Property - Evidence Retrieval

- 1. Any Officer who wants any property or evidence out of the property/evidence room will have to contact a Property Room Officer. No other person will have access to the property room.
- 2. Whenever any property or evidence is taken out of the property/evidence room, that property or evidence will be signed out, by whomever receives it and its destination will be noted.

NOTE: Each officer will have to use some foresight as to their retrieval of evidence, particularly for court. (i.e., If they have an early morning court appearance they should make arrangements beforehand so that the evidence/property will be ready for court.)

C. Disposal of Property - Evidence

1. All property will be returned to the owner by a property officer. The following are exceptions:
 - a. Drugs, except prescription drugs and only to those on the prescription
 - b. Guns
 - c. Contraband
2. All evidence will be promptly returned to the rightful owner, by a property officer after adjudication is complete and approximately 30 days has elapsed (to conclude possible appeals).

It shall be the responsibility of the investigating officer to monitor the status of all cases and to inform the property room officer of any changes in status, including when final disposition can be made of the property or evidence.

3. Anytime property is returned to the owner or otherwise disposed of, a property/evidence disposal form will be filled out, signed, and witnessed. The original will then be kept in the property room, and a copy will be made and placed in the case report.
4. OMVI specimens will be retained by the Lab for at least one year and not returned.
5. Law enforcement agencies should adhere to the following guidelines when disposing of evidence held by police or the crime lab that has not been admitted in court. Please exercise caution any time a case involves co-defendants and, in that situation, keep evidence the longest time applicable to the case. Please submit any inquiries for prosecutor approval to First Assistant Debra Armanini by email at armaninid@mcoho.org.
 - a. Death Penalty Cases
If defendant is convicted of aggravated murder and sentences to death, evidence in the property room should be maintained until the death sentence is carried out and then should be destroyed only after obtaining the approval of the prosecutor. If the defendant is not sentenced to death, or if the death sentence is vacated on appeal, follow the guidelines given below for homicides.
 - b. Cases in Which Warrants are Issued
In any case in which a filing has been approved and a warrant has been issued for the defendant's arrest, the evidence should be held in the property room until the defendant is arrested and prosecuted or the warrant is canceled by a prosecutor. If the warrant is canceled or if the defendant is prosecuted,

evidence should be retained as described below.

c. Acquittals

In cases which result in the acquittal at trial of a defendant, the evidence in the property room may be disposed of after confirmation from both the case detective and the prosecutor that the evidence is not needed to prosecute a co-defendant, co-conspirator, or another suspect.

d. Cases Ignored at Grand Jury or Cases Nolleed or Dismissed

In cases ignored by the grand jury or cases that have been nolleed or dismissed with or without prejudice, evidence in the property room should be retained until both the case detective and the prosecutor confirm there is no likelihood the case can be recharged in the future and that the evidence is not needed to prosecute a co-defendant, co-conspirator, or another suspect.

e. Motion to Suppress Granted

In cases in which the court has granted a motion to suppress, the evidence in the property room must be maintained until the prosecutor on the case has verified that the State will not appeal the decision and that there is insufficient evidence remaining to prosecute the defendant, co-defendants, co-conspirators, or another suspect.

f. All Homicide Convictions, All Sexual Assault Convictions, and All Felony

Convictions in Which Any of the Evidence May Include

Biological Evidence

In every felony case that results in a conviction where the evidence retained may include biological evidence, in every homicide case that results in a conviction, and in every sexual assault case that results in a conviction, the evidence in the property room should be retained until the prosecutor's office confirms that all appeals, post-conviction relief actions, and federal habeas corpus actions are either completed or time-barred and all defendants charged or convicted of the offense are released from the following:

1. Prison or DYS
2. Community Control Sanctions

3. Probation or Parole
 4. Post-Release Control
 5. Any civil litigation commenced concerning the matter has been completed.
- g. Bulky Evidence
Evidence that is impracticable to retain due to bulk, size or physical character should be preserved by removing and retaining portions likely to contain biological evidence in a quantity sufficient to permit future DNA testing by both the State and the defense.
- h. All Other Felony Convictions (If None of the Evidence Could Contain Biological Evidence)
Evidence held in the property room should be maintained for three (3) years after conviction unless the case detective has verified that no appeals, post-conviction or habeas petitions are pending.
- i. Misdemeanor Drug Guilty Pleas
In cases in which defendants charged with felony drug offenses plead guilty or no contest to misdemeanor drug charges, the evidence will be retained by the agency for sixty (60) days after sentencing. At the end of this period, the property room officer should obtain confirmation from the case detective and the prosecutor that the case is closed and the evidence may be destroyed.

D. Property of Prisoners

Prior to being incarcerated, all property shall be taken from each prisoner. The property shall be placed in a property envelope and temporarily locked in the gun storage locker until such time as the prisoner is released or remanded to the custody of another police agency.

1. Items with which the prisoner could harm himself or others, such as belts, shoelaces, etc. shall also be secured in the property locker.
2. All cash taken as property from a prisoner shall be counted in the presence of the prisoner (except when the prisoner is too disorderly to process at the time of incarceration or otherwise incapable of comprehending, i.e., under the influence of alcohol or drugs) and of

one other police officer or police employee.

3. In cases where a prisoner is transported to another detention facility, his personal property shall be transported with him and remanded to the custody of the receiving facility.
4. If contraband is found on the person or among the effects of a prisoner, it shall be confiscated and processed as provided in this procedure.
5. All property taken from the person of a prisoner that is not confiscated or held as evidence shall be listed on the property envelope, listing specific amount of cash being held.

E. Firearms

1. All firearms coming into police control shall be handled in a careful and safe manner.
 - a. All firearms shall be unloaded prior to processing, except in cases where this would tend to alter or destroy evidence.
 - b. It shall be the responsibility of the investigating officer to cause the appropriate computer inquiries to be run to ascertain if the firearm is stolen.
2. In cases where the firearm is to be used as evidence, the firearm shall be test-fired by personnel of the Miami Valley Regional Crime Laboratory.
 - i. Weapons will be submitted to the MVRCL to be compared with the information in Drug Fire. A MVRCL Firearms Submission Form will be completed.

F. Dangerous Substances

When it is necessary to take into police control or custody any potentially dangerous substances, such as gasoline, explosives, etc., such substances shall be handled with extreme caution. The property officer shall be contacted by the investigating or receiving officer, and the property officer shall decide upon the location of initial and subsequent storage of the substance.

G. Cash

All cash confiscated or taken into police control shall be counted by the investigating officer in the presence of a witnessing officer, who shall recount the cash in the presence of the investigating officer. The counting shall take place as early as is practicable, and shall, whenever possible, be accomplished prior to any circumstances, such as transportation of the cash to the station, where it is essential for the cash to be in the possession of a single officer without a witnessing officer.

1. The cash shall be counted again by the investigating officer in the presence of a witnessing officer immediately prior to placing same in the property room.
2. The amount of cash and denomination of bills shall be listed on the Property Receipt form.

H. Submitting Evidence for Physical Analysis

1. All property held as evidence and requiring physical analysis, whether it is for latent print processing by the Investigating Officer or for laboratory analysis, shall be handled in such a manner as to preserve the evidence, and all personnel shall be cautious in this respect.
2. Requests for laboratory analysis shall be made by the Investigating Officer or Evidence Technician, who will submit the proper submission forms and transport or cause to be transported the evidence to and from the appropriate laboratory, maintaining proper custody and chain-of-custody at all times.
3. In cases where it becomes necessary to mail evidence to and/or from a lab, the evidence shall be packaged and mailed according to the procedures of the particular laboratory involved.

COLLECTION & PRESERVATION OF EVIDENCE

General Order 4-4
January 2008

I. PURPOSE

- A. To outline the responsibilities of the field officer and methods to safeguard, collect and preserve evidence at a crime scene.
- B. To ensure an unbroken chain of evidence for courtroom presentation.
- C. To specify procedures for submitting evidence to a crime/forensic laboratory for analysis.

II. POLICY

The investigation of crime and the prosecution of offenders requires that information be obtained through the application of scientific knowledge and methods. In order to effectively use laboratory support services, physical evidence must be identified, collected, preserved properly and transmitted to the laboratory. The Moraine Police Division will diligently follow forensic methods of obtaining and protecting this evidence, in order to carry out the functions of the Division.

III. PROCEDURE

A. Responsibility of Reporting Officer

- 1. It is the responsibility of the first officer at the scene of a crime to secure that scene from all nonessential personnel. The scene of a crime must be secured as soon as possible to prevent the loss of evidence. The officer securing the scene should initiate a supplemental report form, listing the time, name and reason for all personnel who enter the crime scene. All personnel at the scene will not disturb, touch or handle physical evidence, unless a danger exists that the evidence will be lost or destroyed prior to processing by an evidence technician. Should such a situation arise, it becomes the responsibility of the officer to mark, seal, tag and preserve the evidence.
- 2. Any evidence technicians responding to a crime scene or incident will be responsible for photographing, collecting, preserving, transporting and submitting all evidence to the property room.
- 3. When the scene is processed by a patrol officer or investigator, all evidence obtained will be marked, sealed, tagged and placed in the property room by that officer or investigator.
- 4. The standard laboratory request form will be completed for all evidence that requires comparison or analysis. This request will be submitted to the evidence lab.
- 5. The procedures used for the collection and preservation of all evidence will be in conjunction with procedures established by the Miami Valley Regional Crime Lab.

B. Evidence Processing Procedures

- 1. Collection of Blood and/or Urine for DUI Investigations.

- a. In any arrest or investigation for driving under the influence (DUI) of alcohol and/or drugs, the appropriate DUI kit for collecting blood or urine will be utilized. The blood specimen must be placed in the vacuum tubes containing an anti-coagulant provided in the kit. Blood may only be withdrawn for the purpose of determining the alcoholic content by a physician, registered nurse, qualified technician or chemist. Blood should be collected within 2 hours of the violation. Urine specimens will be collected in a plastic tube provided in the kit or have the subject urinate in a sterile disposable beaker or cup and transfer it to the plastic specimen tube. Collect a maximum of 50ml of urine. The M.V.R.C.L. no longer requires the use of the sodium fluoride/thymol tablet. Since urine collection may require the viewing of a suspect's genitals, this action could be considered a strip search. Urine collection must be witnessed, therefore the officer will obtain prior written permission from the person in command of the confining agency.
 - b. Blood and/or urine specimen containers must be sealed with a tape or label that displays the following information:
 1. Name of suspect,
 2. Date and time of collection,
 3. Name of persons collecting and/or sealing the sample.
 - c. All samples will be submitted in the DUI kit and placed in the property refrigerator.
 - d. Storage temperature will be maintained at less than or equal to 42° F. The Property Room Officer/Cadet will monitor the storage temperature at least once each week. The storage temperature will be recorded on the blood/urine specimen container when the container is removed from the refrigerator for analysis at the Miami Valley Regional Crime Lab.
 - e. The blood and/or urine will be transported to the Miami Valley Regional Crime Lab for testing and/or drug screening.
2. Collection of Blood and/or Other Body Fluids at major crime scenes
- a. Blood, urine, semen and other body fluids will be collected at a crime scene where they are found by evidence technicians trained in collection procedures established by the Miami Valley Regional Crime Lab.
 - b. All specimens collected in liquid form will be maintained in the property room refrigerator.
 - c. All specimens collected will be marked, sealed and tagged as appropriate to identify and preserve them for analysis.

3. Latent Prints

- a. The following general guidelines will be followed when processing a crime scene for latent prints:
 - 1) Latent impressions developed with fingerprint powder may be photographed on the original object. After being photographed, they should be lifted.
 - 2) The lifted print is to be placed on a Latent Fingerprint Investigation card and the following information listed:
 - Place of occurrence
 - Complainant
 - Complainant's address
 - Type offense and date of offense
 - Date and time processed
 - Processed by (print name) and initial
 - Location processed
 - 3) A lab request will accompany all completed latent print cards. All latent prints will be sent to the Miami Valley Regional Crime Lab.
- b. When requesting a comparison of latent prints with fingerprints of a known suspect, the requesting officer will include inked finger and palm prints and/or the fingerprint classification number of the suspect.

4. Other Items Collected as Evidence

- a. Wet clothing collected as evidence should be dried in the secure area in the evidence room. As soon as the evidence is dried, it will be marked, sealed, and tagged.
- b. Documents that are wet for any reason will be handled in the same manner as wet clothing.
- c. Perishable evidence is to be submitted as outlined in Section "E" of this procedure.
- d. All firearms test fired should include the target used as evidence and marked as appropriate.
- e. Dangerous drugs (including, but not limited to narcotics, hallucinogens and narcotic implements) submitted to the property room will be weighed, and counted if appropriate, by the submitting officer. Each separate container of the material will be marked with the weight, the count, the officer's evidence mark, and date.

1. The property tag will list all dangerous drugs, including number of containers, weight, and/or count.
 2. All dangerous drugs submitted to the property room will be sealed first in a plastic bag or other container, then in a paper bag. Each bag will have a separate property tag.
- f. Volatile fluid of evidential value will be stored in the property room in metal containers. A maximum of one gallon will be stored. Excess volatile fluid will be disposed of in accordance with EPA and Fire Division procedures for hazardous waste materials.
 - g. No explosives, dangerous chemicals, nuclear material or ammunition greater than .50 caliber will be submitted to the property room. Contact will be made by the supervisor of the evidence technician or investigating officer with Environmental Protection Agency, Explosive Ordnance Disposal Team or other specialized agency when such material is recovered. All such items are to be photographed and disposed of according to procedures in the codified ordinance. Handling of the items will be accomplished by the specialized agency requested at the scene.

C. Evidence Technician Kits

1. The police department shall maintain specially equipped evidence kits for use by evidence technicians for processing all types of crime scenes in an effective and timely manner. The specialized equipment is maintained in each evidence kit for the following purposes:
 - a. Recovery of latent fingerprints
 - b. Photography
 - c. Crime scene sketches
 - d. Collection and preservation of physical evidence.
2. Additional specialized equipment such as ladders, portable generators and lights are available from the Moraine Fire Division. Specialized photography is available through the Ohio BCI & I. Portable super glue fuming equipment is available upon request through the Miami Valley Regional Crime Lab.

D. Crime Scene Documentation

1. An evidence technician will be requested to evaluate, photograph and process the scene for physical evidence on the following incidents:
 - a. Homicide
 - b. Suicide
 - c. Rape

- d. Arson
- e. Robbery
- f. Major assaults
- g. Burglary or breaking and entering
- h. Recovered stolen vehicles
- i. Serious injury or fatal traffic accidents

(This list does not limit requesting evidence technicians on other offenses not listed where evidence requires processing.)

- 2. All sworn personnel should be aware of what evidence is needed to meet the requirements of the offense being investigated. The evidence technician acts only in support of the investigating officer and as such may act as an advisor, but works at the request of the investigator.
- 3. If an evidence technician decides that no evidence can be collected or photographs taken at a scene, a supplemental report will be submitted by the evidence technician outlining the reasons.

E. Submission of Evidence to the Crime Lab

- 1. All evidence is to be submitted to the property room as soon as practical to preserve the chain of evidence.
- 2. Non-perishable evidence will be secured in the property room until it is transferred to the Miami Valley Regional Crime Lab. Transfers to the Crime Lab are made by the Special Assignment Section Supervisor on a daily basis.
- 3. Perishable evidence is defined as fresh blood, blood stained objects, other physiological stains and tissue, and biological materials. When collecting perishable evidence from a crime scene, the following procedures will be used:

a. Fresh Blood (wet specimen).

Fresh (wet) blood will be collected using saline, placed in a sterile glass vial, capped or stoppered, sealed, marked, tagged and refrigerated in the property refrigerator.

b. Dry Blood

- 1. Whenever possible the entire object that has the blood stain on it should be submitted.
- 2. When the blood stain is located on a wall, floor, or other object that cannot be submitted, one of the following procedures should be utilized:

- When a large amount of stained material is present, the easiest technique is to scrape several large flakes into a pill tin.
- When the stain is small, the cotton-tip swab technique should be used. Using a prepackaged cotton-tip swab, moisten the swab with saline. Collect the blood in as small as an area on the cotton swab. With a second swab, collect a control sample of the same surface. The swabs should be air dried in a pill box before sealing, marking and tagging the container. The dried swabs do not require refrigeration.

c. Blood Stained Materials

These items will be air dried prior to packaging, utilizing the southern most old jail cell.

d. Other Stains, Tissues or Biological Material

1. Other types of stains can be collected using the same procedures as previously described for wet and dry blood.
 2. Body tissue must be collected and placed in a sterile glass bottle in saline solution, capped or stoppered, sealed, marked, tagged and refrigerated in the property room refrigerator.
 3. Other biological material, if not air dried, must be refrigerated after being marked, sealed and tagged.
4. Perishable evidence collected at a crime scene and secured in the property room may not be submitted to the Miami Valley Regional Crime Lab until a suspect is developed or standards of comparison obtained.
 5. In the event perishable evidence is delayed in submission to the Miami Valley Regional Crime Lab for any reason, it will be documented on the lab report and/or evidence technician report.
 6. All evidence is to be marked and submitted as outlined in Section IV of this procedure.

F. Collection of Known Standards for Comparison

1. When the following types of physical evidence/trace evidence are collected from a crime scene, a known standard sample must be collected for comparison by the Miami Valley Regional Crime Lab.
 - a. Blood
 - b. Hair
 - c. Fibers
 - d. Paint

- e. Glass
 - f. Wood
 - g. Metal
 - h. Soil
 - i. Tool marks
 - j. Footwear
2. The location from which the samples are taken is critical for the Miami Valley Regional Crime Lab and should be documented on the lab report and/or the evidence technician report.
 3. All standards for comparison will be collected by evidence technicians in accordance with procedures established by the Miami Valley Regional Crime Lab and approved in the Ohio Rules of Evidence Manual.

G. Crime Scene Sketches

1. When crime scene sketches are drawn pursuant to the collection and preservation of evidence, they will contain the following information:
 - a. Dimensions
 - b. Relation of the crime scene to other buildings, geographical features, or roads
 - c. Address, floor or room number as appropriate
 - d. Location of significant features of the scene, including the victim
 - e. Date and time of preparation
 - f. Name(s) of person(s) preparing the sketch
 - g. Direction of north
 - h. Location of items of physical evidence recovered.
2. Generally the processor of the scene will make rough sketches and measurements, including sufficient additional information so a final drawing, to scale, can be made at a later time. These rough sketches are evidence and should be kept by the processor.

H. Crime Scene Photography

1. Photography of major crime scenes, serious traffic accidents and other incidents of major import will be the responsibility of an evidence technician. The evidence technician will photograph all aspects of the crime scene, traffic accident or incident

using 35mm photography equipment supplied by the Division. The following situations will require the use of the evidence technician:

- a. Homicide
 - b. Rape, abduction or kidnapping
 - c. Investigation of excessive force
 - d. Injuries to a police officer or citizen during arrest.
 - e. Accidents, damage or injury, involving village property
 - f. Fatal or serious injury traffic accidents
 - g. Serious property damage accidents (damage estimate in excess of \$5,000.)
 - h. Burglaries where loss may exceed \$3,000.
 - i. Arson or suspected arson
 - j. Investigation of discharge of firearms by a police officer
 - k. Aggravated or felonious assaults involving a weapon
 - l. Any injury to a police department employee sustained on duty while involved in an arrest
 - m. Any crime scene upon request of the reporting or investigating officer.
2. Polaroid photographs shall be limited to the following:
- a. Photographs necessary for immediate identification of a suspect
 - b. Photographs of a suspect when no arrest is imminent
 - c. Photographs of property when immediate identification is required.
 - d. One set of photographs will be taken at a homicide scene.
 - e. Cases where photographs would assist investigators in filings with prosecutor's office.
 - f. Evidence recovered from search warrants.
3. When the exact size of an item being photographed is required, a scale will be placed next to the item to add dimension and aid in development for "life-size" prints. A second photograph of the item will be taken without the scale, using the same camera settings, position and lighting in the event the court desires photographs of evidence in which nothing has been introduced into the

field of view.

4. If the evidence to be photographed is a fixed object, the dimension of that object should be taken to provide a scale of reference.

5. Upon completion of the photography and scene processing, the evidence technician will place the film in a film development request envelope and submit it to the Miami Valley Regional Crime Lab for processing and printing. A notation that photographs were taken at the scene will be made on the incident report.
6. Requests from complainants, legal firms, insurance companies, or outside agencies for copies of photographs taken by evidence technicians shall be directed to the Records Section.

I. Requesting Laboratory Examinations

1. The responsibility for requesting laboratory examinations lies primarily with the collecting officer. Evidence such as drugs or driving under the influence (DUI) kits processed by a patrol officer or detective shall be delivered to the laboratory by the day shift on the next business day.
2. The Miami Valley Regional Crime Lab submission sheet is to be completed by the submitting officer. The officer making the request shall print his/her name in the block for submitting officer. A narrative of the incident, specific analysis needed to be performed on the evidence, evidence collected at the scene, the property tag number and the location of the evidence storage shall also be listed in the appropriate spaces on the Miami Valley Regional Crime Lab submission sheet.
3. It is the responsibility of the investigating officer to review lab reports on cases they are assigned. If additional lab services are necessary, or new or additional evidence becomes available, the investigating officer must submit a new evidence submission request.

J. Procedures for Processing Stolen Vehicles

1. Vehicles that are reported stolen from this city will generally be examined by an evidence technician upon recovery. This examination may be conducted by the jurisdiction where the vehicle is recovered if it is outside the city limits. Moraine personnel may process another jurisdiction's stolen vehicle recovered in this city if time and manpower are available.
2. The recovered vehicle should be processed for evidence

at the recovery scene. If this is not practical, the recovered vehicle shall be towed and impounded in the property garage. If the recovered vehicle requires restoration of serial numbers or has altered or missing serial numbers, it will be impounded. Additional requests for evidence technician work and laboratory examination is the responsibility of the investigating officer.

3. Any evidence collected from the recovered vehicle will be marked, sealed, tagged and placed in the property room to maintain a chain of evidence. The evidence technician processing the recovered vehicle shall document his actions and the collected evidence on a supplemental report if necessary. The evidence technician's supplemental report shall be submitted with the case report.

4. A patrol officer or investigator will complete a recovered stolen property case report and supplemental report on any vehicle recovered in this city that was reported stolen by another jurisdiction. Disposition of the recovered vehicle will be handled in accordance with procedures and approval of the reporting jurisdiction. Recovered vehicles that were reported stolen in this City require only a supplemental report, which will be added to the original report.
5. It shall be the responsibility of the patrol officer or investigator recovering the stolen vehicle to document the following information; also to utilize the Evidence Technician Request Form when an EV Tech is not available on the shift:
 - a. Time and date of recovery.
 - b. Name and ID# of officer making recovery.
 - c. Vehicle location, condition, and name of towing company.
 - d. Time and date owner was notified or notification attempted.
6. The recovering officer will be responsible for the removal of the vehicle from the "wanted" file of NCIC and LEADS. The officer shall check by running a query to ensure that the wanted cancellation has been completed.

IV. EVIDENCE - RECORDS PROCEDURES

- A. Property Submitted for In-House Processing
 1. Physical evidence collected by investigating officers or evidence technicians shall be marked immediately. The mark shall consist of the officer's initials (or any unique mark chosen) and the date scribed or marked with indelible pen in a location that will not mutilate or destroy the value of the item.
 2. The officer or evidence technician will seal the evidence in a proper container with red evidence tape, placing his/her mark and date on the seal. A property tag will

be securely attached to the container.

3. All requested information on the face of the property tag will be completed by the submitting officer.
 - a. Officers should not submit property or evidence on one property tag in such a manner that creates an excessive or unmanageable quantity. For example, three televisions should not be submitted on one property tag.
4. Whenever submitted evidence requires further processing either by the Lab or in-house personnel, the evidence report and lab form will be used. The form will indicate the type of requested processing and be filled out completely as follows:
 - a. Both front and back sides must be completed.
 - b. The short narrative which explains the reason the evidence was collected must be completed. This enables the lab criminologist to better evaluate the case.

- c. List the items submitted.
- d. Property tag numbers will be placed on the form beside the list of submitted property.
- e. Nothing will be written below the line on the front of the form marked, "Submitting officer, department and date."

B. Property Submitted for Lab Processing

- 1. Whenever items are submitted that are to be processed by the Miami Valley Regional Crime Lab, they must be properly tagged and packaged as outlined in section "I", attempting to keep like items together. Property will not be submitted to the Crime Lab unless proper procedures are followed.
 - a. Serology, including blood and biological fluids
 - b. Trace evidence
 - 1. Hair fibers
 - 2. Microscopic evidence
 - c. Dangerous drugs
 - d. Firearms and related items
 - e. Fingerprints - if other items are to be fingerprinted prior to processing, the lab request form must so indicate.
 - f. Chemistry
 - 1. Harmful intoxicants
 - 2. Flammable liquids (arson investigations)
 - 3. Liquor
- 2. Submitted property must have the lab form properly completed and evidence must be submitted to MVRCL in a container no smaller than a 9" x 6" evidence envelope.
- 3. Property submitted for lab processing will not be listed on the same property tag with property not being submitted

to the lab.

C. Special Considerations - Weapons, Dangerous Drugs, Money,
Explosives, and Hazardous Materials

1. Weapons

- a. All submitted firearms must be unloaded and the ammunition packaged.

2. Dangerous drugs (including but not limited to narcotics, hallucinogens and narcotic implements)
 - a. Any dangerous drugs submitted will be weighed by the submitting officer. Each separate bag will be properly marked with the weight, the count of the drug (if the drug is in identifiable and separate units), the officer's evidence mark, and the date. The weight must be noted on the property container.
 - b. Pills or capsules should be counted, unless there is an excessive amount.
 - c. If the dangerous drugs are weighed while inside a container, such as a plastic bag, that fact will be written next to the weight on the property tag.
 - d. The property tag will list all dangerous drugs, including the number of bags submitted, along with the weight and count (if made) in each bag.
 - e. All dangerous drugs submitted to the property room as evidence will be sealed in a plastic bag or container and tagged as outlined in Section "I".
3. Money
 - a. All monies submitted will be counted by both the submitting officer and the relief supervisor.
 - b. All monies will be submitted in a sealed package and initialed by both the submitting officer and his/her supervisor. The attached property tag must identify the amount of money, who submitted it, and who verified the count.
4. Explosives or Hazardous Materials
 - a. Volatile fluid of evidential value will be stored in the property room. A maximum of one gallon will be stored. It will be kept inside a metal one gallon can.
 1. The property tag should indicate the total amount of fluid taken, the amount retained for evidence, and the amount disposed of.
 2. The total volume of fluid should be photographed

prior to disposal.

- b. Fireworks, railroad flares, fuses, or ammunition less than .50 caliber may be submitted. All other explosives will be considered unsafe. Such material will be photographed and safely disposed of according to city codified ordinance.
 - c. Other hazardous materials such as chemicals, biological specimens, nuclear material, or other unsafe matter will be photographed and disposed of according to applicable law.
5. Items outlined in this section will be submitted only with like items; i.e., money with money, weapons with weapons, etc.

D. Inventory Procedures for Collected Evidence

1. All physical evidence collected from a crime scene by an evidence technician, a patrol officer or an investigator shall be listed on an inventory sheet. A notation that evidence was collected will be made on the incident report.
2. The inventory of collected physical evidence will be completed on a supplemental report form by patrol officers and investigators. Evidence technicians will list the inventory on the supplemental report and/or the back of the Miami Valley Regional Crime Lab report form. The inventory shall contain the following information:
 - a. Description of item (include make, model, and serial number, if any)
 - b. Source (from whom or location)
 - c. Name of officer collecting the evidence
 - d. Property tag number.

E. Crime Scene Reporting

1. An accurate record of events that transpire at the scene of a crime, in connection with the investigation, is required at the time of trial. It is the responsibility of the evidence technician who processes the scene to submit detailed reports describing the sequence of events associated with a scene investigation as related to evidence on either the Miami Valley Regional Crime Lab report or the supplemental report.
2. In addition to the inventory requirements listed in Section IV "D", the evidence technician's report shall contain the following:
 - a. Date and time of arrival at the scene
 - b. Location of the crime
 - c. Name of the victim(s), if known
 - d. Name of the suspect(s), if known
 - e. Narrative of the evidence technician's actions at

the scene

- f. Action taken at the scene, including the number of photographs taken and measurements (yes or no and reference to sketch)
 - g. Report reference number.
3. If a specialist is called to the scene (i.e., BCI & I Technician, Montgomery County Sheriff's Patrol Evidence Technician, accident reconstruction specialist, etc.), the date and time of request and the requesting officer's name will be added to the investigation synopsis. All information obtained by the specialist will be documented in the evidence technician's report or the incident report. If the specialist prepares his/her own report, a copy of it shall be attached with the incident report.

4. The same responsibilities for accurate crime scene reporting also apply to patrol officers and investigators when completing an incident report/supplemental report and conducting an investigation.

F. Recording Photography Information

See General Order 4-11 Digital Photography

G. Maintaining the Chain of Evidence

1. No item is to be released from the property room other than for court or lab processing without the notification and approval of the Special Assignment Section Supervisor.
2. Transfer to Crime Lab
 - a. The Special Assignment Section Supervisor is responsible for conveying evidence from the property room to the Crime Lab.
 - b. The investigating officer will prepare a list of property to be conveyed, including description and tag number.
 - c. The Property Room officer will prepare a "Receipt for Property" card on each item. This card is retained in the property room.
3. Transfer to Court
 - a. Any time an officer takes evidence to court, he will sign a "Receipt for Property" card. This card is retained in the property room.
 - b. The officer will take the item and another "Receipt for Property" card to court. If the court retains the property, the bailiff or court clerk will sign the "Receipt for Property" card which the officer brought to court. This card is then returned to the property room.
4. The "Receipt for Property" card will be used for the transfer of custody of physical evidence. It will be a record and include the following information:
 - a. Date and time of transfer

- b. Receiving person's name and functional responsibility
- c. Reason for transfer
- d. Name and location of laboratory that property was transferred to

H. Custody Information on Evidence Submitted for Laboratory Examination

- 1. To maintain a record of physical evidence submitted to a laboratory for examination, the following information is required:
 - a. Name of the officer last having custody of the item
 - b. Date and time of submission or mailing, and method used for transmission

- c. Date and time of receipt in the laboratory
 - d. Name and signature of the person in the laboratory receiving the evidence.
2. A copy of the Miami Valley Regional Crime Lab report with the above information will be retained in the property room files.
- I. Requesting Written Results of Laboratory Analysis
1. The Miami Valley Regional Crime Lab provides a written report of laboratory findings as standard procedure on all requests for laboratory examination.
 2. Written reports of laboratory findings received from the Crime Lab are filed with the case report in the Records Unit. A copy of the report will be provided to the investigating and/or requesting officer.

V. CRIME SCENE EVIDENCE TRAINING

- A. Training in Crime Scene Processing
1. Patrol Section officers are usually the first officers to arrive at a crime scene. They have a key function to perform in securing the scene and safeguarding evidence from damage or destruction.
 2. As a part of the department's basic training curriculum for police recruits, provided by outside training academies, familiarization in the following subjects will be provided:
 - a. Potentialities and limitations of the examination of physical evidence
 - b. The Division's written directives concerning the role of the officer, investigator and evidence technician at a crime scene
 - c. Collection methods and procedures for fingerprints, footprints, blood, fibers and fabrics, weapons, hairs, paint, glass and tool marks, and the requirements for collection of materials from a known source for comparison purposes

- d. Preservation methods for evidence
- e. Maintenance of the chain of evidence (marking, sealing, tagging, receiving)
- f. Crime and accident scene sketches
- g. Crime and accident scene photography
- h. Crime and accident scene records.

B. Specialized Training for Evidence Technicians

1. The Miami Valley Regional Crime Lab conducts specialized training for personnel assigned as evidence technicians. The course of instruction is recognized and

approved by the State of Ohio and the Montgomery County Common Pleas Court for providing sufficient training to evidence technicians to process crime scenes for evidence and to preserve collected evidence for analysis and trial in the courts.

2. The training program established by the M.V.R.C.L. for crime scene processing includes:
 - a. Recovery of latent fingerprints and palm prints
 - b. Recovery of foot, tool, and tire impressions
 - c. Photographing crime and accident scenes
 - d. Preparing crime and accident scene sketches
 - e. Collecting, preserving and recording physical evidence
3. Officers working in the role of evidence technicians shall complete specialized training in the subjects specified above in order to properly process evidence.

C. Refresher Training for Investigative Personnel

1. Annually, officers assigned investigative duties and evidence technicians will receive a minimum of four hours refresher training in crime scene processing. The Training Officer will coordinate the planning of this training.
2. The in-service training program will update the knowledge of the Police Division's investigative personnel in laboratory abilities, new equipment and examination techniques.

VI. INTER-AGENCY COOPERATION AND EMERGENCY RECALL PROCEDURES

A. Requirement for Evidence Technician Availability

1. Response to calls for service where a crime has been committed that may involve physical evidence requires that such evidence be collected promptly and submitted to the laboratory without delay.

2. The Evidence Technician Coordinator will attempt to maintain one evidence technician on a 24-hour on-call basis. This evidence technician will be used at major crime scenes.

3. In the event an evidence technician from the Division is not available, the Ohio BCI & I will have a technician available to respond to major offenses. The Montgomery County Sheriff's Patrol also has evidence technicians and an evidence collection van available for major crime scene processing; as does the Miami Valley Regional Crime Lab.

B. Evidence Technician Response Times

1. The evidence technician is a crime scene specialist. In many cases implementation or continuation of the investigative process must await the completion of certain aspects of the work of the evidence technician. Response to a crime scene by an evidence technician must be timely.
2. The ideal time for evidence technician response will be within one hour. If evidence technicians anticipate a longer delay, surrounding agencies should be solicited for an evidence technician on a mutual aid basis.
3. Until the arrival of an evidence technician, the officer shall protect the crime scene until the evidence can be collected. If a problem develops, a Command Officer may be notified to respond for assistance.

C. Inter-Agency Coordination

1. The Special Assignment Section will be responsible for handling evidence that requires further processing at the Miami Valley Regional Crime Lab. An officer or the Police Cadet will transport evidence to the Miami Valley Regional Crime Lab daily.
2. A patrol supervisor may request an evidence technician at any scene believed to have physical evidence present. Upon request by the patrol supervisor, the evidence technician will report to the crime scene and assume the responsibility for collection and preservation of evidence. The requesting officer shall brief the evidence technician on the incident and what evidence should be collected. Patrol officers will assist the evidence technician upon request and maintain protection of the scene.
3. When requested to respond to a crime scene, Special Assignment Section personnel have the responsibility to direct and supervise both the evidence technician and patrol officer in the processing of the crime scene. At all other times this responsibility lies with the patrol supervisor.

USE OF INFORMANTS

General Order 4-5
May 2005

The Moraine Police Division recognizes the use of informants as a means of gaining information relative to criminal activity. Informants are generally defined as those persons who provide information regarding criminal activity to a law enforcement agency, usually for some type of personal gain, and who may become involved in a criminal investigation because of or through the use of that information.

Persons supplying such information pursuant to a prosecutor's plea bargain agreement will not be considered informants for the purpose of this general order, nor will those persons who only provide that type of information due to a concern for the welfare of the community and with no intention of becoming involved in the investigation.

I. CONTACT WITH INFORMANTS AND THE DOCUMENTATION OF INFORMANT RECORDS WILL BE CONDUCTED IN THE FOLLOWING MANNER:

- A. The Detective Sergeant will maintain a master file of informants. This file is kept secure in the office of the Detective Sergeant.
- B. Informants files will contain:
 - 1. Moraine Police Division Informant Form.
 - 2. Status report (memo noting activity or inactivity status).
 - 3. Photograph (optional, but strongly encouraged).
 - 4. Criminal history record, if any.
 - 5. Receipts, signed by the informant, for money received.
 - 6. Any correspondence related to the informant.
 - 7. Informant Notification Form.
- C. The Detective Sergeant is responsible for the maintaining of the informant files.
- D. Security of the informant files and codes:
 - 1. Informant file is to be kept in a locked file designated for this purpose within the office of the Detective Sergeant.
 - 2. Informant files are subject to inspection only by the Special Investigation Section supervisor and the Operations Lieutenant. Informant files are not required to be available to any other person.
 - 3. The informant files will consist of a letter-size binder with only the confidential informant number visible on the front portion of the binder. The confidential informant number will be assigned by the Operations Lieutenant or his designee and shall be the next sequential number available, beginning with CI#1.
- E. Requirements and duties in establishing an informant and protecting identities.
 - 1. When an officer wishes to establish an informant file, he will obtain the next open number available from the Chief. This informant control number will be used in all

reports concerning the informant, in order to protect the informant's identity.

2. A photograph (except juveniles) should be obtained and the Moraine Police Division Informant Form completed prior to actual use of the informant.
3. The Moraine Police Division Informant Form shall be completely filled out on a paid or unpaid confidential informant who will be used regularly. In the case where the informant is a one time paid informant, the form will be completed to the line entitled "one time paid informant".
4. A check will be made by the officer to determine the following:
 - a. Is the informant currently under indictment or out on bond?
 - b. Is the informant wanted for any criminal offense? Officers will not utilize an informant when it is known he is wanted. Arrangements should be made to surrender the informant, and he may be utilized when bond requirements are met.
 - c. Is the informant on probation or parole? Permission from the probation or parole officer is desirable if the informant is in this category.
 - d. Is the informant a current or past informant for any other agency or the Moraine Police Division? If it is determined that the informant is assisting another agency or section of this division, that agency or section should be contacted to determine that no duplication of effort or compromising of an investigation will occur. If the informant has previously assisted another agency or section a contact with them will determine the feasibility of utilizing the informant.
 - e. An informant notification form must be completed by all adult confidential informants.
 - f. When assisting another police agency and utilizing their informants, an information file will not be needed unless the informant is to be paid with Moraine Police Division special investigation funds.

F. Disbursement of Informant Money

1. When an officer desires to pay an informant for services, he must advise his supervisor of the need and the amount of funds required. Requests for payment must be approved in advance by the Chief of Police. Under no circumstances will an informant be paid for the services until the informant file has been completed. Furthermore, the officer will investigate the reliability of the informant's information before payment is made.

- a. A money receipt must be completed, in duplicate, indicating the amount and purpose of the payment: officer's name, informant's CI#, information or material purchased, subsequent law enforcement action, date, case number, and signed by the informant.
 - b. A copy of the receipt will be given to the informant and the copy, accompanied by a report of the meeting, will be delivered to the Special Investigation Section Supervisor for review, approval, and filing.
3. Payment for services by an informant will not be made to all informants. This procedure applies after the informant has proven reliable and must have money paid for additional information.

G. Precautionary Measures

1. Informant contacts will be made by at least two officers, or one officer with a covering officer, whenever possible or practical.
2. When a lone officer must make a contact, a supervisor will be notified for assistance. If a lone detective makes the contact and the section supervisor is not available, another detective must be contacted.
3. A female informant will not be contacted by a lone officer without a covering officer within listening distance, unless the lone officer has a prior approval of a supervisor.

H. Informant Debriefing

1. When debriefing an informant, any information relating to violations of law which would be of interest to another agency or section of the Moraine Police Division will be explored and appropriate notification and correspondence forwarded.
2. Debriefing statements or interviews will be made a part of the report of investigation.

I. Removal of an Informant from Further Use

1. In the event continued use of an informant would provide to be detrimental to the goals of the Moraine Police Division or to the safety of its officers or when an informant is found to be otherwise unreliable and, in the opinion of the officer, should not be utilized further as an informant, he will be removed from use as an informant.
2. The officer will write a report stating the reason why the informant should be removed.
3. Upon approval of the Chief of Police, the informant's CI# appearing on the binder will be branded in red, "Removed For Cause" and dated. Other concerned agencies should be notified of the removal.

J. When using a juvenile as an informant, a juvenile release form is to be completed and signed by the parent or guardian giving permission. The parent or guardian shall be kept fully informed as to the use of juvenile information. Officers shall not place a juvenile in a position of possible danger or harm through the use of the information obtained. Officers will not use a juvenile to take an active role in any investigation without prior approval of the Chief of Police.

K. Appendixes

1. Body Wire and Phone Intercept form.
2. Informant Sheet.
3. Task Force Operations Plan.
4. Confidential Information Plan Sheet
5. Informant Agreement
6. Confidential Source - History Sheet
7. Money Expenditure Receipt

SPECIAL INVESTIGATION FUND

General Order 4-6
May 2005

I. PURPOSE

The purpose of this general order is to provide guidelines on the use of the Special Investigation Fund. This fund is to be used for expenditures necessary to conduct investigations of criminal activity. The fund is referred to in the City of Moraine's budget report as the Confidential Funds Account #909-1201-53180.

II. ACCESSIBILITY

- A. The SAS Supervisor or his designee is responsible for the maintenance and control of the Special Investigation Fund.
- B. The SAS Supervisor or his designee will be responsible for disbursement from the Special Investigation Fund.

III. CRITERIA FOR USE

- A. Authorized expenditures are those that directly or indirectly assist and/or contribute to an investigation of criminal activity.
 - 1. Expenditures that may be paid from the Special Investigation Fund, include:
 - a. Controlled substance buys.
 - b. Pimping and prostitution cases.
 - c. Informant expenses.
 - d. Apartment, motel rental expenses.
 - e. Alcohol/liquor investigations and purchases.
 - f. Operative expenses including gas, cover charges, emergency equipment, phone rental, postal, parking.
 - g. "Props" relative to undercover investigations.
 - h. Various undercover criminal investigations not related to vice/narcotics investigations, (e.g., extortion).
 - i. Other expenses approved by the Operations Lieutenant.
 - 2. The purchase of alcoholic beverages for consumption during an investigation is a justifiable expenditure. Excessive expenditures will not be approved. The officer should attempt to leave prior to finishing the drink if it will not expose his/her cover.
 - 3. The Operations Lieutenant will make the final decision on what expenditures qualify.

4. When justifiable expenditures are made, it is the responsibility of the officer to obtain a receipt, unless it would expose his/her cover.
- B. Unauthorized expenditures are those that do not directly or indirectly assist and/or contribute to an investigation of criminal activity. Examples would include personal supplies, meals, or gas.

IV. ACCOUNTING

- A. The following forms will be utilized to account for expenditures of special investigation funds.

1. Safe Balance Ledger
Kept up to date by the Operations Lieutenant.
Illustrates total cash on hand for operations.
2. Expenditure of Special Investigation Funds
To be submitted by each investigator upon each expenditure of funds. Receipts and/or documentation must be attached to support the expenditure if available.
3. Receipt Books
Are to be used for expenditures for informant information, witness living expenses, and purchase of evidence when feasible. Receipt must be signed by the informant, the investigator, and a witness. The informant is to fill in the dollar amounts, both numerically and written out, and also the date. Barring justifiable circumstances, the receipt will not be approved without all three signatures. The receipt number must be recorded on the "Expenditure of Special Investigation Funds" form.

INVESTIGATION OF CRIMINAL OFFENSES

General Order 4-7
May 2005

I. PURPOSE

To define the criminal investigation function and assign responsibility for preliminary and follow-up investigation of criminal offenses.

To outline criteria for personnel assignment to specialized investigative positions.

To establish guidelines for clearance of cases and maintaining investigative records systems.

II. POLICY

The investigation of criminal offenses is an integral part of each officer's duties and essential to the accomplishment of the police mission. All officers in the Division shall participate in the criminal investigation function, whether assigned as an investigator or to uniformed patrol.

III. PROCEDURE

A. The Division shall have a Criminal Investigative function consisting of the following elements:

1. Preliminary investigations of all offenses reported to the police, follow-up investigations of all crimes with one or more solvability factors, and special subject investigations of reported or suspected criminal activity.
2. Initial and follow-up interviews with victims, suspects, and witnesses.
3. Collection, preservation, processing, analysis, and evaluation of evidence.
4. Identification, apprehension, and prosecution of offenders.
5. Recovery of stolen property.
6. Preparation of cases for court presentation.
7. Clearance of criminal cases and maintaining investigative records systems.

B. There shall be a criminal investigative component consisting of a Special Assignment Section Supervisor designated by the Chief, and other officers assigned to the investigative component on the basis of need. Officers assigned to the criminal investigative component may be of any rank and shall be selected on the basis of skills, ability, knowledge, and expertise in interviewing, analytical thinking, and other traits necessary to carry out the responsibilities of the position as outlined in this procedure.

1. Officers assigned to the investigative component shall bear the same rank title(s) and salary schedule as officers assigned to the patrol section, and shall receive no additional compensation in excess of officers of similar rank in patrol assignments (other than overtime for hours worked in accordance with pay guidelines). Officers assigned to the investigative section shall receive the same compensation as officers assigned to the patrol section.

2. All officers assigned to the investigative component serve in these positions at the pleasure of the Chief, and may be assigned in uniform, business attire, or casual clothes as designated by the Chief.
3. Officers assigned to the investigative component to conduct follow-up investigations will normally report to the Special Assignment Section Supervisor. However, officers assigned to special function investigations in undercover assignments (such as Vice, Narcotics, or Intelligence) may report directly to the Chief or to another supervisor designated by the Chief.
4. The Special Assignment Section Supervisor will be "on-call" for emergencies which may occur during non-business hours and require the presence of an investigator. If he is not available (due to vacation, out-of-town training, etc.), another member of the division will be the "on call" investigator for the duration of the absence. If both the Special Assignment Section Supervisor and his designee cannot be contacted, the appropriate Command Officer should be contacted for assistance.
5. All members of the investigative component may attend roll call scheduled by patrol supervisors at the beginning of their tours of duty. All members of the investigative component shall have the responsibility to maintain good working relationships with patrol officers and supervisors.
6. Whenever manpower so allows, uniformed patrol officers shall be assigned to the investigative component on a temporary basis to gain experience in the investigative function.
7. It shall be the duty of members of the investigative component, under the direction of the Special Assignment Section Supervisor to analyze criminal offense trends, patterns and methods by the use of spot maps, U.C.R. reports, and intelligence information exchange with other agencies, and to disseminate this information to patrol units.

C. Preliminary Investigations

Preliminary investigations of all types of offenses shall be the responsibility of the patrol officer dispatched to the scene and/or the patrol supervisor, unless and until such time as the patrol supervisor or Chief specifically designates otherwise.

1. The patrol supervisor may call for the services of the investigative component whenever, in the supervisor's opinion, the case is unusually serious or complex (such as felony crimes of violence with injuries, arson investigations, etc.), or there is an indication that an immediate lengthy investigation leading into other jurisdictions may be required.
2. The preliminary investigation begins immediately upon the arrival of officers at the scene of an incident or upon taking a report, and continues until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. One of the main goals of the preliminary investigation is to identify a lead or clue, as to the identity of the offender. The officer charged with the preliminary investigation should attempt to discover any of the solvability factors presented in section (F) of this procedure and any other pertinent information by following the steps listed below in conducting preliminary investigations:
 - a. Provide aid to the injured;

- b. Observe all conditions, events and remarks and maintain the crime scene to ensure that evidence is protected and not lost or contaminated; (Ref: CALEA 42.2.2)
- c. Determine if an offense has actually been committed and, if so, the exact nature of the offense;
- d. Determine the identity of the suspect or suspects and effect an arrest if it can be accomplished either at the scene or through immediate pursuit;
- e. Furnish other field units, through the communications system, descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles;
- f. Locate and obtain complete identification of all witnesses;
- g. Interview the complainant, victims and all witnesses to determine what information is known, and obtain written statements from each for later review;
- h. Collect evidence at the scene, or arrange for the collection of evidence;
- i. Determine in detail the exact circumstances of the offense;
- j. Advise the suspect of his Constitutional rights, interrogate the suspect and attempt to obtain either a written or videotaped verbal statement, if such statements can be obtained legally, and;
- k. Accurately and completely record all pertinent information on the prescribed division report forms.

D. Monitoring Case Status

- 1. A log shall be established and maintained by the Special Assignment Section Supervisor in which is entered the case number, the complainant's name, the type of offense, the officer assigned to complete the follow-up investigation, "due" dates and the current status of all cases in the calendar year.
- 2. Criteria for Follow-Up Investigations - All cases reported to police which have any one or more solvability factors will involve a follow-up investigation, at least to the "second contact" with the victim. The Special Assignment Section Supervisor (or his designee) shall designate police officers to conduct follow-up investigations and/or "second contacts" with the principals involved in reported cases. He shall log the name of the assigned officer in the criminal investigation case log, and shall indicate due dates for second contacts and supplemental investigative reports.
 - a. Officers assigned to cases shall attempt to discover during the preliminary and follow-up investigation, by any legal means, information listed as "solvability factors".
 - b. All investigative information, including negative results, will be listed on supplemental investigative reports by the "due dates" listed on the report.
- 3. An administrative designation of "open", "suspended", or "closed" shall be assigned to each case, as appropriate, to assist in case management and control.

- a. "Open" indicates that the case is assigned to an officer and investigative efforts are active and ongoing.
 - b. "Suspended" indicates all available leads have been exhausted, but the case has not been brought to a conclusion and investigative efforts may be resumed if new evidence or leads are discovered at a later date.
 - c. "Closed" indicates that the case has been concluded, and cleared as unfounded, by arrest, or by exceptional means.
4. In general, a "second contact" will be made by the assigned officer with the victim and/or other principals within eight days from the date of the initial report to our agency. The main purpose of this "second contact", after a lapse of several days, is to ascertain if the victim has remembered additional information or if any other information has surfaced which may lead to a successful clearance of the case. Maintaining a policy of "second contact" also indicates that the Moraine Police Division is genuinely concerned about the welfare of the victim and other citizens associated with the case.
 5. Whenever the status of any case becomes changed, the assigned investigating officer must notify the complainant or victim of the change in status. This notification must be noted on the supplementary investigative report. For instance, if by the eight day "due date" there are no investigative leads discovered in the case to justify keeping it open, the officer will make his second contact and discuss the case with the victim. The officer may then advise the victim that he is placing the case "in suspended status", which means that it will not be actively pursued at this time, but will be reopened if there are any investigative leads or further evidence developed at a later date.
- E. Follow-up Investigations - The purpose of the follow-up investigation is to discover additional information in order to clear a case, identify and arrest an offender, recover stolen property, gather additional evidence, and present this evidence in court prosecution. Either patrol officers or personnel from the investigative component may be assigned to follow-up investigations. The following measures will be used as a standard in conducting all follow-up investigations, and these efforts will be documented on the supplemental investigative report:
1. Reviewing and analyzing all previous reports prepared in the preliminary stage;
 2. Conducting additional inquiries, interviews and interrogations;
 3. Reviewing Division records, to include reviewing cases of a similar nature or committed at the same location;
 4. Seeking additional information (from uniformed officers, informants, etc.)
 5. Reviewing results from laboratory examinations;
 6. Arranging for dissemination of information as appropriate;
 7. Planning, organizing, and conducting searches;
 8. Preparing cases for court presentation;
 9. Assisting in prosecution;
 10. Identifying and apprehending suspects;

11. Collecting physical evidence, properly logging the evidence in the property room, maintaining the chain of custody, and arranging for examination of that evidence by forensic experts;
 12. Determining involvement of suspects in other crimes of a similar nature, and;
 13. Checking suspect's criminal histories at local (RCIC) state (LEADS) and national (NCIC & III) levels.
- F. Solvability Factors - A solvability factor is information about a crime which can provide the basis for determining who committed that crime. Research has shown that when a preliminary investigation or second contact fails to disclose one or more of these solvability factors, the case will have very little chance of being solved. The following are the solvability factors which will be used by this Division to suspend cases with an immediate or early inactive date:
1. The suspect can be named;
 2. The suspect can be identified;
 3. The address of the suspect is known;
 4. There is a likelihood that the suspect can be located;
 5. The vehicle license plate number used in the crime is known;
 6. There is a likelihood that the vehicle used in the offense can be identified or located;
 7. There was traceable property taken in the offense;
 8. There exists identifiable latent fingerprints;
 9. A significant modus operandi could be developed, or a distinctive pattern of similar crimes exist in the same general location or during the same time period;
 10. It is reasonably suspected that there was a limited opportunity to commit the crime;
 11. There is reason to believe that the crime may arouse such public interest that public assistance may lead to crime solution;
 12. There are reasons to believe that further investigative effort will lead to the solving of the crime.
- G. Clearing or Suspending Cases - Investigative efforts on a case may be suspended when any of the following occurs:

1. Case is "Cleared by Arrest" when an offender is arrested, charged with a pertinent offense, and measures have been taken to recover all property for which the location is known.
2. Case is "Cleared Unfounded" whenever investigation shows that an offense did not occur, and there is sufficient reasonable grounds to support this premise.
3. Case is "Cleared by Exceptional Means" whenever, due to exigent circumstances beyond the investigator's control, the identity of the perpetrator is known and prosecution is not possible. In order to qualify for an exceptional means clearance, the answer to all four of the following questions must be a "Yes".
 - a. Has the investigation definitely established the identity of the offender?
 - b. Is there enough evidence to support an arrest, charge, and turning over to the court for prosecution?
 - c. Do you know the exact location of the offender so that you could take him into custody now?
 - d. Is there some reason outside the police control that stops you from arresting, charging, and prosecuting the offender? (Examples of exceptional means clearances are: suicide of the offender; double murder; offender in another jurisdiction's custody and extradition is denied; and, whenever the victim refuses to cooperate in the prosecution)
4. Case is closed "Suspended" at that point when it appears as if all investigative leads have been exhausted, and there is little or no chance of solving the case. This may be at any of the following times:
 - a. Immediately after investigative leads are pursued to their conclusion, and a "second contact" with the victim discloses no additional solvability factors.
 - b. No longer than 32 days from the time the case is reported, unless there is an active lead being followed or specifically ordered otherwise by the Special Assignment Section Supervisor.
5. Cases closed "Suspended" may be reopened whenever new evidence becomes known or further leads which may lead to solving the case are discovered.

H. Assuring Compliance with Constitutional Rights

1. It shall be the duty of every officer to ensure that all constitutional requirements are met during arrests and criminal investigations. In particular, all officers are to be aware of constitutional safeguards in the areas of:
 - a. Coercion or involuntary nature of confessions and admissions
 - b. Delay in arraignment
 - c. Failure to inform defendants of their rights

- d. Deprivation of counsel or access to counsel
 - e. Pretrial publicity tending to prejudice a fair trial
2. In any investigation where it is known in advance or anticipated that an interview with defendants or suspects may be crucial to the case, the entire interview will either be videotaped or taped on an audio recorder.
 - a. The date & time of the interview, the purpose of the interview, and the persons present in the interview room will be noted on the tape.
 - b. Constitutional "Miranda Warning" statements of rights will be read to the suspect or defendant on the tape, and a waiver of the right to an attorney signed prior to any questioning.
 - c. All questioning will be without coercion, threat, or pressure of any kind from the law enforcement officer. Questioning will be stopped at any time on the request of the defendant or his attorney.
 3. Every arrest or involuntary detention of any individual involved in a criminal investigation will be called in to the dispatcher at the Moraine Police Division Communications Center.
 4. An Arrest Custody form shall be completed on every individual involuntarily detained for any reason, with the time of initiation of detention and the time of release from Moraine Police custody also noted on the arrest record.
 5. Any telephone calls made by the defendant while in police custody shall be noted on the arrest record, as well as any contact or conversations by the police officer with any defense attorney.
 6. Officers shall accurately and completely note all interviews, arrests, and investigations on their daily activity records.
 7. Officers shall not make disclosures to the media or public concerning on-going investigations, but shall refer them to the Public Information Officer. If officers make comments, officers shall exercise discretion in statements to news media concerning the guilt or innocence of any person in custody, so as not to prejudice the opportunity of a fair trial.
- I. Use of Polygraph, Voice Stress Analyzer, and other technical aids for the Detection of Deception in Criminal Investigations: on occasion it may become necessary or desirable to use a polygraph or other technical "detection of deception" aid in a criminal investigation. This should be a rare, rather than a common occurrence. When the use of these technical aids are desirable, the following guidelines shall be applicable:
 1. Any examination of an individual must be completely voluntary on the part of that individual, and a voluntary consent form must be signed in advance of the examination.
 2. The primary goal of the examination should be to establish innocence, rather than to substantiate guilt. The results of the examination will not be used as evidence of either guilt or innocence in court for any criminal case.
 3. Any examination for detection of deception by technical aid must be recommended by the Special Assignment Section Supervisor and approved by the Chief of Police prior to

such examination.

4. Results of any examination will be sealed in a separate envelope in the case jacket, and will only be examined by officers directly charged with the investigation. In no case will the results of the polygraph be released to anyone outside of law enforcement.
5. Officers shall be advised that any results of a polygraph examination or other technical aid is as an "aid" only. Any information disclosed by polygraph must be substantiated by other investigation.
6. Technical aids for the detection of deception shall be operated only by examiners who are graduates of institutions providing training for this purpose. If the State of Ohio passes legislation certifying such examiners, this Division shall only use certified examiners. This standard shall apply whether or not the examiners are members of this Division, or independent operators used by this department.
7. When utilizing examiners, the Division shall use resources in the following priority:
 - a. T.C.S.U. City Examiners
 - b. Operators from other municipal police or law enforcement agencies
 - c. State of Ohio, Bureau of Criminal Investigation
 - d. Private operators qualified by education, experience, training and certification

J. Field Interviews

1. An officer may not stop an individual for the sole purpose of completing a field interview card. An officer may stop a subject if he observes that subject committing an offense (2935.03 ORC); when he has "reasonable grounds to believe that the subject has committed a shoplifting offense or offense of violence even though they are misdemeanors and are not committed in his presence" (2935.041 & 2935.03 B ORC); when the officer is either in possession of or aware of an arrest warrant for the subject (2935.08 ORC); or if the officer has reasonable suspicion of criminal activity.
2. The most common circumstance which will result in the completion of a F.I. card is the situation where the police officer has a reasonable suspicion of possible criminal activity. The standard of reasonable suspicion is substantially lower than the requirement of "reasonable grounds to believe" or "probable cause". The reasonable suspicion must be based upon objective circumstances which led the officer to suspect possible criminal activity and possible involvement by the subject being F.I.'ed.
3. Since a requirement of reasonable suspicion must be based upon objective grounds, officers must specifically record these objective grounds on the F.I. card. Phrases such as "he was acting suspiciously" are not sufficient. "Furtive gestures", "attempt at concealment", "late hours", "a high crime area", "matched description of wanted suspect", etc., should be noted on the F.I. card along with any other specific conduct of the subject which contributed to the officer's reasonable suspicion.
4. Field interview cards will be retained by the Special Assignment Section Supervisor for 5 days, then entered into the computer and the card filed in the Master Name File. Field Interrogation cards will be retained for six years and then will be purged, unless additional information warrants retention.

K. Conducting Background Investigations

1. Moraine Police will limit background investigations to investigations of individuals involved in specific criminal activities, to investigations required by law (such as for liquor license), and to applicants for employment with the Police Division.
 - a. Criminal Investigations frequently involve background investigations, particularly as they relate to white collar crime, organized crime, and vice activities. The Moraine Police Division will only conduct background investigations of persons in these criminal areas in correlation with an ongoing criminal investigation. This does not apply to background investigations in the selection process.
2. Various sources are available in conducting a background investigation. Potential sources include:
 - a. Financial institutions
 - b. Business associates
 - c. Former employers or employees
 - d. Informants
 - e. Utility companies
 - f. Public records
 - g. Intelligence reports
 - h. Criminal History
 - i. Other law enforcement agencies
 - j. Pawn shops
3. All information obtained in a criminal background investigation will only be used for legal purposes. With legally required background investigations, such as for Bingo licenses or liquor license, the information will be sent to them with one copy retained in the liquor license or Bingo license jacket. With information involving intelligence information, this information will be incorporated into the case file and reviewed by the Special Assignment Section Supervisor. If the information is not crucial to development of a case, it will be destroyed. If the information is required to substantiate a case, it will be placed in the Intelligence files in accordance with Intelligence files procedures.
4. Records involving background investigations which are not immediately destroyed shall not be released, nor access allowed, or otherwise distributed except as provided in procedure. Background investigations of employment applicants shall be retained as provided in procedure. The only persons who may authorize the access, distribution, or release of background information is the Chief of Police or his designee.

L. Information Development

1. The purpose of gathering information in a criminal investigation is to identify, locate, apprehend, and prosecute the perpetrator.
2. Information development is crucial to the criminal investigative process, and information may be developed from an unlimited number of sources. These sources include:
 - a. Reviewing, consolidating and analyzing the reports of the officer who conducted the preliminary investigation. Obtaining reports of any evidence that may have been collected before assignment of the case to the investigator. Making arrangements to obtain the results of the scientific investigation when the items

have been forwarded to a crime lab.

- b. Checking Division records and modus operandi files, offense reports and other public records.
 - c. Checking the gold & silver precious metal listings, pawn shops, and other places where stolen property may be sold.
 - d. Seeking information from known criminals, associates, acquaintances, and others who may know the suspect.
 - e. Investigating the activities of persons who, by reason of their past criminal behavior, may be considered as suspects.
 - f. Planning an organized police action such as a door-to-door canvass or an extended search aimed at discovering additional physical evidence or witnesses.
3. All information collected will be gathered legally and in compliance with the policies and procedures contained in this manual.

M. Interviews and Interrogations

In addition to collecting physical evidence, one of the most effective ways to identify and locate suspects, gather testimonial evidence, and discover other investigative leads is by conducting effective interviews and interrogations. Although there are many techniques available to assist in interviewing suspects or witnesses, the following general guidelines may be utilized in most interviews:

1. Conduct interviews and interrogations as soon as possible after the commission of an offense, so that evidence or details of an offense is not lost through the witness forgetting vital information.
2. Control the setting, as much as possible. Interviews and interrogations should be held in a quiet private location free from outside distractions.
3. Record the information from the interview, in a taped statement if possible, but in writing or with notes as soon as possible after the interview.
4. Be prepared with as much information about the offense as you can gather prior to beginning the interview or interrogation.
5. Develop, through experience and training, techniques to structure your interview to address the areas of the offense where information may prove useful. Techniques that you may wish to include are:
 - a. Get acquainted with the subject at the beginning of the interview by asking general background questions.
 - b. Attempt to develop a rapport with the subject.
 - c. Motivate the subject by whatever ethical means are at your disposal.
 - d. Keep the subject talking by asking open-ended questions which require more than a simple "yes" or "no" answer.

- e. Be alert to what is said and what is not said, so that you may steer the questioning into areas which may be of interest.
- f. Do not furnish a possible answer in your question, such as "What did you do then, look at the assailant?"
- g. End the interview in a courteous manner, thanking the person for their time.

Interviews and interrogations will be conducted in accordance with the guidelines in procedure H. to protect the constitutional rights of any suspect. Interviews may be conducted with victims, witnesses, and any other persons that may have knowledge about a certain aspect of a criminal offense. Interrogations may be used for suspects and those persons who are directly involved in a criminal investigation. Whether or not the term "interview" or "interrogation" is used, the same degree of courtesy and politeness will be used in dealing with individuals who are questioned by Moraine Police.

- N. Proper collection, preservation and use of physical evidence is a critical element of a successful investigation. Officers will follow established procedures in marking, collecting and preserving evidence in preparation for admission as evidence in trial. Except where there is a need to render aid to the injured or to arrest a suspect, the actual crime scene should not be disturbed until an examination has been made of the crime scene. Thus, caution must be exercised to prevent disturbing or destroying any of the evidence. All unauthorized persons, including police officers not assigned to the case, must be barred from the scene until the evidence is located, identified, and preserved for later use in prosecution of the offender. Items of physical evidence which are, or may be of value in court prosecution must be properly collected and preserved until it can be analyzed. Physical evidence may be searched for, collected and preserved when investigating any crime scene in compliance with procedure 4-4, "Collection and Preservation of Evidence". Criminal investigators will be mindful of the physical evidence which may be collected from a crime scene and insure that it is used in the development of the case.

O. Surveillance

Surveillance is the covert observation of places, persons and vehicles for the purpose of obtaining information concerning the identities or activities of subjects. In general, the purpose of surveillance is to:

1. Detect criminal activities
2. Discover the identity of persons who frequent an establishment and determine their relationship.
3. To discern the habits of a person who lives in or frequents the place.
4. To obtain evidence of a crime or to prevent the commission of a crime.
5. To provide a basis for obtaining a search warrant. Surveillance may be used in the investigation of any crime when it is necessary to observe suspects or conditions in an unobtrusive manner. Surveillance may create additional information involving the investigated crime, gather additional intelligence information, or observe new crimes being committed.

WRITTEN CONFESSIONS AND STATEMENTS

General Order 4-8
April 1996

I. POLICY

It is the policy of the Moraine Police Division to obtain all relevant evidence and information pertaining to each investigation, including statements and/or confessions. The gathering of all such information shall comply with prevailing law and U.S. Supreme Court decisions.

II. PROCEDURE

A. Written statements or confessions from suspects:

1. No such statement or confession, verbal or written, shall be purposely obtained excepted as provided by law.
 - a. U.S. Constitution.
 - b. Federal and State Case Law (court decisions).
 - c. Statutory Law.
2. No such statement or confession, verbal or written, shall be purposely obtained unless and until the suspect has been advised regarding, and fully understands, his/her "Constitutional Rights Warnings" as specifically described in materials provided by the Montgomery County Prosecuting Attorney.

Each officer will insure that he/she is familiar with this information, and any relevant forms, cards or other materials.

B. Written statements and/or confessions shall be obtained, whenever feasible and according to law and this procedure, as a matter of course in all police investigations at any time when such a statement or confession is essential to the investigation and/or subsequent court action. This includes, the statements of both suspects and witnesses.

C. Whenever feasible, statements shall be taken in the hand-writing of the suspect or witness. The statement shall be signed by the suspect or witness, and the address and public service number of the suspect or witness shall be included. Such statements, when practicable, shall be witnessed by a minimum of two persons, preferably police officers.

III. STATEMENTS/CONFESSIONS

A. All statements should be taken, as soon as practicable subsequent to the occurrence being investigated. On- scene statements shall be taken whenever practicable.

B. If the suspect or witness is physically incapable or refuses to give a statement in his own handwriting, alternate methods may be used.

1. Verbal statements should be tape recorded or videotaped whenever possible. This shall be only with the knowledge and consent of the person being interviewed, except as provided by law.
2. Statements may be typewritten by a clerk or police officer as narrated by the suspect or witness - if the suspect or witness refuses to sign the statement, same may still be witnessed as noted above.

3. Statements may be in question-and-answer or narrative form. Ideally, a combination of the two should be used, avoiding questions that require only a "yes" or "no" answer.
 4. A companion or appointed person may be used by illiterate persons to write statements narrated by them, however same should be closely witnessed by police personnel.
- C. On all written statements, all pages of the statements should be signed by the person giving the statement and all corrections initialed by the same.
- D. Illiterate persons:
1. Whenever possible, a disinterested (non-police) person should be secured to write the statement, or to read each page of the statement. This person shall draw a line through all errors and make the necessary corrections and initial same. The name and address of this person shall be attached to the statement.
 2. The statement of an illiterate person shall be a verbatim account of the occurrence in the person's own wording - do not correct any errors in grammar and/or diction.
- E. Persons unable to understand English. Secure an interpreter and obtain the statement.
- F. Recommended method of questioning:
1. Interviews should cover all points, however be as brief as feasible.
 - a. Cover events immediately prior to, during and after the crime.
 - b. Unnecessarily long statements afford defense attorneys more opportunity to attack the statement.
 - c. All elements of the crime should be covered. Attempt to have the suspect relate something that only he or she would know, such as location of stolen property, type of tool or weapon used, etc.
 2. Do not make any threats or promises.
- G. Spontaneous Utterance
- On some rare occasions a suspect may make a spontaneous utterance. While this is a voluntary statement made by the suspect of their own volition, the officer does have some obligation.
1. The officer should not have done anything or said anything as an encouragement to obtain a statement without providing the defendant his/her Constitutional Rights Warnings.

2. The officer will advise the suspect of his/her Constitutional Rights Warnings without delay, but the officer does not have to interrupt the suspect to do so.
3. The officer will record the spontaneous utterance accurately and completely in reporting it.
4. The officer will remain aware of, and act at all times in respect, the rights of victims, witnesses, complainants, suspects and any others providing statements.

SECURING AND SERVICE OF SEARCH WARRANTS

General Order 4-9
March 1999

I. POLICY

It is the policy of the Moraine Police Division to gather relevant evidence and apprehend suspects in criminal offenses when reasonably possible. These activities may require the execution of a Search Warrant.

II. PROCEDURE

- A. When a police officer wishes to obtain a search warrant and has probable cause under conditions that would lead a reasonable and prudent man to believe that a criminal offense has been, or is being, committed, he must have specific, reliable information to:
 - 1. Describe the things for which the search is to be conducted. Only those things described in the warrant can be seized. If in the course of a warrant search, officers discover contraband or "Fruits of Another Crime" not described in the warrant, a second search warrant need not be obtained. The contraband or "Fruits of Another Crime" may be seized.
 - 2. Know, to the best of his knowledge, what law is being violated, and evidence indicating that the person who is the subject of the search is involved.
 - 3. Describe the house or place to be searched, including address and physical description of exterior, and exact portion of house or other building to be searched (basement, Apartment II, garage, etc.).
 - 4. Furnish the name of the owner (if known) in case of searches of motor vehicles and, make and license number of the vehicle to be searched.
 - 5. Know the name of the person to be seized or searched. (A search warrant may be obtained to search a person for weapons, gambling evidence, etc.).
 - 6. Furnish reasons for conducting the search at this time (if search is to be conducted during the night hours - 2000 to 0700 hours).
- B. A supervisor and/or the criminal investigator must be apprised of all evidence and facts of the case. If, in the opinion of the supervising officer, there is probable cause and sufficient evidence to obtain a search warrant he will assist in completing the form.
- C. Complete the search warrant form in triplicate.
 - 1. A search warrant must be directed to the Chief Law Enforcement Officer of the jurisdiction in which it is to be served. The search must be conducted by police personnel from that jurisdiction, accompanied by investigating officers from Moraine Police.
 - 2. The Clerk of Court's Office is to be contacted after the affidavit is drawn to advise of which judge is in the "on call" status.

3. The life of all Ohio search warrants is limited to 72 hours from time of issuance by the Judge.
 4. The search warrant is good for only one search.
 5. Search warrants should be executed at reasonable hours, which according to the general rule, means in the daytime. Search should only be made in the nighttime if urgent necessity exists, and shall not be made merely for the convenience of the officer. However, a detailed and thorough search may extend into the night without becoming an illegal search, if it began during the daytime.
 6. When possible, search warrants should be executed by police officers in uniform.
- D. An officer taking property from a search shall:
1. Give to the person, from whom or from whose premises the property was taken, a copy of the warrant and a receipt for the property taken (in the form of the completed return portion of the search warrant), or
 2. Leave the copy and return at the place from which the property was taken.
 3. The original application for search warrant, the search warrant, and the completed return, must be returned to the issuing judge as soon as practical. The evidence taken in the search must be available to the Judge accepting the return, if he/she requests to see it.
 - a. The search warrant return should be made personally to the issuing judge at the court unless otherwise notified by the judge.
 - b. Make the return to the Clerk of Courts only at the direction of the issuing Judge.
 4. Make the inventory in the presence of the person from whose possession or premises the property was taken, if they are present, or in the presence of at least one credible person other than the person who applied for the warrant.

I. POLICY

The Moraine Police Division has a comprehensive policy that defines the course of action for personnel to follow in responding to and investigating Domestic Violence situations and matters. This policy exists to ensure compliance with the Ohio Revised Code and to protect victims from continuing abuse.

This order consists of the following sections:

- II. RESPONSE TO REPORTS OF DOMESTIC VIOLENCE MATTERS
- III. ESTABLISHING REASONABLE CAUSE
- IV. MANDATORY PHYSICAL ARREST
- V. OFFICER'S REPORTING REQUIREMENTS
- VI. RENDERING ASSISTANCE TO ABUSE VICTIMS
- VII. CONDUCTING DOMESTIC VIOLENCE INVESTIGATIONS

II. RESPONSE TO REPORTS OF DOMESTIC VIOLENCE MATTERS

- A. An officer must respond "without undue delay" to the report of a domestic violence complaint, or the report of a violation of a protection order or consent agreement.
- B. An officer who fails to take action regarding the requirements of this policy may be subject to disciplinary action.

III. ESTABLISHING REASONABLE CAUSE

- A. Section 2935.03(B) of the Ohio Revised Code states in part that a municipal police officer has the discretionary authority to make warrantless arrests when "reasonable cause" exists. In matters of domestic violence, or a violation of a protection order, an officer establishes "reasonable cause" to believe an offense has occurred by:
 - 1. A written statement from the complainant or other witnesses.
 - 2. Physical evidence at the scene of the crime.
 - 3. Other evidence an officer can document, including trustworthy information he obtains from the complainant or other witnesses.
 - 4. Witnessing the offense.

IV. MANDATORY PHYSICAL ARREST

- A. Whenever an officer has reasonable grounds to believe a violation of a protection order, consent agreement or domestic violence law has occurred, he **must make a physical arrest** if the act involves **any** of the following circumstances:
 - 1. The infliction of physical injury, whether the officer observes the injury or not.
 - 2. The discharge, threatening, display of, or the use of a deadly weapon. Ohio Revised Code 2933.43 requires the officer to seize the weapon as contraband.

3. Any physical action intended to cause another reasonable person to fear imminent serious bodily harm or death.
 4. A person recklessly violating the terms of a protection order or consent agreement, whether issued concerning a criminal act or a domestic relations case.
 5. The strong likelihood that additional violence or injury may result if the officer does not make an arrest.
- B. Physical arrest is the mandatory practice if any of the aforementioned conditions exists in a situation involving Menacing by Stalking (2903.211) or Aggravated Trespass (2911.211), and when an officer has reason to believe those offenses relate to a domestic matter.
- C. If any of the aforementioned conditions exist, an officer may not issue a summons instead of making a physical arrest.
- D. An officer must never require that the victim consent to the filing of charges or that the victim sign the complaint as a prerequisite to arresting or charging the suspect. Further, the officer must never threaten the victim with incarceration in order to gain cooperation or voluntary signature on charges or protection order.
- E. If, in any of these types of domestic violence calls, the suspect has left the scene before the officer's arrival, the officer will initiate a stop, hold, and notify broadcast, so that appropriate follow-up action is possible, including seeking a warrant for the suspect. In cases when an arrest warrant cannot be obtained immediately from the courts, enter the suspect into the LEADS temporary (48 hour) warrant file.
- F. Officers may not use mediation or other intervention measures as a substitute for arrest in the aforementioned instances, and must never discourage any victim from pressing charges against an offender.
- G. In cases of domestic violence officers will provide written notice of the victim's rights by giving them an "Information for Domestic Violence Victims" form.
- H. If an officer has reasonable grounds to believe that the parties have assaulted each other, the officer has no requirement to arrest both persons. The officer should make a reasonable effort to identify, and arrest, the "primary aggressor" in the incident. The officer must make every reasonable effort to consider the following circumstances and any other circumstances relevant, in identifying the primary aggressor. An officer should not arrest both parties unless it is determined that both are equally primary aggressors.
1. The primary aggressor is the most significant person.
 2. The primary aggressor need not be the first aggressor.
 3. The intent of the law is to protect victims of domestic violence from continuing abuse.
 4. Each person's fear of physical harm that results from threats or use of force by the other person.
 5. Any history of domestic violence or other violent acts by the persons involved that the officer can reasonably discover.

6. The comparative extent of each person's injuries.
 7. Whether an alleged act of violence was caused by a person acting in self-defense.
 8. Any other factors that help the officer decide which person is the primary aggressor.
- I. If the officer determines there are reasonable grounds to believe that the offense under investigation is a felony, he must arrest and charge the suspect with a felony. If the suspect has previous convictions for certain offenses or has committed a Felonious Assault or Aggravated Assault, the officer must arrest and charge the suspect for such felony.
1. Officer must make every attempt to obtain a LEADS/NCIC Criminal History to determine if the offender has a prior Domestic Violent conviction. CCH entries without disposition should be questioned with the offender if possible.
 2. Upon arrest of offender, any questioning should be preceded by Miranda Warning, including validation of Criminal History.
- J. When an allegation of domestic violence occurs, and no arrest occurs, the officer must file a written report of the incident, documenting his reasons for the decision. The officer may not consider any shortage of cell space at a detention facility or that the arrest may contribute to jail overcrowding, as a factor in determining whether to make an arrest.
- K. Some examples of valid reasons for not making a physical arrest include:
1. The lack of probable cause to establish that the offense of violating a protection order, consent agreement or domestic violence has occurred.
 2. The matter involves "reasonable" parental discipline that officers must consider on a case-by-case basis.
 3. The suspect has a severe mental disability and incarceration is not appropriate.
 4. The suspect has a severe medical condition and incarceration is not appropriate.
- L. When a physical arrest does not occur, the officer must issue a warning to both parties that any future act of domestic violence is a serious crime that will likely result in the arrest and prosecution of the offender.
- M. The offense of "Violating a Protection Order" also prohibits a person from recklessly violating the terms of a protection order issued by a court of another state. Officers shall enforce a protection order issued by another state that is similar in function to a TPO, CPO, or an anti-stalking protection order issued in Ohio. Such out-of-state orders shall be handled in the same manner as would be an in-state order.

V. REPORTING REQUIREMENTS

A. To report matters of domestic violence and domestic dispute, officers must complete the relevant forms and forward them to their immediate supervisor for review as follows:

1. All appropriate ARS pages, to include arrest, narrative, and people pages.
2. Arrest Custody form.
3. Probable Cause Statement of Domestic Violence. The reporting officer is to attach this document to the affidavit that charges a violation of 2919.25 of the Ohio Revised Code.
4. Witness Statements.
5. Affidavit/Complaint Form for Kettering Municipal Court.
6. Domestic Dispute and Domestic Violence Report. An officer must always submit this form to document and report any act of domestic dispute or domestic violence.

a. The Pol

distributed by the superintendent of the Bureau of Criminal Identification and Investigation." The Records Section submits copies of these records to the BCII monthly.

7. Request for Temporary Protect Order, and NCIC Motion Order.
8. Release of Medical Information form.
9. Montgomery County Prosecutor Domestic Violence Supplement (4 pages), completed as thoroughly as possible.
10. "Suspect Released" form completed and given to MC Jail.
11. Condition of Release completed by Defendant.

B. Title 18 U.S.C. 2261 prohibits interstate domestic violence: Crossing a state line or causing the crossing of a state line to commit a crime of violence to a spouse or intimate partner. If an offender is arrested for an offense of domestic violence or an offense of violating a protection order, and it appears the offense constitutes a violation of Title 18 U.S.C. 2261, the Special Assignment Section shall, in addition to initiating state prosecution, refer the case to federal authorities for prosecution under

federal law.

VI. RENDERING ASSISTANCE TO ABUSE VICTIMS

- A. Whenever an officer has reason to believe that a family member has been abused or is in danger of being abused, the officer should use all reasonable means to prevent abuse. An officer may accomplish this by himself, or he may need the assistance of the Victim Advocate.
- B. An officer should remain on the scene while a reasonable risk to the physical safety of a person exists, or until the person can leave the home.

- C. An officer must provide assistance to an abused person in obtaining medical treatment. In severe cases, the officer must immediately summon an ambulance. In cases that are not so severe as to require emergency medical care, the officer will assist in obtaining transportation to a medical services provider.
- D. An officer must provide assistance in locating a safe shelter and in obtaining transportation for the victim.
- E. Whenever an officer believes on-scene assistance from the Victim Advocate is necessary, he will contact the on-duty supervisor who will decide whether to call the Victim Advocate.
- F. Officers must advise the victim of the availability of a temporary protection order or civil protection order.
- G. The reporting officer must provide the victim with his name, unit number, and the report number. He must also provide the victim with the telephone number of the court and the Victim Advocate.
- H. The officer must provide the victim with a "Victims Have Rights Too" pamphlet and a pamphlet from the Attorney General detailing crime victim's rights.
- I. The officer must provide the victim with the telephone number of a domestic violence shelter in the area.

VII. CONDUCTING DOMESTIC VIOLENCE INVESTIGATIONS

- A. Officers must conduct investigations of domestic violence or violation of a protection order so that successful prosecution can occur without the availability or cooperation of the victim.
 - 1. Officers must separate the victim and suspect, conduct interviews of each in separate locations and if possible, take a written statement from the victim that includes:
 - a. The frequency and severity of any prior domestic violence incidents.
 - b. The number of previous calls to law enforcement agencies for assistance and the disposition of those calls, if known.
 - c. The details of any physical or sexual assault that has occurred, including threats made by defendant.

2. Officers should describe in their report the location of the victim on their arrival and the victim's emotional and physical state (crying, bruising, swelling, redness, complaint of pain, hysterical behavior, intoxication, etc.).
 - a. Officers should report any "excited utterances" made to them by the victim or witnesses. Such statements may later be admissible in court to implicate the suspect, even though the victim or witnesses retract their statements and refuse to cooperate in prosecution. Emotional state of victim and defendant should also be clearly documents.

3. Officers should obtain photographs of the victim's injuries, the suspect's offensive injuries (bruised knuckles, etc) and the crime scene. Officers should obtain photographs of the victim's injuries a day or two after the offense.
 - a. If possible, officer should obtain Polaroid photos of injuries as well as 35mm photos, so that the photos will be immediately available for review by prosecution.

- B. If the suspect has received a pretrial release from custody on a prior domestic violence offense or is in violation of a pretrial release agreement for the offense of violating a protection order or consent agreement, officers should describe such circumstances in their report.

I. PURPOSE

- A. To establish guidelines for the use of digital camera equipment and the Digital Imaging Management System (DIMS).

II. EQUIPMENT

- A. The Moraine Police Division will issue digital cameras to Evidence Technicians, certain members of the Special Assignment Section and to members of specialized units.
- B. Officers issued camera equipment will report any damage to their immediate supervisor.
- C. The Division Administrative Secretary will maintain a record of the issued equipment.
- D. Equipment will be carried, and stored, in such a manner as to avoid loss or damage.

III. DIGITAL IMAGING MANAGEMENT

- A. The Division will utilize a digital imaging management system (hereafter referred to as DIMS) for the storage of digital images.
- B. The Administrative Secretary will be responsible for the system including creating and storing of files, and distributing photographs requested by Division members.
- C. The Police Records Section will have access to the files. The Records Clerk will be responsible for receiving public records requests and distributing the images as outlined in Section IV.

IV. PROCEDURE FOR PROCESSING PHOTOGRAPHS

- A. Officers taking photographs will complete a Photo Record Sheet and capture this image at the conclusion of the series of photographs. (Ex: an officer takes 12 photographs of a traffic crash. Image #13 will be of the completed Photo Record Sheet) This will allow proper filing in the DIMS. The Photo Record Sheet will include the report number, data/time, officer/unit number, number of photos and

location.

- B. At the end of the officer's shift, the camera SD card and the Photo Record Sheet(s) will be submitted for processing. Each camera will have additional SD cards to ensure uninterrupted use. The SD cards will be stored in the original, protective cases when not in the camera. This will ensure that the contact points are protected.

SD card(s) and Photo Record Sheet(s) are to be placed in a blue routing envelope and placed in the tray marked DIMS, located at the bottom of the mail slots in the dispatch center.

- C. After the Administrative Secretary downloads the images to the DIMS server, the SD card will be returned to the officer and the Photo Record Sheet(s) will be forwarded to Records.

- D. Division requests for photographs will be made with the Administrative Secretary. The number and size of photographs will be specified.
- E. An additional printer, located in center copy room, will be available for officers needing immediate photographs. The officer will not delete images from the SD card and will submit the card for image storage as outlined above. These immediate photographs will not be printed on photo quality paper and are to be used as reference material only. These photos are typically forwarded to the SAS and used for filings (e.g. domestic violence, crimes of violence, fatal traffic crashes, etc.).

V. PUBLIC RECORDS REQUESTS

- A. The Division Records Clerk will handle all public records requests for photographs.
- B. All rules governing Public Records Requests will apply.
- C. The Records Clerk will access the DIMS and "burn" a CD-R for the requestor.
- D. The requestor will be notified that the original images are on file, unaltered, and an appropriate warning will be given to the requestor.
- E. Any fees will be collected by the Records Clerk.

Procedures for conducting photo lineups.

I. DEFINITIONS

- A. Administrator - the person conducting the photo lineup.
- B. Blind Administrator - means the administrator does not know the identity of the suspect. Blind Administrator includes an administrator who conducts a photo lineup through the use of a folder system or substantially similar system.
- C. Blinded Administrator - means the administrator may know who the suspect is but, does not know which lineup member is being viewed by the eyewitness. Blinded administrator includes an administrator who conducts a photo lineup through the use of a folder system or substantially similar system.
- D. Eyewitness - a person who observes another person at or near the scene of an offense.
- E. Filler - either a person or a photograph of a person who is not suspected of an offense and is included in an identification procedure.
- F. Folder System - system for conducting a photo lineup that satisfies all of the following:
 - 1. The investigating officer uses one “suspect photograph” that resembles the description of the suspected perpetrator of the offense provided by the eyewitness, five “filler photographs” of persons not suspected of the offense that match the description of the suspected perpetrator but do not cause the suspect photograph to unduly stand out, four blank photographs that contain no images of any person, and ten empty folders.
 - 2. The investigating officer places one “filler photograph” into one of the folders and numbers it as Folder 1.
 - 3. The administrator places the “suspect photograph” and the other four “filler photographs” into five other empty folders, shuffles the five folders so the administrator is unaware of which folder contains the “suspect photograph”, and numbers the five shuffled folders as 2 through 6.
 - 4. The administrator places the four “blank photographs” in the four remaining empty folders and numbers these folders as folders 7 through 10, and these folders serve as “dummy folders”.

5. The administrator provides instructions to the eyewitness as to the lineup procedure and informs the eyewitness that the photograph of the alleged perpetrator of the offense may or may not be included in the photographs the eyewitness is about to see and that the administrator does not know which, if any, of the folders contains the photograph of the alleged perpetrator. The administrator also shall instruct the eyewitness that the administrator does not want to view any of the photographs and will not view any of the photographs and that the eyewitness may not show the administrator any of the photographs. The administrator shall inform the eyewitness that if the eyewitness identifies a photograph as being the person, the eyewitness shall identify the photograph only by the number of the photograph's corresponding folder.

6. The administrator hands each of the ten folders to the eyewitness individually without looking at the photograph in the folder. Each time the eyewitness has viewed a folder, the eyewitness indicates whether the photograph is of the person the eyewitness saw, indicates the degree of the eyewitness' confidence in this identification, and returns the folder and the photograph it contains to the administrator.
7. The administrator follows the procedures specified in this division for a second viewing if the eyewitness requests to view each of the folders a second time, handing them to the eyewitness in the same order as during the first viewing. The eyewitness is not permitted to have more than two viewings of the folders, and the administrator preserves the order of the folders and the photographs they contain in a face down position in order to document the steps specified in division (F)(8) of this section.
8. The administrator documents and records the result of the procedure described in divisions (F)(1) to (F)(6) of this section before the eyewitness views each of the folders a second time and before the administrator views any photograph that the eyewitness identifies as being of the person the eyewitness saw. The documentation and record includes the date, time, and location of the lineup procedure; the name of the administrator; the names of all individuals present during the lineup; the number of photographs shown to the eyewitness; copies of each photograph shown to the eyewitness; the order in which the folders were presented to the witness; the source of each photograph that was used in the procedure; a statement of the eyewitness' confidence in the eyewitness' own words as to the certainty of the eyewitness' identification of the photographs as being of the person the eyewitness saw that is taken immediately upon the reaction of the eyewitness to viewing the photograph; and any additional information the administrator considers pertinent to the lineup procedure. If the eyewitness views each of the folders a second time, the administrator shall document and record the statement of the eyewitness' confidence in the eyewitness' own words as to the certainty of the eyewitness' identification of a photograph as being the person the eyewitness saw and document that the identification was made during a second viewing of each of the folders by the eyewitness.
9. The administrator shall not say anything to the eyewitness or give any oral or nonverbal cues as to whether or not the eyewitness identified the "suspect photograph" until the administrator documents and records the results of the procedure described in divisions (F)(1) to (F)(7) of this section and the photo lineup has concluded.

- G. Live Lineup - an identification procedure in which a group of persons, including the suspected perpetrator of an offense and other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator of the offense. The Moraine Police Division does not conduct live lineups due to lack of facilities.

- H. Photo Lineup - an identification procedure in which an array of photographs, including a photograph of the suspected perpetrator of an offense and additional photographs of other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator of the offense.

- I. Perpetrator - the person who committed the offense.
- J. Suspect - the person believed by law enforcement to be the possible perpetrator of the offense.

II. ORC 2933.83

Pursuant to ORC 2933.83 the Moraine Police Division adopts the following procedures for conducting photo lineups.

- A. Unless impractical, a blind or blinded administrator shall conduct the photo lineups.
- B. When it is impractical for a blind administrator to conduct the photo lineup, the administrator shall state in writing the reason for that impracticality.
- C. When it is impractical for a blinded administrator to conduct the photo lineup, the administrator shall state in writing the reason for impracticality.
- D. The administrator conducting the lineup shall make a written record that includes all of the following:
 - 1. All identification and non-identification results obtained during the lineup, signed by the eyewitnesses, including the eyewitnesses' confidence statements at the time of identification;
 - 2. The names of all persons present at the lineup;
 - 3. The date and time of the lineup;
 - 4. Any eyewitness identification of one or more fillers in the lineup;
 - 5. The names of the lineup members and other relevant identifying information, and the sources of all photographs used in the lineup.
- E. If a blind administrator in conducting the photo lineup, the administrator shall inform the eyewitness that the suspect may or may not be in the lineup and that the administrator does not know who the suspect is.
- F. The photo lineup/folders will only be reviewed and shown to one witness at a time.

- G. Sworn officers will be used as administrators for photo lineups.
- H. Ad administrator could become unblinded after showing the lineup to multiple people. If an administrator finds himself or herself unblinded:
 - 1. A new administrator can be utilized or;
 - 2. The administrator can seal the folders, the folder system, inside envelopes and shuffle them. Once this is completed, the administrator then approaches the eyewitness and continues with the photo lineup.

- I. Attached with this order are the necessary reports to document the required steps in successfully conducting photo spread/folder system of photo lineup.

MORAINES POLICE DIVISION
PHOTO SPREAD / FOLDER SYSTEM INSTRUCTIONS
(This page not to be viewed by witness)

Incident # _____

PHOTO SPREAD - Instructions to be read before showing:

I am going to show you a group of photographs. This group of photographs may or may not contain a picture of the person who committed the crime now being investigated. I do not know who the suspect is. Keep in mind that hair styles, beards, and moustaches may easily be changed. Also, photographs may not always depict the true complexion of a person; they may be lighter or darker than shown in the photo. Pay no attention to any markings or numbers that may appear on the photos or any differences in the type of style of the photographs. When you have looked at all of the photos tell me whether or not you see the person who committed the crime or any other person you recognize. Do not tell other witnesses that you have or have not identified anyone.

_____ Initials of Administrator (if above instructions read to witness)

FOLDER SYSTEM - Instructions to be read before using:

I am going to show you a group of photographs. This group of photographs may or may not contain a picture of the person who committed the crime now being investigated. (If applicable, read: I do not know who the suspect is.) Keep in mind that hair styles, beards, and moustaches may easily be changed. Also, photographs may not always depict the true complexion of a person; they may be lighter or darker than shown in the photo. Pay no attention to any markings or numbers that may appear on the photos or any differences in the type or style of the photographs. When you have looked at all of the photos tell me whether or not you see the person who committed the crime or any other person you recognize. Do not tell other witnesses that you have or have not identified anyone. I do not know which, if any, of the folders contain the photograph of the alleged perpetrator. I do not want to view any of the photographs and will not view any of the photographs and you may not show me any of the photographs. If you recognize someone please identify the photograph only by the number of the photograph's corresponding folder.

_____ Initials of Administrator (if above instructions read to witness)

1. Date/Time of Photo spread/Folder System shown: _____
2. Location of Photo spread/Folder System shown: _____
3. Name of Administrator: _____
4. What type of Administrator presented photos: (check one)

Blind - does not know identity of suspect

Blinded - may know who suspect is but, does not know which lineup member is being viewed by the witness (e.g. folder system)

Other

(This page not to be viewed by witness)

Incident # _____

5. If a Blind Administrator did not conduct photo spread or photo lineup, state reason:

6. If neither Blind or Blinded Administrator conducted photo spread or photo lineup, state reason:

7. Person(s) present (including witness and others present): _____

8. Identification or non-identification by witness and confidence statements of witness made immediately at the time of identification (use witness' own words):

(check Yes or No for each photo viewed)

Photo #1	Yes_____	No_____	_____
Photo #2	Yes_____	No_____	_____
Photo #3	Yes_____	No_____	_____
Photo #4	Yes_____	No_____	_____
Photo #5	Yes_____	No_____	_____
Photo #6	Yes_____	No_____	_____

9. Did witness view folders twice on same date, time and location: Yes_____ No_____

If yes, indicate identification or non-identification by witness and confidence statements of witness made immediately at the time of the identification (use witness' own words):

(check Yes or No for each photo viewed)

Photo #1	Yes_____	No_____	_____
Photo #2	Yes_____	No_____	_____
Photo #3	Yes_____	No_____	_____
Photo #4	Yes_____	No_____	_____
Photo #5	Yes_____	No_____	_____
Photo #6	Yes_____	No_____	_____

If witness views at a later date/time/location, a new form must be filled out.

10. Names, identifiers and source for each photo (fill in here or attach second page of JusticeWeb photo lineup with identifying information):

Photo #1	_____
Photo #2	_____
Photo #3	_____
Photo #4	_____
Photo #5	_____
Photo #6	_____

**FIRST VIEWING WITNESS CONFIDENCE STATEMENT FOR
PHOTO SPREAD / FOLDER SYSTEM
(To be completed by, or with, the witness)**

Incident # _____ **Date/Time:** _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

Witness

Administrator

Witness' Printed Name

Administrator's Printed Name

**SECOND VIEWING WITNESS CONFIDENCE STATEMENT FOR
PHOTO SPREAD / FOLDER SYSTEM
(To be completed by, or with, the witness)**

Incident # _____ **Date/Time:** _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

I recognize the person in photo or folder number: _____ As the person who: _____

My certainty in this identification: _____

Witness

Administrator

Witness' Printed Name

Administrator's Printed Name

ELECTRONIC RECORDING OF CUSTODIAL INTERROGATIONS

General Order 4-13
November 2010

I. ELECTRONIC RECORDING OF CUSTODIAL INTERROGATIONS UNDER ORC 2933.81

A. ORC states that a suspect's statements to police are presumed to be voluntary where:

1. Statements made during custodial interrogation
2. In a place of detention
3. Electronically recorded
4. And involving certain enumerated crimes

B. Suspect must be suspected of committing one or more of the enumerated crimes:

- | | | |
|----|--|------------------|
| 1. | Aggravated Murder | 2903.01 |
| 2. | Murder | 2903.02 |
| 3. | Voluntary Manslaughter | 2903.03 |
| 4. | Manslaughter | 2903.04 (A only) |
| 5. | Aggravated Vehicular Homicide (F1 or F2) | 2903.06 |
| 6. | Rape | 2907.02 |
| 7. | Sexual Battery | 2907.03 |
| 8. | Attempted Rape | 2923.02/2907.02 |

C. This applies to adult and juvenile suspects.

D. Definitions:

1. Custodial Interrogation is defined as:
 - a. Any questioning by law enforcement
 - b. Reasonably likely to elicit incriminating responses;
 - c. In which a reasonable person in suspect's position would consider self to be in custody
 - d. Beginning when person should have been advised of Miranda
 - e. Ending when questioning completely finished
2. Electronically Record means:
 - a. Visual recording with audio
 - b. From beginning to end
 - c. Authentic, accurate, unaltered record of the custodial interrogation
 - d. You do not have to tell suspect he/she is being recorded and do not have to make the equipment visible

3. Place of Detention is defined as:
 - a. Jail, police or sheriff's station, holding cell, state correctional institution, local correction facility, detention facility or department of youth services facility. This would include out of state facilities also.
 - b. It **DOES NOT** include police cruisers or law enforcement vehicles (e.g. detective's unmarked car).

- E. No electronic recording is necessary when:
 1. Police questioning that takes place in public or the field,
 2. Police questioning that takes place in a police car. However, an officer cannot circumvent the recording requirement by taking the suspect out to a police cruiser to interview him/her if it is obvious that questioning would have otherwise taken place in a place of detention.
 3. Police questioning of suspect who is free to go AND facts consistent with that, such as not cuffed, not in locked room, and not arrested after interview.
 4. Police questioning of witness:
 - a. If you are unsure whether the witness is actually a suspect at the time of the interview, err on the side of caution and record the interview. Or, at a minimum, start recording at the point where you have any reasonable grounds to believe that the witness is a suspect of an enumerated crime and therefore no longer free to go, which would also be the time you advise the person of Miranda.
 5. Police questioning that does not involve enumerated crime. The officer should be aware of crimes that have possibility of becoming an enumerated crime, such as victim has slim chance of survival, then err on the side of caution and record the interview of the suspect.

- F. Identification and retention of recordings:
 1. Officers are required to clearly identify and catalog the electronic recordings. They should be clearly marked with:
 - a. Suspect's name,
 - b. Detective's initial or name,
 - c. Agency initials or name,
 - d. Date of the interview,
 - e. Incident number of the report.
 2. If a criminal or child delinquent proceeding is brought against the subject of the electronically recorded custodial interrogation, the recording is to be retained until resolution or expiration of the period within which to file all appeals, post-conviction relief, and/or habeas corpus, or until the court orders otherwise.
 3. If a criminal or child delinquent proceeding is not brought against the subject, the recording will be retained within the statute of limitations for the enumerated crime.

- G. Recordings will be tagged as evidence and placed in the Property Room for retention.

RAPID IDENTIFICATION FINGERPRINT SCANNER

General Order 4-14
December 2010

I. COGENT SYSTEMS MOBILE IDENT II RAPID IDENTIFICATION FINGERPRINT SCANNER

- A. The device can be used to establish or confirm the identity of subjects who have previously been fingerprinted and have Ohio or FBI fingerprint records on file.
- B. The device will not take the place of any other standard fingerprinting procedures.
- C. The device should generally be used whenever it is necessary to establish the identification of a person and the subject has not been identified to the officer's satisfaction.
- D. The device will only be used for legitimate law enforcement purposes.
 - 1. Accessing local, Ohio or FBI AFIS records for non-law enforcement purposes is unlawful.

II. TECHNOLOGY SERVICES SERGEANT

- A. The system will be kept in the office of the Technology Services Sergeant.
- B. The responsible Sergeant will insure the system is charged, functional, undamaged and ready for use.
- C. The device will be stored and transported in the protective case.
- D. The user's manual will be stored with the device.

III. USAGE OF SYSTEM

- A. Only shift supervisors will be permitted to use the system.
- B. The supervisor will retrieve the device and will respond with the device to the scene of an event when it is needed.
- C. The device will then be returned to the storage location in the Technology Services Sergeant's office as soon as practical.
- D. The device will not be kept, stored or left unattended anywhere except it's proper storage location in the Technology Services Sergeant's office.
- E. Only those officers and Sergeants that have familiarized themselves with the device will be permitted to use the device.
- F. Users will not change any settings in the device without the Tech. Sergeant's permission.
- G. Users will report any damage or functional issues to the Tech Sergeant immediately in writing.

I. PURPOSE

The Investigative Arrest Folder is designed to insure that a complete case file is prepared to assist the Prosecuting Attorney and the Investigator in preparing a case for prosecution.

II. PROCEDURE

- A. As soon as possible after the filing of a felony complaint, an Investigative Arrest Folder shall be prepared. If an arrest is made this shall be done prior to the filing of criminal charges with the Prosecuting Attorney's Office. The contents of the Investigative Arrest Folder shall be copies and included with the filing.
- B. If no arrest is made, but an investigation continues, the folder shall be kept as long as the case remains "Under Investigation" and the statute of limitations has not run out.
- C. Once the criminal case has been completed or the case is no longer "Under Investigation", the Investigative Arrest Folder shall be surrendered to the Records Clerk.
- D. All evidence retained in the Investigative Arrest Folder will be marked and retained in a folder that will contain the defendant's name, case number, and report number. The folder will have a property tag (supplement tag to original) assigned to it and then placed in the property room. The Property Room Officer will retain this per the property destruction schedule.
- E. The Investigative Arrest Folder shall be retained in accordance with the records retention schedule.
- F. The Investigative Arrest Folder will contain the following when applicable:
 1. Executed Warrants
 2. Offense Report and Supplementary Report(s)
 3. Laboratory Report(s)
 4. Evidence List(s)
 5. Hospital Report(s)
 6. Photographs (should be retained in digital format, except for trial)
 7. Statements: Defendant, Victim and Witness
 8. Witness List: Name, Address, Phone Numbers and any pertinent information. Usually kept on the Filing Sheet required for the filing of the Felony Case
 9. Pre-Interview Form
 10. Line-up or other means of identification

11. Any recordings of Interviews, News Coverage, Phone Calls, etc. used in the prosecution of the case and subject to discovery
12. LEADS/NCIC information and print-outs where applicable to include a copy of the defendant's criminal history. These items shall be marked with a LEADS restricted disclosure and signed for by the Prosecuting Attorney's Office at the time of the filing.

PATROL RESPONSIBILITIES

General Order 5-1
March 1999

Patrol is the major function of the Police Division and must be performed in such a manner as to instill confidence by citizens and provide the best possible police services to them. The major portion of division resources are committed to patrol and this function must be performed effectively and efficiently. Officers shall patrol according to beat assignments made by the shift supervisor or officer in charge. In order to provide the best possible services to the community, they shall deviate from this assignment as little as possible. (Exceptions: assist other officers, etc.). Special attention to areas of frequent offenses, criminal activity or other police related activities shall be the primary responsibilities of each officer in his assigned beat.

Patrol duties and responsibilities of each officer can be defined in four basic categories. The categories are: Traffic, Internal, External, and Special. Each officer assigned to patrol shall fulfill the following described duties to the best of his ability and in the manner prescribed.

I. PATROL RESPONSIBILITY CATEGORIES

A. Traffic Responsibilities

1. Enforce all motor vehicle and pedestrian laws and ordinances.
2. Investigate all motor vehicle accidents reported and observed.
3. Report immediately all traffic control devices out of order, to the dispatcher.
4. Seek out and relieve traffic congestion as found to exist.

B. Internal Responsibilities

1. Enforce all other laws and ordinances as observed.
2. Be especially aware of all business establishments during the hours they are closed and investigate and report any irregularities found to exist.
3. Be constantly alert for any fires or other peculiar circumstances that need attention.
4. Investigate and report all damage found to government owned property.
5. Advise on and report all potential criminal hazards found.
6. Investigate and report all crimes which come to your attention.
7. Investigate and report all other complaints received.
8. Assist distressed persons.

C. External Responsibilities

1. Check and report on permits required (i.e., liquor permits, etc.).

D. Special Responsibilities

1. Will be duties as outlined by a supervisory officer prior to assignment.

II. PATROL TOURS OF DUTY

- A. All officers assigned to patrol duty shall be on duty and shall patrol eight (8) hours each tour of duty. The tours of duty shall normally be:
 - 1. 10:45pm - 6:45am 'A' Relief
 - 2. 6:45am - 2:45pm 'B' Relief
 - 3. 2:45pm - 10:45pm 'C' Relief
- B. Periodically, due to unusual circumstances, special tours of duty may be assigned, as directed by the Chief of Police.

III. UNIFORM COVERAGE OF COMPLAINTS RECEIVED

- A. Personnel coming on duty shall report promptly to the Relief Roll Call and will review the Roll Call Room and Patrol Support Room bulletin boards. Officers coming on duty will be responsible for calls at 15 minutes before the hour.
- B. All on-coming officers, including Sergeants, are to be off post by: (7am, 3pm, 11pm).
 - 1. Units will advise dispatch of their "200" status from the car radio; not portable radios.
 - 2. If necessary, the Sergeants may return to the building after his shift has begun patrol.
 - 3. If the Sergeant needs to meet with a subordinate on post, he may arrange same after the officer has made a cursory patrol of the assigned beat.
 - 4. After going "200", no unit will return to post prior to making a cursory patrol of the assigned beat, unless called in by the dispatcher or shift supervisor.
- C. Any relief made prior to or after the designated hour for duty shall be recorded on the Communications Log.

IV. PATROL ASSIGNMENTS

- A. To ensure the most practical means of uniform personnel assignments to beat patrols, the City will be divided into Districts as defined by the Chief of Police. The Districts will be posted on a City map and may be changed from time to time in order to provide the most efficient patrol coverage. Shift supervisors may also adjust beat assignments for more efficient patrol coverage during their shift.
- B. Occasionally, as personnel allows, there may be additional special assignments other than those indicated. These assignments would only be made after those listed beat assignments are fulfilled, and may include, but are not limited to:
 - 1. COVER - an assignment to float throughout the City and back up beat cars as needed.
 - 2. TRAFFIC - an assignment to provide traffic related coverage (traffic laws enforcement, accidents, etc.).
 - 3. TWO-MAN CAR - an assignment to provide special coverage as needed; high-priority

calls only, and follow-up investigations, as assigned.

- C. These assignments are to be made by Shift Supervisor or Officer in Charge, at roll call, as manpower allows and occasion dictates.

POLICE VEHICLE OPERATION

General Order 5-2
January 2006

One of the basic pieces of equipment for the operation of the Division is the police vehicle. It is the subject of debate, criticism and praise. It is also the most expensive item in the budget, not only through the initial purchase but, the maintenance and cost of operation.

It, therefore, benefits each of us to treat the police vehicle in such a manner to insure its longest, most effective life.

I. OFFICER RESPONSIBILITY

- A. Officers using vehicles and related equipment are to be responsible for condition, cleanliness, and completeness of equipment. Officers are responsible for reporting all damage and malfunctions that occur during the time they are operating a police vehicle. Officers who accept a vehicle from another when beginning a tour of duty are to ascertain if the last driver complied with this general order at the time the vehicle was secured at the end of the tour of duty. Deficiencies are to be reported to the relief supervisor.
- B. Officers will complete a "Daily Vehicle Checklist" and annotate same on the Unit History Log.
- C. Officers will thoroughly check a cruiser prior to accepting a car and shall report any previously unreported damage or condition. Acceptance of a vehicle without reporting a situation immediately to a supervisor assumes responsibility for said condition.
- D. Officers are responsible for the completeness of all assigned equipment in the vehicle they take over at the beginning of a tour of duty.
- E. It is the responsibility of the person using the vehicle to gas the vehicle up at the end of his tour of duty. Oil will be checked and added as needed during his tour of duty.

II. REPAIR REQUEST

- A. Officers removing vehicles from service, due to malfunction, will immediately file a vehicle repair form. A designated stand-by vehicle will be driven and the key will be returned to the key box in the Patrol Support Room at the end of the tour of duty.
- B. Vehicle Repair forms are located in the report file in the Patrol Support Room. The white copy is forwarded to the mechanic or radio repair and the yellow copy to the Vehicle Supervisor.
- C. A city mechanic may be called in on overtime if the disabled vehicle is essential to the operation of the police division, and only if another vehicle is not available for use. A city mechanic may also be called in if the vehicle is disabled along the road and the repair is minor and the repair would save the cost of a tow charge. The shift

supervisor will make the determination whether to call out a mechanic.

- D. Police vehicles will not be jump started by anyone except a city mechanic. A police vehicle will not be used to jump start another vehicle. Fuses will not be replaced without approval of a city mechanic.
- E. When a vehicle is to be left for repair at a location other than inside the City Garage, the shotgun will be removed, unloaded outside, and stored in the roll call shotgun lockers.
- F. If the fuel pumps are malfunctioning contact the Street Dept. Superintendent or his secretary.

III. DAILY OPERATION

- A. Do not leave cruisers idling while unattended and avoid all unnecessary idling.
- B. When a vehicle is secured from a tour of duty, the unit shall roll up all windows and lock said vehicle.
- C. Officers finishing a tour of duty are to remove all papers and other debris from the vehicle prior to securing it.
- D. Radars, air conditioners and all other accessories are to be left in the Off position at the end of each tour regardless if the officer has relief or not. Starting a vehicle with these items in the On position puts an unnecessary strain on batteries.
- E. Car Wash - vehicles may be washed at a designated car wash if first approved by the duty supervisor. Remove bicycle racks before using automated car washes.
- F. All employees of the Police Division will wear seat belts when operating or riding in the front seat of police vehicles.
- G. Each vehicle has an assigned parking space and shall not be parked in any area other than the assigned space for any reason unless the operator is instructed otherwise by a supervisor. Vehicles will be backed into their assigned space.
- H. Keys will be removed from a vehicle any time the officer is away from the vehicle.

IV. TRUNK EQUIPMENT

- A. If trunk equipment is used, lost, or missing, the Motor Vehicle Supervisor will be notified. Trunk equipment is considered to be fire extinguisher, first aid kit, flares, measuring devices, etc. Equipment stored in the trunk will be secured so it cannot roll around and damage the vehicle body. Spare fire extinguishers are stored in the kitchen closet.
- B. Items such as Evidence Technician equipment cases will not be placed on hood or

trunk lids.

V. MOTOR VEHICLE SUPERVISOR

- A. From time to time it will be necessary to designate certain cars to be used for specific purposes. When the cars are so designated, it will not be used for other purposes.
- B. The motor vehicle supervisor will make the assignments of all patrol vehicles.
- C. The Motor Vehicle Supervisor or a Command officer must approve any removal, switching, or addition of equipment or parts.

VI. DAMAGE TO POLICE VEHICLE

- A. All damage to police vehicles not caused by a motor vehicle accident, will be reported to the relief supervisor on a "Damage To Vehicle" report. The relief supervisor will investigate the cause of the damage and photograph the damage.
- B. If the motor vehicle accident results in injury or damage to motor vehicles or property whether private or City owned, the employee will submit the City's "Equipment or Vehicle Accident Report" form.
- C. The motor vehicle supervisor will obtain an estimate of damages and forward the estimate, along with the Damage To Vehicle report, to the Finance Department.
- D. Damage due to traffic accident which occurs outside the City limits will be reported to the local police agency. If practical, the relief supervisor will also respond to the accident scene.
 - 1. The officer involved in the accident will obtain a copy of the accident report from foreign agency and submit it to the relief supervisor.
 - 2. A command officer will be notified of serious traffic accidents involving personal injury.
- E. A post-accident test is required immediately following an on-the-job accident. All employees who may have caused or contributed to an on-the-job accident shall submit to a drug and alcohol test. The test should be administered as soon as possible after necessary medical attention is received, or within eight hours for alcohol and within thirty-two hours for other drugs. An accident means an unplanned, unexpected, or unintended event which occurs on the employer's property, during the conduct of the employer's business, or during working hours, or

which involves employer-supplied motor vehicles used in conducting the employer's business, or within the scope of employment. Testing will be done at Kettering Works' Care. If KWC is closed, page a technician at 937-334-1811; if no one responds within 15 minutes, page the On-Call Supervisor at 937-334-1293.

VII. USE OF POLICE GARAGE

A. The M.P.D. garage and Sally Port shall be utilized only as follows:

Sally Port: Transportation of prisoners.
(New Addition)

Bay #1 (South end): To provide transport of prisoners and unloading of equipment. Vehicle will be moved immediately upon discharge of prisoners or equipment. The Sally Port is not to be used for storage of vehicles.

Bay #2 (2nd South): Command Staff parking. If it becomes necessary to place vehicles in the garage for evident processing, Bay #2 is to be utilized. However, the shift supervisor will have the vehicle removed immediately upon completion of evidence collection.

Bay #3 (2nd North): To provide parking for the Chief of Police.

Bay #4 (North end): To provide parking for the City Manager.

I. POLICY STATEMENT

- A. Hostage and non-hostage barricade situations present unique challenges to the police in our nation today. These incidents frequently occur in an atmosphere of intense pressure and are nearly always surrounded by media coverage. Police personnel involved in such situations must respond with restraint, innovation and sensitivity to assure that all non-force alternatives are exhausted before force is used.
- B. Any efforts by police personnel at the scene of a hostage or barricade situation are predicated upon the premise that human life - that of a hostage, police officer, or perpetrator - is sacred and all decisions made must consider this philosophy. In all cases of potential violence, the Moraine Police Division is committed to utilize any and all techniques that lead to a peaceful resolution.
- C. The Moraine Police Division's approach is geared to achieve tight containment and to then buy time. This allows scene commanders the time to evaluate intelligence information and gain tactical advantage while negotiators communicate with the perpetrator. When this process is fully implemented, the result is usually a de-escalation of the incident and a peaceful resolution.
- D. These guidelines are general in nature and the response to any situation will be tailored to the problem at hand. It is important to note that each situation has its own variables that require flexibility on the part of the police. The Hostage Negotiation Team (HNT) will develop strategies and techniques that fit the problem at hand. The Special Response Team (SRT) will gain the tactical advantage through inner perimeter control and observation. Officers who were involved in a barricade/hostage situation will be required to attend a debriefing session sometime after the barricade/hostage situation has been resolved.

II. DEFINITIONS

- A. On-Scene Commander
The person responsible for all decisions and tactics at a scene is the ranking officer who is present at the hostage and barricade situation. If a outside HNT (Hostage Negotiation Team or SRT) is summoned, then they will be in charge. The Operations Lieutenant and Chief will be notified immediately. If the HNT is summoned, the SRT will automatically respond.
- B. Hostage Situation

These situations include cases where persons are held against their will by a perpetrator who is deliberately or inadvertently restricting their freedom by threat of force, or use of force or weapons.

C. Barricade Situation/Non-Hostage Situation

These cases involve situations where one or more persons, who may be armed or are trying to harm themselves, refuse police entrance to a given place or area. This can include, but is not limited to, people who are actually barricaded in a structure or vehicle, or to the person bent on suicide. For example, disturbance/family trouble calls may escalate into more serious situations, where weapons may be present, violence may have occurred, or an arrest may be sought, and the perpetrator refuses entrance into a structure.

III. GOALS/RESPONSIBILITIES

- A. The primary goal is the peaceful resolution of the incident through communication with the perpetrator without the use of force, under the direction of the Scene Commander and if summoned, the HNT Commander. The HNT will develop a negotiation strategy to fit the circumstance. Consultation with on-scene commander.
- B. The HNT is responsible for all forms of contact with the perpetrator. While primary and backup negotiators deal with the offender, other HNT officers develop intelligence information about the situation. A psychologist also may respond with the HNT.
- C. The SRT is responsible for inner perimeter containment, tactical operations and sniper deployment.
- D. Responsibility of Initial Responding Crew
 - 1. Once it has been determined that a potential hostage, non-hostage, or barricade incident exists, crews shall contain the situation immediately and notify their supervisor. If dialogue has already begun between an officer and a perpetrator, it can continue, but the officer should stall for time and attempt to de-escalate the situation. The officer should avoid face-to-face communication with the perpetrator and work from a position of cover, if possible. If conversation antagonizes the perpetrator, then it is not advisable.
 - a. Uniform crews on the inner perimeter will be relieved by the SRT when possible.
 - 2. Containing, isolating, and evaluating the immediate area is critical at this stage. The initially responding officer should, at least mentally, note any pertinent information regarding the perpetrator. This information is to be given to the HNT and SRT Commanders upon their arrival. The first hours of any situation are crucial.
 - 3. The on-duty supervisor will immediately respond to the scene to assess the situation. The supervisor will establish a command post and remain at the command post to brief other agencies or other responding command personnel. The command post should be out of sight of the crime scene but, in close proximity.

4. There are several points for initial response personnel to remember. The following list of DON'Ts apply to dealing with perpetrators:
 - a. Do not make any promises.
 - b. Do not exchange police officers for hostages or allow anyone to place themselves in a position to be taken hostage.
 - c. Do not use third-party negotiators (friends, relatives, ministers, etc.) During the initial phase. (This may occur later, but only after HNT personnel carefully structure the circumstances.)
 - d. Do not exchange or provide weapons.
 - e. Do not negotiate with a perpetrator face-to-face if it can be avoided.

f. Do not allow other people, family, media, etc., to telephone suspect by changing suspect's phone number. To change the number call the Security Department 1-800-832-2998.

g. If it becomes necessary to use a chase or surveillance vehicle, and control of travel routes, this plan will be developed at this point because each situation is different.

A. Some basic points in the Negotiation Process.

1. Stall for time. Slow the pace.
2. Intelligence gathering is critical. As much information as possible should be gathered about the perpetrator and hostages, which is to be given to the HNT upon their arrival.
3. Remember, time is on our side, contain the scene and observe the perpetrator's position.

E. Information to be furnished to the SRT Commander.

1. Type of weaponry involved.
2. Level of violence. Have shots been fired, hostages taken, injuries sustained, threats made, etc.
3. Location of all officers deployed on inner perimeter.
4. Degree of isolation and evacuation that has been attained.
5. All available pertinent information pertaining to building plans and immediate geography.

F. Requesting emergency services from outside the Division.

This Division does not have a SRT or Hostage Negotiation Team (HNT). These teams may be requested from another agency when the following apply:

1. In all potential or real hostage incidents.
2. In all barricade and non-hostage cases involving weapons or where weapons are suspected.
3. Attempted suicides, the outcome of which may be influenced

by trained hostage negotiators and scene isolation.

4. Any situation deemed necessary by a Moraine Police Division command officer or by the ranking street supervisor. If the street supervisor has any questions prior to the calling out of the SRT or HNT, the supervisor may consult with the commander of the team.

Request assistance from: Kettering Police Department;
296-2555

Lt. Willcox, SRT Commander; 478-7758

(cell)

G. Role of Requesting Agency

Once the outside Division teams arrive and set up their operations, the Moraine Police will assume all outer perimeter responsibility.

I. Relationship between MPD Scene Commander and Host Agency Commander

The outside police department will follow its own policies and procedures. If significant differences arise between department commanders, every effort will be made to resolve the issues. In the event the concerns cannot be resolved, the outside police department reserves the right to withdraw from the operation.

J. Who is in charge?

1. If the Moraine Police Division or other department is asked to handle the situation, then that department will do just that, by following the law, their police department policy and standard police procedures. The host agency commander will function in a consultation role for the Moraine Police Scene Commander.
2. The decisions by the outside police scene commander will include, but not be limited to, negotiation strategy and SRT deployment.
3. If a decision is necessary with regard to the use of chemical agents, and/or tactical/sniper options, then the highest ranking officer from the host jurisdiction will be consulted in advance if at all possible.

IV. REPORTING PROCEDURES

A. When the HNT and SRT are used at the scene of a situation that involves a criminal offense, the responsibility of the initial responding street supervisor is to assign responsibility for crime reporting purposes to uniform personnel. Unless detectives respond to the scene and assume this responsibility, it lies with the street supervisor.

1. In some cases (homicide, rape, abduction, robbery, etc.) detectives will respond for case development purposes during the negotiation process, as determined by the Scene Commander.

V. AFTER-ACTION REPORTS

- A. Immediately, or as soon as practical, after a barricaded person or hostage situation has concluded, an after-action debriefing and critique will take place. The scene commander will oversee this review for compliance with established policies and procedures.
- B. The on-duty supervisor at the time of the incident shall be responsible for completing a detailed narrative report of the operation, with copies of all reports, witness statements, and other documentation attached.

HOSPITALIZATION OF THE MENTALLY ILL

General Order 5-4
May 2001

The following criteria will be used to assist the officer in determining if the mentally impaired person needs evaluation:

The officer has probable cause to believe that:

1. The subject represents a substantial risk of physical harm to himself as manifested by evidence of threats of, or attempts at, suicide or self-inflicted bodily harm; or
2. The subject represents a substantial risk of physical harm to others as manifested by evidence of recent homicidal or other behavior, evidence of recent threats that place another in reasonable fear of violent behavior and serious physical harm, or other evidence of present dangerousness; or
3. The subject represents a substantial and immediate risk of serious physical impairment or injury to himself as manifested by evidence that he is unable to provide for and is not providing for his basic physical needs because of his mental illness and that appropriate provision for such needs cannot be made immediately available in the community; or
4. The subject would benefit from treatment in a hospital for his mental illness and is in need of such treatment as manifested by evidence of behavior that creates a grave and imminent risk to substantial rights of others or himself; or
5. The subject represents a substantial risk of physical harm to himself or others if allowed to remain at liberty pending examination

Officer will cause the subject to be transported via medic to the appropriate mental health facility for evaluation. The officer will fill out the application for emergency admission if necessary.

ROBBERY RESPONSE

General Order 5-5
November 2003

The objective of this policy is to establish a uniform, workable procedure to be implemented by police personnel in response to alarm situations and/or actual robbery situations. The objective of this procedure is to maximize the safety of business employees, police personnel, and citizenry at large. For financial institutions, please refer to Financial Institution Robbery Alarm Response, General Order 5-24.

I. RECEIVING THE CALL

- A. When the Communications Center receives a hold-up alarm, the dispatcher will immediately dispatch units to the location of the incident.
- B. The central station monitoring the location the alarm was received from, when capable, will notify the dispatcher of the alarm status, either "valid" or "false" as soon as the condition is verified.
- C. The dispatcher will restrict all traffic to emergency only for both police and fire personnel.

II. PROCEEDING TO THE SCENE

- A. Dispatched police units should respond to the area in accordance with established Division policy (General Order 5-6, section III) and assume a position of maximum observance with minimal potential for detection by suspects inside.
- B. The primary responsibility of the first responding units is to secure the inner perimeter; observe and contain, until further information is obtained by the dispatcher.
- C. Patrol units should not enter or approach until an all clear signal is given.

III. ON SCENE VALIDATION OF ALARM CONDITION

- A. After responding units have arrived and a perimeter is established, the dispatcher will make contact with the manager or supervisor by telephone. If no contact by telephone can be made, it will be assumed the alarm is valid and actions will be governed by Section "V." (Hold Up in progress).
- B. If telephone contact is made and the dispatcher is satisfied the alarm is false, the employee will be instructed to exit the building and contact the police officer. The dispatcher will obtain a physical description of the employee and clothing, then relay that information to the officers.

- C. If the officer contacted by the employee is satisfied from the employee's manner and demeanor that the alarm is false, the officer may leave without further investigation. If the officer is unsatisfied that the alarm is false, the officer will withdraw and continue to observe until suspicions are resolved.

- D. If the hold-up is in progress, and the suspects are still inside, then the situation will be handled according to Section "V." of this policy.

- E. If, after arrival, no perpetrators are visible and contact with employees cannot be made by phone, the officers will assume the alarm is valid, pending further investigation. A supervisor will respond to the location and, after reviewing the situation, determine what additional steps will be taken.

IV. ON-SCENE VERIFICATION/SUSPECT GONE

- A. If there is an actual robbery and the suspects have fled, the employee will be directed to exit the building as previously described. The dispatcher will obtain an initial description of the suspects, vehicle description and a direction of travel and broadcast that information.
- B. The officers at the scene, when convinced the suspects are gone, will approach the business and secure the scene.

V. VERIFIED HOLD-UP/SUSPECTS INSIDE

- A. If after arrival, it is believed that a hold-up is in progress, barring very unusual circumstances, such as a shooting inside, responding officers will not enter unless directed to do so by the supervisor on the scene.
- B. If the perpetrators are still in the location, any apprehension efforts should be made after the suspects have exited the building. This is to prevent a hostage situation.
- C. If the perpetrators have taken hostages inside the building, the suspects will be contained and appropriate personnel to deal with the situation will be notified.
- D. The supervisor at the scene may call upon mutual aid for a S.W.A.T. team and hostage negotiator.

EMERGENCY VEHICLE OPERATION - HOT PURSUIT

General Order 5-6
May 2001

I. PURPOSE

To establish guidelines for hot pursuit, requiring emergency operation of division vehicles.

II. DEFINITIONS

The following definitions apply for the purpose expressed in this policy.

- A. Hot Pursuit - an active attempt by one or more police officers to apprehend a suspect operating a motor vehicle, while the suspect is trying to avoid capture by using high speed driving or other evasive tactics such as driving off a highway, making sudden or unexpected movements, or maintaining a legal speed but willfully failing to yield to the officer's signal to stop.
- B. Serious Felony - a felony that involves an actual or threatened attack which the officer has reasonable cause to believe could result or has resulted in death or serious physical harm to a person.
- C. Road Block - any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of an actual or suspected violator in a motor vehicle.
- D. Primary Pursuit Unit - the police unit that initiates a pursuit or any unit that assumes control of the pursuit.
- E. Stop Stick - Tire deflating device, used on motor vehicles except motorcycles.
- F. Emergency Call - a call to duty including, but not limited to, communications from citizens, police dispatchers, and personal observations by peace officers of inherently dangerous situations that demand an immediate response on the part of a peace officer.
(ORC 2744.01A)
- G. Due Regard - encompasses a situation where the driver operates his or her public safety vehicle in the same manner as would a reasonably prudent person under similar circumstances.

III. POLICY

- A. All emergency vehicle operations shall be conducted in strict accordance with existing statutes. Officers engaged in emergency vehicle operation shall utilize both audible (siren) and visual (emergency lights) emergency warning equipment when engaged in hot pursuit.

- B. All personnel operating division vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary. There are no tasks in the division of such importance that they justify a reckless disregard for the safety of innocent persons.

IV. PROCEDURES

A. Hot pursuit is justified only **when the necessity of the immediate apprehension outweighs the level of danger created by the hot pursuit**. Officers engaged in a hot pursuit will continuously weigh the danger presented if the suspect avoids apprehension versus the danger presented in the continued attempt to apprehend the suspect.

1. Initiating/Primary Unit Responsibilities

- a. The responsibility for the decision to initiate hot pursuit rests with the individual officer. The officer initiating the pursuit shall notify the communications center as soon as reasonably possible that a pursuit is underway and provide the following information:
 - 1) Police unit identification.
 - 2) Location, speed and direction of travel.
 - 3) Vehicle description, including license number if known.
 - 4) The specific reason for the pursuit, including known law violations.
 - 5) Number of occupants.
 - 6) Traffic and weather conditions will be given if circumstances permit.
- b. Failure to provide the above information may be cause for the commanding officer/field supervisor to order termination of the pursuit.
- c. The initiating or primary unit shall be in field command, and bears operational responsibility for the pursuit unless relieved by a supervisor.
- d. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the field supervisor and commanding officer.
- e. The primary unit may maintain pursuit as long as it

is safe to do so, or until directed to terminate the pursuit by a superior, or the suspect is stopped.

- f. The decision to abandon pursuit may be the most intelligent course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit. A hot pursuit shall be terminated under any of the following circumstances:
 - 1) If, in the opinion of the pursuing officer, the commanding officer or the field supervisor, there is a clear and reasonable danger to the officer and general public that outweighs the necessity of immediate apprehension.

- 2) The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
 - 3) The prevailing traffic, roadway and environment conditions indicate the futility of continued hot pursuit.
 - 4) The pursued vehicle's location is no longer known.
 - 5) The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a non-serious Felony.
- g. The termination of a pursuit does not prohibit the following of a vehicle at a safe speed, or remaining in the area to re-initiate pursuit if the opportunity and conditions permit.

2. Secondary/Assisting Unit Response

- a. Assistance will be coordinated by the communications center under the direction of the commanding officer or the field supervisor. The field supervisor and primary unit will be advised of the identity and location of backup units who can assist.
- b. The active pursuit will normally involve not more than two units: the primary unit and one backup unit. If more assistance is specifically requested, the amount will be determined by:
 - 1) Nature of offense.
 - 2) Number of suspects.
 - 3) Whether the participating units have more than one officer.
 - 4) Other clear and articulated facts that would warrant the increased hazard.
- c. Only the commanding officer or field supervisor may authorize more than two units to be in active pursuit. All other units will remain aware of the direction

and progress of the pursuit but shall not actively participate.

- d. The assisting unit, upon joining the pursuit, shall immediately notify the communications center of its identity. If the primary unit is a one man unit, the assisting unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.
- e. The assisting unit will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required.
- f. Assisting units shall, at all cost, avoid intersecting the path of an oncoming high-speed vehicle.

- g. If the primary unit becomes disabled, the assisting unit will become the primary unit. The communications center will advise the field supervisor and other units that a new backup unit is needed, and the next unit to join the pursuit will be designated the backup unit.

3. Dispatcher/Communications Center Responsibilities

- a. Receive and record all incoming information on the pursuit and pursued vehicle.
- b. Immediately notify the commanding officer and field supervisor when a pursuit is initiated.
- c. Clear the radio channel of any unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information.
- d. Perform relevant record and motor vehicle checks.
- e. Control all radio communications during the pursuit.
- f. Coordinate assistance under the direction of the commanding officer or the field supervisor.
- g. Continue to monitor the pursuit until it has been terminated.

4. Supervisory Responsibilities

- a. Commanding Officer - the Commanding Officer initiating the pursuit shall assume overall command and exercise control through the field supervisor.
- b. Field Supervisor
 - 1) Upon being notified of the pursuit, the Field Supervisor shall verify the following:
 - a) The pursuit is reasonable within this procedure.
 - b) No more than the required or necessary units are involved in the pursuit.
 - c) Proper radio frequency is being utilized.

- d) Affected allied agencies are being notified.
- 2) The field supervisor will continue to direct the pursuit and approve or order alternate tactics, such as the use of a roadblock, and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or backup unit, the field supervisor may order termination of the pursuit.

- 3) As with any tactical field problem, it is not necessary that the field supervisor be physically present in order to begin coordination and assert control of the pursuit.
- 4) The field supervisor should proceed to the termination point to provide guidance and necessary supervision when termination occurs within the City. When termination occurs out of the City the field supervisor may proceed to the point of termination when adequate officers remain within the City for coverage.

5. Emergency Vehicle Operation and Tactics

- a. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing officer.
- b. Caravanning - there shall be no caravanning by field units not directly involved in the immediate pursuit.
- c. Passing - there shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer receives specific permission from the primary unit or field supervisor.
- d. Spacing - all units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or another police vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.
- e. Number of Police Vehicles - no more than two police vehicles will become actively involved in a pursuit, unless specifically directed otherwise by the commanding officer or field supervisor. Other officers should be alert to the pursuit progress and location.
- f. Unmarked Police Vehicles - officers operating unmarked vehicles (providing the vehicle is equipped with emergency lights and siren) may engage in hot pursuit only when the fleeing vehicle presents an immediate and direct threat to life and property. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle will withdraw from active pursuit and serve in a support role.
- g. Police Motorcycles - officers operating police

motorcycles may participate in a hot pursuit only until a marked patrol car can assume pursuit.

- h. Controlled Access Highway - officers shall not pursue suspect vehicles the wrong way on interstate or other controlled access highways or divided roadways unless specifically authorized by the commanding officer or field supervisor.
- i. Moving Roadblock - may be approved by the field supervisor if the situation would allow the use of deadly force. This is a partial blockage of the roadway by a moving police vehicle for the purpose of slowing or stopping the fleeing suspect.

This usually involves the use of two police vehicles in front of the violator, or one in front and one along side the violator. Both police cars are slowed to a stop, forcing the violator to stop.

- 1) This type of roadblock is extremely dangerous. The violator is very unpredictable and many times will choose any avenue of escape or ram the police vehicle.
 - 2) This type of roadblock should only be used on divided highways with light traffic.
- j. Stationary Roadblock - this is a partial blockage of the roadway using traffic cones or fusees or stop sticks. The field supervisor will approve the use of stationary roadblocks.
- 1) The roadway **will not** be barricaded by occupied vehicles.
 - 2) The roadblock will be constructed in such a manner as to leave a route through the area and the design should be such that it would be necessary to proceed slowly through the roadblock.
 - 3) Officers shall place themselves in position of safety. They should never expose themselves to risk for the sake of stopping the suspect. The officer should be in a position that affords the opportunity to make an apprehension if the violator opts to terminate the pursuit at the roadblock.
 - 4) The police vehicle should be off the roadway, in a safe position, to resume pursuit should the suspect not stop. The police vehicle's emergency lights should be on.
- k. Use of Stop Sticks - field supervisors may authorize the deployment of stop sticks if the immediate apprehension outweighs the level of danger created by deployment of the stop sticks.
- 1) Deployment of Stop Sticks will be used in conjunction with a stationary road block.
 - 2) It is important that all officers involved are

aware of the exact location of the deployed stop sticks so they can slow in time to allow removal of the stop sticks after the suspect drives over them.

- 3) Stop Sticks are not to be used on motorcycles.
 1. Traffic Control Devices - extreme caution must be used whenever officers disregard traffic signs or signals, even though statutes specifically permit such conduct. Officers shall make use of all available warning devices to alert other motorists and pedestrians.
 1. Deadly Force
 - 1) Division policy regarding the use of deadly force shall be strictly followed.

- 2) Officers shall not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect is using deadly force by any means. The decision to use firearms on or from a moving vehicle shall take into account the location, vehicular and pedestrian traffic, and hazard to innocent persons.
- 3) There may be situations where a higher degree of risk inherent in the pursuit is necessary to apprehend the suspect. Such situations would involve a serious Felony crime(s) against persons where the use of deadly force is justified in the apprehension, and the escape of the suspect would create a clear and imminent danger to the general public. In these situations, when authorized by a supervisor/command level officer, extraordinary means may be used to bring the pursuit to a conclusion as quickly as possible.
- 4) It is recognized that exigent circumstances may exist which require an officer to act independently in terminating the pursuit through the use of potentially deadly force without supervisory approval. (In such cases, the officer shall be expected to articulate his/her justifications for any actions taken to the appropriate authority.)

6. Interjurisdictional Pursuits

- a. The communication center, with the approval of the commanding officer or field supervisor, will notify outside agencies if this division is in pursuit in their jurisdiction. The informing person will specify that the call is either a request for assistance or merely a courtesy notification with no participation desired.
- b. Officers shall not become involved in another agency's pursuit unless specifically authorized by the field supervisor. Field supervisors shall not authorize any participation in another jurisdiction's pursuit unless the suspect being pursued is pursued for a serious felony of violence except in the use of Stop Sticks. If the emergency

nature of the situation dictates the need for assistance, or it is clearly demonstrated that a unit from an outside agency is unable to make a request, the field supervisor's approval may not be required for a unit to enter the pursuit, however, the standard for the offense remains. Finally, the division pursuit policies are in effect for the officer(s) involved.

Field supervisors may authorize the use of Stop Sticks in another agency's pursuit, for any offense, as long as the pursuing agency requests the assistance, and the Stop Sticks are deployed within the city limits.

Officers will not follow a vehicle into another jurisdiction, or while within another jurisdiction, that another pursuing agency has lost or may be looking for, to pursue same without being specifically authorized by a field supervisor.

7. Overtaking/Pursuit of Violators

- a. The responsibility for the direction to overtake rests with the individual officer. In arriving at this decision he/she must carefully consider all factors involved, including the seriousness of the offense, the possible consequences and most importantly, the safety of the general public. In order to diminish the likelihood of pursuit, officers intending to stop a vehicle should, when practical, be within a close proximity to the vehicle prior to activating the emergency lights and siren.
- b. Upon termination of the pursuit resulting in the suspect vehicle being stopped, felony stop techniques should be used.

B. Critique

1. As soon as possible after the conclusion of a pursuit the relief supervisor will meet with the officers and dispatcher involved to critique the incident. As a group they will discuss the pursuit, chain of events, problems encountered, and offer suggestions for improvement. Suggestions for improvement may be for changes in such things as procedure, training, equipment, or methods.

2. A summary report of the critique will be written by the relief supervisor and forwarded to the Lieutenant. The critique will include all recommendations.

V. VEHICLE PURSUIT REPORT

- A. The officer initiating a pursuit will, prior to going off duty, complete a "Vehicle Pursuit Report". The report will be submitted to the relief supervisor if still on duty; if not, submit it to the current relief supervisor. If the officer is injured or otherwise unable to complete the report, the relief supervisor shall do so.
- B. The relief supervisor will review the report and determine if division procedures were adhered to, enter appropriate comments, and make a recommendation as to need for further investigation.
- C. The relief supervisor will forward the Vehicle Pursuit Report directly to the Chief, via the Operations Lieutenant.
- D. An annual review of pursuits and the pursuit policy will be conducted to identify any potential improvements in policy, procedure or training which are needed. Reviews may occur more frequently, as needed.

VI. ENFORCEMENT

To assist the court in determining the seriousness of the pursuit, officers should document in their report the following information

- A. The duration of the pursuit;
- B. The distance of the pursuit;
- C. The rate of speed at which the offender operated the motor vehicle during the pursuit;
- D. Whether the offender failed to stop for traffic lights or stop signs during the pursuit;
- E. The number of traffic lights or stop signs for which the offender failed to stop;
- F. Whether the offender was operating the vehicle without

headlights when lighted lights are required;

- G. Other moving violations committed during the pursuit;
- H. Any other aggravating circumstances or actions noted by the officer;

ANIMAL BITES

General Order 5-7
March 1999

I. PROCEDURE

- A. Upon receipt of an animal bite complaint, the investigating officer or CSO shall:
 - 1. Investigate the circumstances and attempt to obtain statements from the victim and/or witnesses.
 - 2. Complete a Miscellaneous Incident Report.
 - 3. Attempt to locate the animal and animal's owner.
- B. If the owner is located, issue an "Animal Bite Quarantine" to the owner.
 - 1. The owner will receive the top (original) copy.
 - 2. The second copy will be forwarded to the Community Services Officer.
- C. If the owner cannot be located, the animal may be held at the Montgomery County Animal Shelter under quarantine.
- D. Follow-up investigation will be done by the CSO. The CSO will forward a copy of the report and quarantine to the Montgomery County Health District.
- E. If the victim of an animal bite is not at his/her residence or within the City limits, they will be directed to come to the police division to file a report. If the victim is at a hospital or doctor's office, they will be directed to report the animal bite after they are treated. If the situation and severity of the bite necessitates immediate action, an officer will be dispatched to the medical facility.
- F. If the dog resides within the City, the location shall be given to the dispatcher for entry into CAD as an alert.

MISDEMEANOR BAD CHECK COMPLAINTS

General Order 5-8
May 2005

I. PURPOSE

The purpose of this order is to establish guidelines to assist officers in the investigation of misdemeanor bad check complaints.

II. PROCEDURE

Complainants wishing to file a bad check complaint are required to complete information sheets which were developed with the objective of providing sufficient information to ensure effective investigation and prosecution.

A. Information Sheets

1. The responding officer will ask the complainant for the Information Forms.
2. If the complainant does not have the Information Forms, give him/her a copy and instruct complainant to abide by the instructions therein. Each officer should carry, along with other report forms, at least one packet of bad check information sheets.
3. Do not accept the complaint without the completed forms.

B. Report

1. A bad check complaint is to be filed on an Offense Case Report. The check and any accompanying bank documents will be photocopied (both sides of check and documents if applicable) and then submitted to the property room as evidence. The check will be handled in a manner that will preserve fingerprints while in the officer's possession.
2. Checks which fall into any of the following seven listed categories will be submitted on an Information Report. This report will not be investigated, and will be filed only as a matter of record, and the check is not to be retained as evidence.
 - a. Any check written for \$50 or less.
 - b. "Two-Party" checks.
 - c. Any check not reported within sixty (60) days of date the check was issued.
 - d. Any check for which the employee failed to require as identification a valid Ohio Drivers License, an official Ohio Identification Card, or other I.D. which is of equal validity.
 - e. Any check on which the employee failed to record the form of I.D. used, such as Ohio Drivers License number or Ohio Identification Card number.
 - f. Any check written on an out of state bank, or further away than an adjacent county.

- g. Post-dated checks, where the complainant agreed to hold the check before depositing it.
- 3. It is the responsibility of the investigating officer to make sure the complainant has adhered to all instructions accompanying the information sheets. A complaint is not to be accepted without full compliance. Complainants are to be referred to the Detective Section if they have a question or concern pertaining to this policy.
- 4. The investigating officer shall attempt telephone contact with the suspect, if applicable, prior to submitting the report to his/her supervisor.

BOMB THREATS

General Order 5-9
May 2005

This order establishes the Moraine Police Division's policy concerning the handling and reporting of all bomb threat calls. It is anticipated that this policy will change from time to time, and all personnel are requested to assist in this process of developing improved policies and procedures.

I. BOMB THREAT (No Indication of Device) "Signal 10-Threat"

A. Dispatcher's Duties

1. From the standpoint of communications, the on-duty dispatcher is to assume the responsibility for all bomb threat calls. All such calls are hereafter to be referred to as "Signal 10-Threat" or "Signal 10-Device Found".
2. If it can be done safely, keep the person who is reporting the bomb threat on the line in order to advise the responding officers of any changes in the situation.
3. Determine the name of the person who received the actual threat, since the person notifying the police is often not the person who received the threatening call.
4. Determine the name of the person in charge of the location to which the threat was made.
5. Determine the exact location where the responding officers are to meet the person in charge and receiver of the actual threat.
6. Notify the fire department by telephone (specify that this is merely an alert and not a call for apparatus).
7. Attempt to keep all radio traffic to the MDTs or cellular phones.

B. On the Scene

1. The sergeant and responding officers are to locate and contact the person in charge of the premises and the receiver of the actual call.
2. The sergeant or officer in charge is to act as (commander) of the entire operation and to establish a command post, should a device later be located.
3. Since a device has not yet been located, the sergeant is to advise the person in charge that it is not the responsibility of the police to make a decision to evacuation.

THE POLICE DIVISION DOES NOT HAVE THE AUTHORITY TO INITIATE EVACUATION.

This decision is the sole responsibility of the person

in charge and he/she, not the responding agencies, must decide on total, partial, or no evacuation of the premises. However, if an emergency situation exists, the Fire Chief, or Acting Fire Chief, does have legal authority to supersede the decision of the person in charge.

4. All coordinating agencies (i.e., fire department, security police, etc.) are to be under the command of the sergeant, or officer in charge.

C. Decision to Search

In the event that police assistance is requested by the person in charge to coordinate in a search of the premises, the officers at the scene will not wait for the Bomb Technicians to arrive, but will proceed with the search. The following procedures will apply:

1. No radio transmissions are to be made while conducting the search.
2. The responding officers are to coordinate with persons familiar with the area to be searched. They are to form two separate search parties (one officer and one person familiar with the surroundings to each search party) and conduct a planned search starting with the exterior of the premises.
3. All precautions will be taken to avoid the chance of panic. The term "hazardous device" is to be used in lieu of the word "bomb".

D. Device not Located after Search

1. The sergeant or officer in charge is to advise the person in charge of the premises that a device has not been located and is to further advise this person of the situation after conferring with the search parties. All further decisions (i.e., re-occupy the building, etc.) are to be made by the person in charge of the premises.
2. The responding beat officer is to complete the report. It is the responsibility of the sergeant or ranking officer to make sure the reports are completed and turned in.

II. BOMB THREAT (Suspicious Device Located) Signal 10 - Device Found

A. Dispatcher's Duties

These duties are exactly the same as those outlined in "Bomb Threat (no indication of device)", but also include the following additions:

1. Notify Dayton P.D. Bomb Squad the time of the threat and the Lieutenant of Police.

2. Notify the fire department that a device has been located. In this case, the fire department will dispatch apparatus to the scene. Drop tone code 5Fire0, advise "Bomb Threat - Device Located".
 3. Notify the Operations Lieutenant if Dayton P.D. Bomb Squad is not available.
- B. On the Scene
1. No radio transmissions are to be permitted within 300 feet of the building in which the suspected device is located.
 2. **DO NOT TOUCH OR HANDLE THE DEVICE IN ANY WAY.**
 3. The sergeant or officer in charge and the responding officers are to locate and contact the person in charge of the premises and the receiver of the actual threat.

4. It is recommended that the immediate area in which the suspicious device has been located be isolated until the Bomb Technician arrives. This includes maintaining and securing all entries, hallways, etc. leading to the area. This action is only an emergency safety precaution and is to be made as soon as possible after locating the device.
5. The sergeant or officer in charge is to act as Commander of the entire operation and set up a Command Post which is to be located 300 feet from the building in which the suspicious device has been found. The Commander is to establish a liaison with the fire department and other coordinating bodies (i.e., security police, etc.).
6. The Commander is to be in charge of maintaining control of all persons, traffic, etc. on the outside of the building where the suspicious device is located.
7. A decision for complete, partial, or no evacuation must be made at this time. Normally, only the person in charge has the authority to initiate this action, however, if the responding agencies (bomb technician, fire department, etc.) assess the situation as presenting a danger to human life, the Chief or Acting Fire Chief of the Fire Department has the legal authority to make any final decision concerning evacuation.
8. Evacuation procedures (if necessary) are to be handled by the fire department.
9. Upon arrival of the Bomb Squad, the sergeant or commander is to coordinate with this unit as the need arises. However, The Bomb Squad has the final authority concerning any decisions dealing with the handling of the device itself.

C. Lab Policy

1. Explosive Devices: No device containing explosive materials is to be submitted to the laboratory. If there is need to have an analysis performed on such a device, it is to be rendered harmless prior to submission.
2. Explosives
 - a. Solids - A quantity of not more than the equivalent of one (1) teaspoon of the substance is to be submitted

for analysis.

- b. Liquids - A quantity of not more than 20 drops of any suspected or known explosive liquid is to be submitted for analysis.
- c. Gases - Any cylinder or container in which any unknown, suspicious, or potentially dangerous gas (poison or explosive) is suspected to be present, it not to be brought to the lab for analysis before being inspected by a bomb technician or lab technician.

3. Devices

- a. If the device has not exploded, submit explosive evidence to the F.B.I. or A.T.F. Laboratory.
- b. If the device explodes, A.T.F. will be called to collect the evidence at the scene.

D. Reports to be Made

1. All reports are to be completed by the responding officers under the charge of the sergeant or officer in charge. If a device was found, these reports are to be completed by the responding bomb technician.

Offense report codes to be used if an arrest is made:

- a. Moraine Codified Ordinance 509.06 - Inducing Panic
 1. 1st Degree Misdemeanor - used when no device is found.
- b. Moraine Codified Ordinance 509.07 - Making False Alarms
 1. 1st Degree Misdemeanor - used when no device is found and circumstances fit better than "Inducing Panic".
- c. Ohio Revised Code 2909.02 - Aggravated Arson
- d. Ohio Revised Code 2909.03 - Arson
- e. Ohio Revised Code 2909.04 - Disrupting Public Services
- f. Ohio Revised Code 2909.05 - Vandalism
- * c-f above are all felonies. When device is found or exploded, use whichever fits the circumstances.
- g. Moraine Codified Ordinance 541.05 - Criminal Damaging or Endangering.
- h. Moraine Codified Ordinance 541.04 - Criminal Mischief
- * g & h are misdemeanors. Use whichever applies to the circumstances when a device is found or exploded.

**PROCEDURE FOR THE HANDLING OF BOMB THREATS MADE AGAINST
THE MORAINÉ MUNICIPAL BUILDING**

E. Personnel Responsibilities

1. Dispatcher

- a. The dispatcher is to notify the sergeant or on-duty supervisor. A thorough search of the exterior of the Municipal Building will be the responding officers.
- b. Notify the fire department (this is an alert only).
- c. In the event that a suspicious device is located in the building, the dispatcher is to proceed in notifying the following:

1. Fire Department (request for apparatus)
2. Lieutenant of Police

* It will be the responsibility of the responding shift supervisor to decide whether or not the Bomb Squad is requested.

2. As stated above, the sergeant or officer in charge or senior officer, is in charge of the entire operation.

F. Evacuation

1. If a suspicious device is located, the final decision concerning evacuation is to be made by the sergeant or officer in charge. Consultation with the bomb technician and the fire department will facilitate this decision.
2. The evacuation of prisoners is to take place according to the Jail Fire Policy. Transport prisoners to other jails (i.e., Montgomery County or Kettering).

G. Reports

1. The sergeant or officer in charge is to assume full responsibility for all reports concerning bomb incidents made on the Municipal Building.

H. Recommendations for Bomb Threats (to be used in city schools)

The lack of violence and the lack of threats of violence provide a calming effect within the school and community.

The publicity of bomb threats appears to perpetuate itself. The following proposed plan might be adopted whereby schools could be searched and determined free of any suspicious device without any publicity or fear generated by the student body. The number of such threats would decrease, and there should be less school disruptions.

When a bomb threat is received by phone, the person receiving the call should transmit a pre-arranged "coded message" on the school inter-communication system. The police must be called immediately on every bomb threat.

This "coded message" could be calling a person that is regularly assigned to the administration office to report

to the office. For example, a secretary or counselor. Upon receiving the "coded message", each teacher, member of the custodial staff, and any other member of the school personnel should check their assigned area. Special emphasis should be placed on storage closets, restrooms, gymnasium, auditorium, boiler room and basement areas. The police could check the exterior of the building when they arrive. The school personnel that check their areas should call the administration office to report any suspicious object of that the area is clear. Never touch any suspicious object.

The term "object" should be used and the word "bomb" should be avoided whenever possible.

If any suspicious object is found, the office should be notified, the fire alarm sounded, and the building evacuated.
UNDER NO CIRCUMSTANCES SHOULD THE OBJECT BE TOUCHED.

Whoever finds the object should report the location and give a description to the school administration staff.

Time is of the utmost importance in searching the building. The entire operation should be completed in five minutes.

If the threats become repetitive, the following procedure is recommended:

1. Installation of a phone recording device.
 2. Allow the police to contact the telephone company and put a lock on the phone so that the call can be traced.
- I. Some companies have bomb threat policies in place already. If at all possible, Division personnel will assist the company in implementing their policy.

J. Assist Agencies

1. 71st EOD - WPAFB 257-4536 or
1-800-435-8035 ext.74536
2. Bomb K-9s - WPAFB Kennel 257-6268
Desk
257-6517
Flight Chief 257-3
3. FBI Bomb Data Center 1-202-324-2672
Washington, D.C.
4. Redstone HDS 1-205
Huntsville, AL
5. Chemtrec 1-800
6. Hazardous Material Bureau Division 1-800-282-1927
of State Fire Marshall 1-614
7. Dayton PD Bomb Squad 449-1
Daytime and Weekdays Only 449-2246
Weekends Dayton PD Dispatcher 449-1000
8. Ohio EPA Division of Hazardous 1-614-644-2820 or
Waste Management 1-800
regular hours

TORNADO / ATTACK SIRENS

General Order 5-10
June 2011

I. TORNADO WATCH

- A. Upon notification of a tornado watch broadcast by the National Weather Service and/or the Montgomery County Sheriff's Office for areas including Montgomery County:
1. All information shall be logged as received.
 2. Notify the on-duty Fire Division officer.
 3. Notify the Shift Supervisor and all officers on duty.
 4. Monitor the television for up to the minute weather forecasts.
 5. The same procedure should be repeated as watches are extended.

II. ACTIVATING THE SIRENS FOR A TORNADO WARNING, TERRORIST ATTACK OR MONTHLY TEST

- A. Upon notification of a tornado warning broadcast by the National Weather Service and/or the Montgomery County Sheriff's Office or Television Broadcasts for areas including Montgomery County, set off the Tornado sirens. Upon notification of an imminent terrorist attack or actual terrorist attack set off Attack siren. A test of the sirens is conducted the first Monday of every month except in adverse weather. The sound of the tornado siren is a steady wail for three minutes. The attack siren sound is a cycling of 4-6 seconds on with 4-6 seconds off, lasting three minutes. There is also a 15 second test and a one second "growl" that can be performed for test/troubleshooting purposes. There are eleven sirens in the City, the six new sirens have a trouble alarm that gives off a "whoop-whoop" sound in dispatch. Upon hearing same notify the Fire Division.

To set off all eleven sirens:

1. On the Motorola Centracom screen, click on the Paging tab.
 2. Click the Unlock tab.
 3. Select the appropriate button: Tornado or Attack. This will also send an automatic page to Fire Division personnel so that they may set off sirens too.
 4. If the sirens did not activate try to set them off again on the radio console. If they still do not activate, go to the Tornado control box on console number one. Turn the key either way to light up buttons and make selection. This will only set off the six main sirens.
- B. Notify on-duty Police and Fire Units of your siren selection.
1. For Tornado Warnings, the Shift Supervisor will assign any available units to assist the Fire Division to act as spotters.
 2. Citizens seeking shelter at the Municipal Building will be directed to the basement. Have the Defensive Tactics Room open. Key #58 in the Dispatch Key Box will unlock the door.
 3. Tornado Warnings are issued by the National Weather Service in one hour increments.

4. The Shift Supervisor will assign any available unit to assist dispatch with the telephones during a Tornado or Attack Warning.

III. TAKE COVER ACTION FOR A TORNADO

- A. Upon notification of a tornado funnel cloud being spotted in the immediate area or traveling in our direction:
 1. Ascertain all information possible such as, has it touched down, exact location, direction of travel, and approximate speed.
 2. Set off the Tornado Sirens; if previously set off, set them off again.
 3. Notify on-duty fire and police units of the tornado's path and to take cover.
 4. If the City/Police Administration Building is in the projected path of a tornado, the dispatcher will announce over the paging system of the approach and to take cover in designated safe areas. The dispatcher will take a portable radio and move to the safe area.
 5. Any confirmed report of a tornado touchdown should be reported to the National Weather Service Storm Line, P.S. #1-800-899-2748. This is to be done when time permits.

Report:

- a. Who you are.
- b. Where the event is occurring.
- c. What is reported as being seen.
- d. Movement of the event, the motion of the entire storm cell.

STRIKES AND LABOR DISPUTES

General Order 5-11
May 2001

I. PURPOSE

- A. To state division policy for incidents requiring police action which evolve from strikes, labor-management disputes, or other employee-employer controversies.
- B. To furnish a guideline of police response to certain specific actions related to job actions.
- C. To provide for the safety of persons and property at the site of a labor dispute or strike.

II. POLICY

It is the policy of this division to maintain an attitude of strict impartiality in labor-management disputes or labor controversies and to take prompt decisive action whenever peace and order, civil rights, or life and/or property are threatened.

III. PROCEDURE

A. Rights of Picketers

- 1. The U.S. Supreme Court has held that peaceful picketing is a means of exercising free speech guaranteed by the United States Constitution. As long as pickets remain peaceful and orderly these actions are protected and are legal.
- 2. Unless an injunction is issued limiting the number of pickets, there is no limit to the maximum number of persons who may picket at a particular site, nor is there a requirement that the pickets be employees of the business being picketed.
- 3. Picketers may take certain legally acceptable actions to give public notice of the fact that a labor dispute is in progress.
 - a. They may publicize that a strike exists or of the nature of a dispute by carrying signs or placards with informational messages.
 - b. They may seek through persuasion to induce other employees of the company to refuse to cross the picket line.
 - c. They may seek through persuasion to influence customers or suppliers not to deal with the picketed employer, and may attempt to persuade employees of customers or suppliers not to cross the picket line or otherwise deal with the company for the duration of the strike.
 - d. Pickets may communicate vocally with non-striking employees or with occupants of vehicles entering or leaving the premises in an attempt to persuade these persons to refuse to work for or deal with the employer involved.

B. Rights of Employer and Non-Striking Employees

- 1. No person may be denied entry to or egress from their place of employment or any other place they are legally entitled to be because of a strike or job action.

2. Every person who wishes to report to work has an absolute right to be secure in his/her person and property, and to be free from harassment, intimidation, interference, threat or abuse from anyone else, including persons on a picket line during the time of a labor dispute or strike.
3. No barricade or other device may be erected across a driveway entrance to an employer's parking lot by striking employees. No picket line may be established and maintained primarily for the purpose of forcibly denying entry to or egress from a parking lot by vehicles or pedestrian non-striking employees.
4. No objects or injurious material may be thrown at autos waiting to enter a parking lot, and no injurious materials such as nails, glass, tacks, wire, etc., may be thrown on the roadway entrance to the employee's parking lot.

IV. ENFORCEMENT GUIDE

A. Pickets Blocking Driveway Entrance

1. Initial Notice - as soon as it is practicable after the initiation of a strike and the establishment of picket lines, a police supervisor will advise representatives of the striking employees and representatives of the company of the "rights of picketers" and "rights of employer and non-striking employees" outlined in Section III A & B of this procedure. When necessary, this advisory will be stated to union representatives or employees at entrances to the parking area or building.
2. Any employees who wish to leave the premises of their work place will be permitted to do so without interference from strikers or picketers. If egress from the lot is being impeded by anyone, including picketers on the picket line, those persons will be directed to move aside and police officers will direct traffic out of the lots. Officers will place themselves between picketers and moving traffic in order to minimize incidents and traffic will be moved out of the lot as quickly and expeditiously as possible. Persons who refuse to obey the CLEARLY EXPRESSED orders of a police officer will be cited to court for a violation of Section 303.01(a) "Compliance with Police Orders" (a minor misdemeanor) or may be arrested for violation of Section 537.08 "Unlawful Restraint" (a misdemeanor of the third degree).
3. Any employee who wishes to enter the premises of his/her workplace will be permitted to do so without "aggressive interference" from strikers or picketers. If entrance to the building or parking area is being blocked or substantially impaired by picketers whose main purpose is to impede traffic rather than announce their labor dispute, these persons shall be advised to modify their behavior. If the problem continues without correction, picketers and union officials will be warned that their actions are not reasonable and are in violation of Section 2917.11(A)(4) of the Ohio Revised Code, and that arrests are going to be made if the problem is not corrected.
4. If traffic into lots is slowed but not blocked or substantially impaired by picketers announcing their labor dispute, officers will observe only to prevent incidents which have a potential risk of physical harm to persons or property of both picketers and non-striking employees.

B. Criminal Violations

1. Any person identified as committing a criminal action in the presence of a police officer will be immediately detained by the police officer for prosecution of the offense.

- a. If the violation is for an "on view" violation for which another party is not necessary (such as throwing injurious material on the highway) the subject will be arrested and removed from the scene, with charges signed by the police officer.
 - b. If the violation involves another person as the complainant or victim (such as criminal damaging) the suspect will be identified if the victim agrees to prosecute and sign the complaint. The complainant will be required to respond to the police division to complete the complaint filing. An arrest shall be made upon the proper filing of the complaint and issuance of a warrant or summons. If the victim refuses to sign the complaint, the suspect will be identified only and released at the scene.
2. Any person who is alleged to have committed a criminal offense not in the presence of a police officer, but who is identified to the officer by a victim is to be detained for identification purposes only. The victim is to be advised of his/her rights to pursue criminal charges and directed to the police station for follow-up. The alleged perpetrator is to be released until such time as a warrant is issued.

C. Temporary Restraining Orders

1. If an employer feels that the conduct and/or number of picketers is such that it interferes with ingress or egress to a building or to parking areas, that employer may ask the common pleas court to issue a restraining order limiting the number of pickets, their numbers, and even regulating the hours of picketing at a work site. A properly issued injunction is a declaration of the rights of all parties as protected by law under the state's police powers.
2. Persons who violate the provisions of a temporary restraining order are susceptible to punishment for a contempt of court charge. However, this charge constitutes a civil arrest as opposed to a criminal arrest with which most police officers are familiar. The primary enforcement agency for violations of a court order (temporary restraining order) is the Montgomery County Sheriff's Office. The Sheriff's Office may request assistance from municipal police if deputies intend to make arrests or citations for contempt of court violations of a temporary restraining order. Moraine Police will render any assistance requested from Sheriff's deputies enforcing the T.R.O.
3. If the provisions of a temporary restraining order are violated with no corresponding violation of criminal law of the City of Moraine or the State of Ohio, such violations are to be documented and the information forwarded to the Sheriff's Office for enforcement and/or arrest for contempt of court. Officers will render any direct assistance specifically requested from the Sheriff's Office in this enforcement. Moraine police officers shall not initiate action to enforce the provisions of a temporary restraining order.

4. The existence or lack of a temporary restraining order will not relieve any Moraine officer of the responsibility to take action for violations of the criminal or traffic laws of the City of Moraine and the State of Ohio as outlined in the procedure.

V. LEGISLATION

- A. Section 303.01 Moraine Codified Ordinance "Compliance with Police Orders" Section (a) states: "No person shall fail to comply with any lawful order or direction of any police officers invested with authority to direct, control or regulate traffic."
- B. Section 303.02 Moraine Codified Ordinance Traffic Direction, Section (a) states: "Police officers shall direct or regulate traffic in accordance with the provisions of this Traffic Code, provided that in the event of fire or other emergency or to expedite traffic or safeguard pedestrians, they are authorized to direct traffic as conditions may require notwithstanding the provision of this Traffic Code...No person shall fail to comply with any lawful order or direction of any police officer or firefighter issued pursuant to this section." (Minor misdemeanor)
- C. Section 4511.07 O.R.C. "Local Traffic Regulations" states: "Sections 4511.01 to 4511.78, 4511.99 and 4513.01 to 4513.37 of the Revised Code do not prevent local authorities from carrying out the following activities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power":
 1. Regulating the stopping, standing, or parking of vehicles, trackless trolleys and streetcars;
 2. Regulating traffic by means of police officers or traffic control devices;
 3. Regulating or prohibiting processions or assemblages on the highways...
- D. Section 525.09 "Resisting Arrest" states: "No person, recklessly or by force, shall resist or interfere with a lawful arrest of himself or another."
- E. Section 509.03 "Disorderly Conduct" states:
 1. No person shall recklessly cause inconvenience, annoyance or alarm to another by doing any of the following:
 - a. Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
 - b. Making unreasonable noise of offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person;
 - c. Insulting, taunting or challenging another under circumstances in which such conduct is likely to provide a violent response;
 - d. Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within, or upon public or private property, so as to interfere with the rights of others and by any act which services no lawful and reasonable purpose of the offender.
 - e. Creating a condition which is physically offensive to persons or which presents a risk of physical harm to person or property by any act which services no lawful

and reasonable purpose of the offender.

2. No person, while voluntarily intoxicated, shall do either of the following:
 - a. In a public place or in the presence of two or more persons engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary sensibilities, which conduct the offender, if he were not intoxicated should know is likely to have such effect on others;
 - b. Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.

(Minor misdemeanor - if offender persists after reasonable warning, misdemeanor fourth degree - O.R.C. 2917.11)
- F. Section 311.01 "Placing Injurious Material or Obstruction in Street" states:
 1. No person shall place or knowingly drop upon any part of a street, highway or alley any tacks, bottles, wire, glass, nails or other articles which may damage or injure any person, vehicle, or animal traveling along or upon such street;
 2. Any person who drops or permits to be dropped or thrown upon any street any noxious, destructive or injurious material shall immediately remove same.
 3. No person shall place any obstruction in or upon a street without proper authority.
(Minor misdemeanor - O.R.C. Section 4511.74).
- G. Section 537.06 "Menacing"
 1. No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of such other person or member of his immediate family.
(Misdemeanor of the fourth degree)
- H. Section 537.08 "Unlawful Restraint"
 1. No person, without privilege to do so, shall knowingly restrain another of his liberty.
(Misdemeanor of the third degree)

VACATION AND SECURITY CHECKS

General Order 5-12
January 2010

I. PURPOSE

To establish guidelines for vacation and security checks.

II. DEFINITIONS

- A. Vacation checks are those checks made on residential property within the City while citizens are on vacation.
- B. Security checks are those checks made on a building or area, requested by a citizen or business, due to a specific problem or unusual circumstance, (i.e., labor problems, juvenile problems, thefts, etc).
- C. Both security check types will be referred to in CAD as a "VHC" call type or Vacation House Check.

III. INITIAL REQUEST

- A. The dispatcher will be responsible for taking the initial information for a security or vacation check by telephone or on post. The officer will be responsible for taking the information if received while on road patrol. The following information will be recorded on the vacation / security check sheet:
 - 1. Vacation Checks
 - a. Name, address, telephone number.
 - b. Destination and phone number the person can be contacted at in the event of an emergency.
 - c. Local person to contact if necessary.
 - d. Persons authorized to enter and leave premises during the absence. Times persons will be on the premises. If someone will be checking the residence, obtain that person's name and contact information.
 - e. Length of request.
 - 2. Security Checks
 - a. Location, specific reason for the check, emergency contact information for multiple persons or multiple methods of contact.
 - b. Persons allowed on premises and times subjects will be on premises.
 - c. Any other pertinent information that would assist the officers while conducting the security check.
- B. The dispatcher will notify the officer of any new VHC checks received and will immediately place the information on the dispatch information log (MRLOG). The dispatcher will also immediately relay information to the officer and place on the log that a VHC has concluded if the VHC concludes earlier than expected.

- C. The midnight shift dispatcher will make log entries on the dispatch information log (MRLOG) of each VHC every night at the start of a new log. The information will include:
 - 1. VHC reference number (located on the pre-printed VHC sheet)
 - 2. Address
 - 3. Dates VHC is active
 - 4. Reason for the check (vacation, crime problem, etc.)
 - 5. Any special circumstances or pertinent information that would help the officer
- D. When the officer conducts a VHC, the dispatcher will enter it as a call for service in CAD and will conduct the appropriate officer safety checks such as with any other security or enforcement call.
- E. No vacation or security check will be entered for longer than twenty-one days without the approval of the Chief of Police.
- F. Once the vacation/security check has expired, the dispatcher shall remove the vacation/security check from the book and file same with the Lieutenant.

IV. OFFICER RESPONSIBILITY

- A. The officers will use the in-car MDT to pull up the MRLOG and ascertain what VHCs are located in his or her assigned patrol area. The officer assigned the beat that has a vacation or security check shall check the premises no less than one time during each tour of duty, or as requested or instructed.
- B. When conducting a VHC, the officer will call out via the radio that they are conducting the VHC and use the reference number associated with the particular address. The address should not be used over the radio for the routine checks.
- C. When clearing the VHC, the officer will add any pertinent information to the call screen on the MDT and then clear themselves using the appropriate codes.
 - 1. It will be the shift supervisor's duty to see that the vacation/security checks are up to date and completed.
 - 2. Once the vacation/security check has expired, the dispatcher shall remove the vacation/security check from the book and file same with the Lieutenant.

USE OF FORCE

General Order 5-13
October 2016

I. POLICY

It is the policy of the Moraine Police Division that members of the division will use only the reasonable amount of force necessary to bring a person under control, and such force will cease as soon as the suspect resistance ceases.

The value of human life is immeasurable in our society, and police officers have been delegated the responsibility to protect life and property and apprehend criminal offenders. The protection of life is our most important concern; more important than the apprehension of criminal offenders and/or the protection of property. The officer's responsibility for protecting life must include his own.

II. PURPOSE

This procedure is established to provide guidelines under which the use of force by police officers is permissible; to facilitate the documentation of essential facts relative to any alleged or actual use of force by a member of the police division; to establish division policy authorizing the carrying of firearms both on and off duty; to set policy in regards to training and certification and the keeping of training and certification records.

III. DEFINITIONS

- A. Firearms: Any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant.
- B. Reasonable Belief: More than mere suspicion, but less than absolute certainty.
- C. Probable Cause: Reasonable belief, based on reliable evidence, that a suspect has committed a crime.
- D. Exigent circumstances: Urgent conditions or factors that must be considered in determining a course of action, requiring immediate attention or remedy.
- E. Force: Any violence, compulsion, or constraint physically exerted by any means upon or against a person or thing.
- F. Deadly Force: Any force that carries a substantial risk that it will proximately result in the death of any person.
- G. Deadly Weapon: Any instrument, device, or thing capable of inflicting death, and designed or specifically adapted for use as a weapon, or possessed, carried, or used as a weapon.
- H. Serious Physical Harm to persons; any of the following;
 - 1. Any mental illness or condition which of such gravity as would normally require hospitalization or prolonged psychiatric treatment.
 - 2. Any physical harm which carries a substantial risk of death.

3. Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary substantial incapacity.
 4. Any physical harm which involves some permanent disfigurement, or that involves some temporary, serious disfigurement.
 5. Any physical harm which involves acute pain of such duration as to result in substantial suffering, or that involves any degree of prolonged or intractable pain.
- I. Reportable Use of Force: On duty supervisors, as soon as practical, will be notified of a use of force for purposes of this general order, will include the following acts;
1. Striking of a person with the hand, weapon or other object.
 2. Compliance techniques, control holds, personal defense, take-down techniques.
 3. Causing a person to be forcibly shoved or thrown to the ground or against another object.
 4. The use of chemical spray (O.C.) against a person.
 5. The drawing of a firearm, if the firearm is openly displayed with the purpose of coercing an individual to submit to authority.
 6. The intentional discharge of a firearm or electrical conducted energy weapon at a human being.

IV. PROGRESSIVE USE OF FORCE

- A. Employees may only use the force which is objectively reasonable to affect lawful objectives including; affecting a lawful arrest or overcoming resistance to a lawful arrest, preventing the escape of an offender, or protecting or defending others or themselves from physical harm.
- B. An officer may be required to use deadly force in order to accomplish his/her objective. Deadly force will be utilized by an officer only as described in Sections V
- C. When it becomes necessary for an officer to use force, every effort will be made to adhere to the following use of force continuum, and one should escalate or de-escalate the use of force as the situation demands. The appropriateness of the officer's use of force will be judged on the standard of "objective reasonableness" or in other words, the officer must act as other reasonable officers would have acted in a like or similar situation. The officer will respond to resistance or aggression in accordance with the objective reasonableness standard and the degree of force used shall be based on the Use of Force continuum and shall be determined by the actions of the subject, the environment in which the subject is encountered and the totality of the circumstances. Officers are not expected to engage in hand-to-hand combat before resorting to a higher level of force in order to bring a person under control.

Use of Force Continuum

1. Physical presence
2. Verbal commands
3. Escort position, balance displacement
4. Chemical spray, pressure point control (ppc) and pain compliance techniques and Taser in drive stun mode
5. Striking techniques, Taser in probe launch mode (NMI effect)
6. Deadly force

- D. The above use of force continuum is meant to be only a guide and to the extent there is reasonable time, the officer should consider the particular circumstances before using any degree of force. Those circumstances include:
1. The nature and seriousness of the risk of injury to the officer or others;
 2. The age, size, skill level, relative strength, physical condition, and behavior of the subject toward which force may be used;
 3. Officer injury, exhaustion or tactically unsound position;
 4. Closeness of weapons, suspect/officer skill level or special knowledge;
 5. Relevant actions by any third parties/ multiple suspects;
 6. Environmental conditions such as visibility at the scene;
 7. The feasibility and/or availability of alternative actions;
 8. The opportunity and actual ability of the suspect to injure the officer or others;
 9. Any other special or relevant officer/subject factors or external/environmental conditions.
- E. It is understood that some situations require the officer to carry a flashlight in his/her hand in order to see clearly under poor lighting conditions. When an immediate use of non-deadly force presents itself under those conditions, the officer will not be expected to delay taking appropriate action while he/she holsters or drops the flashlight in order to take the baton in hand. The flashlight may be used as an emergency impact weapon.
- F. In rare instances, emergency circumstances may dictate the necessity of using any item of opportunity, other than traditional weapons, to defend life or control a person. The use of those items must fall within all other guidelines regarding the use of force on a person but their use is permitted with the following limitations:
1. Striking a person with a police portable radio is strongly discouraged.
 2. Striking a person with a firearm is strongly discouraged.

V. USE OF DEADLY FORCE IN DEFENSE OF HUMAN LIFE

- A. The preservation of human life is of the highest value in the State of Ohio. Therefore, officers must have an objectively reasonable belief deadly force is necessary to protect life before the use of deadly force. Deadly force may be used only under the following circumstances.
1. To defend themselves from serious physical harm or death; or
 2. To defend another person from serious physical harm or death; or
 3. In accordance with the U.S. and Ohio Supreme Court decisions, specifically *Tennessee v. Garner* and *Graham v. Conner*
- B. Officers shall not discharge a firearm at or from a moving vehicle except as the ultimate measure of self defense or defense of another when the suspect is using deadly force by any means. The decision to use firearms at or from a moving vehicle shall take into account the location, vehicular and pedestrian traffic, and hazard to innocent persons.

- C. To kill an animal is justified:
 - 1. In self defense, or in defense of another, or;
 - 2. When the animal is so badly injured that humanity requires its relief from further suffering; however, this should only be done after a reasonable effort has been made to contact animal control and the owner of the animal, if known, and with prior approval of a supervisor or O.I.C.

VI. USE OF DEADLY FORCE TO APPREHEND A FLEEING FELON

- A. An officer may employ a deadly force response to stop a fleeing suspect if the officer has probable cause to believe all of the following:
 - 1. The suspect committed a felony
 - 2. The force is necessary to effect the capture or prevent escape of the suspect.
 - 3. The suspect poses a significant threat of death or serious physical harm to the officers or others, should arrest be delayed.
 - 4. If feasible, some warning should be given.

VII. USE OF FORCE IN THE DETENTION SETTING

- A. It will be the policy of this division to use only the amount of force necessary to gain control of a detainee. Force may be necessary for the defense of a division member, for protection of another person, to prevent a riot or escape, or to enforce rules of detainee conduct.

The division members will make every effort to adhere to the use of force continuum listed previously in this general order while in a detention setting, keeping in mind that due to the detention setting's policies, not all use of force tools (handgun, baton, aerosols, etc.) may be available for immediate use.

- B. Guidelines for reporting use of force in the detention setting and for providing medical attention to detainees who are involved in detention use of force incidents are as follows:
 - 1. Should it be necessary to use physical force to gain control over a detainee, the shift supervisor/OIC will be immediately notified of the fact.
 - 2. A Use of Force Report will be filed.
 - 3. When force is used in the detention setting and there are visible or claimed injuries, the detainee shall be checked by paramedics as soon as it is practical to do so or before the detainee is released.
 - 4. Detainees involved in a use of force incident who have suffered an obvious injury, or complains of injury, or requests medical assistance, will receive prompt medical attention.

VIII. TRANSPORTING SUSPECTS

Do not transport suspects in the hog-tie position.

- A. A subject who exhibits signs of alcohol or drug intoxication should not be placed on his stomach during transport.
- B. Officers must remain alert to the possibility of respiratory distress (gasping response or no response at all) in combative subjects who are restrained subsequent to a violent encounter.

IX. RESPONSIBILITY OF SUPERVISORY PERSONNEL

- A. Supervisory personnel are accountable for the performance of the personnel under their immediate control.
- B. Supervisory personnel must require those under their immediate control to conform to this policy, performance standards, and their training.

X. POLICY TRAINING

- A. All sworn personnel shall be issued a copy of General Order 5-13, Use of Force, and receive instruction on its contents prior to being authorized to carry any weapons ~~a firearm~~. When any change in this policy occurs, all sworn officers will be instructed in those changes
- B. All employees authorized to carry weapons will annually be trained and tested on the Use of Force policy including; use of force/use of deadly force, use of force /use of deadly force reports, use of firearms reports and the use of force / use of deadly force review and investigations.
 - 1. The training and testing will occur annually prior to or at, the first departmental qualification.
 - 2. Documentation will be maintained showing the employee received the policy training.
 - 3. Documentation will be maintained showing the employee was tested demonstrating knowledge of the policy and the subject matter.

XI. WARNING SHOTS

Warning shots pose a danger to officers and citizens alike and are prohibited.

XIII. FIREARMS QUALIFICATIONS

- A. Firearms Training
 - 1. The division firearms training program will consist of comprehensive instructions and practical training. Topics covered will include:
 - a. The legal requirements of the use of force and deadly force.
 - b. Division policy on the use of force.
 - c. Firearms safety.
 - d. Firearms proficiency and tactics.

2. The Division will strive to provide firearms proficiency training which will reflect those circumstances and conditions that our police officers are most likely to encounter in real life, deadly force situations.

B. Firearms Certification

1. The training section supervisor shall maintain firearm qualification records of each officer authorized to carry a firearm. The record shall consist of the following minimum information:
 - a. Officer's name
 - b. Date of qualification
 - c. Weapons qualified with including make, model, caliber
 - d. Course curriculum / course of fire
 - e. Environmental conditions
 - f. Instructor's name
 - g. Any written test results.
2. Scores will be recorded as pass/fail.

C. Non Certification by Officer

1. Should an officer, with their duty handgun, fail to meet minimum qualification standards or fail any judgmental training, or should an officer fail any written or oral exam on firearms/use of force, he/she will be relieved of his/her authority to carry a firearm.
2. If an officer fails to qualify with any other firearm, she/she will not be authorized to carry that weapon(s) until such time as a minimum qualification standard is achieved.
3. A maximum of three remedial training sessions will be scheduled for the officer who fails to qualify with his/her weapon. The first remedial training session will be scheduled as soon as possible after the session in which the officer failed to qualify. If needed, the second and third sessions will be scheduled at least one week apart. If the officer still fails to qualify after the third remedial session, he/she is subject to the Disciplinary Procedure.

XIV. AUTHORIZED WEAPONS AND AMMUNITION

A. All Division issued and approved weapons.

1. Any division issued duty handgun, division issued duty shotgun, division approved secondary weapon, division approved off-duty weapon, division issued rifle or division approved rifle must meet the following requirements:
 - a. The firearm must be loaded and used in conjunction only with division issued and approved ammunition. Qualification will be completed using only ammunition comparable to or the same as the ammunition that is carried in the firearm for duty use. The firearms training unit will keep a list of division issued and approved ammunition

- b. The firearm must be registered and certified safe by the firearms training unit
- c. Repairs and modifications of division issued weapons is prohibited unless performed by the firearms training unit or at the direction of the firearms training unit
- d. Repairs and modifications to personally owned weapons will not be made without the pre-approval of the firearms training unit and without being inspected again before being placed back in service.
- e. The firearms training unit should be notified immediately of any weapon that needs service. Any officer who takes any weapon out of service should notify the firearms training unit immediately, or the shift supervisor if an FTU officer is not on duty, and a written notice should be sent to the FTU.
- f. All weapons are subject to inspection at any time. A failure of inspection will be grounds for the weapon being removed from continued service until repaired.
- g. All officers must qualify at least annually with all weapons they are certified to carry. The qualification proficiency standard and course content will be established by the firearms training unit and will be, at a minimum, those prescribed by the State of Ohio. All officers must also demonstrate familiarity with the weapon and an understanding of it's operation during each qualification.
- h. Only issued or authorized holsters and accessories may be used in conjunction with the weapons. Officers will use only issued/authorized holsters, accessories and carry methods during training and qualification.
- i. Officers are required to ensure that all division issued and approved weapons are kept and/or stored in such a manner that the weapons are reasonably secured and inaccessible to non-division persons and cannot be operated by non-division persons. This includes safe storage while in off duty hours.
- j. Officers assigned to the SAS or on special assignment, whose official duties may require carrying a firearm or ammunition other than those listed below, must receive prior approval from the Chief of Police or his designee.
- k. The privilege of carrying a personally owned weapon may be revoked at the discretion of the Chief of Police due to disciplinary issues, inability to use sound judgment or unsafe weapon handling.
- l. Officers carrying any type of duty or off duty weapon are required to also carry an official issued Moraine Police Division Identification card with them while carrying that weapon. The Chief of Police can make certain exceptions for undercover officers.
- m. Officers will not carry a firearm while under disciplinary suspension or otherwise prohibited by Federal or State law from possessing a firearm.

B. Division Issued Handguns

- 1. The division issued duty handgun will be the officers choice of:
 - a. SigSauer P220 .45 ACP / SigSauer P220R .45 ACP
 - b. Glock 21 .45 ACP / Glock 21 SF .45 ACP

- c. Colt Govt Model .45 ACP / SigSauer 1911 model .45 ACP
 - d. Glock 30 .45 ACP / Glock 30 SF .45 ACP
 - e. Any other model, version or variant deemed necessary or appropriate by the Chief of Police.
2. Every uniformed officer will be furnished with a dual pistol magazine holder that must be carried on the belt, must contain two magazines and each magazine must be fully loaded.
- C. Secondary and Off-Duty Weapons
- 1. An officer may carry a secondary defensive or back-up weapon.
 - 2. An officer is encouraged, but not mandated, to carry an off-duty weapon.
 - 3. Secondary and off-duty weapons shall meet the following requirements:
 - a. Be approved by the firearms training unit, Chief of Police or his designee.
 - b. The weapon must be capable of firing a .380 caliber or larger bullet that is authorized by the firearms training unit.
 - c. Secondary and off-duty weapons must remain hidden from view at all times unless circumstances require the weapon to be drawn in anticipation of it's imminent use.
 - d. Secondary weapons must only be used if the duty weapon is inaccessible, inoperable, or the ammunition supply for the duty weapon has been exhausted.
 - 4. Knives and multi-tools may be carried for use as a general tool of utility value. Knives and multi-tools will not be used as weapons unless meeting the criteria of section IV.F. and all other provisions of this section. Knives and multi-tools will be carried in a secure manner and will be limited to:
 - a. A utility tool or multi-tool will be completely concealed in the pocket or in a closed sheath of the duty belt.
 - b. A folding knife completely concealed in the pocket or, using a clip manufactured on the knife, clipped to the trouser pocket so only the top portion of the knife is visible and the knife is mostly concealed.
 - c. A fixed blade knife that is contained in an enclosed sheath and carried in such a manner that the sheath and handle are concealed or mostly concealed.
 - 5. Officers, while carrying a secondary or off-duty weapon, must otherwise follow all applicable laws, policies and procedures pertaining to weapons and firearms. No officer will carry or be in immediate control of any firearm while under the influence of alcohol or drugs.
 - 6. An off-duty weapon may be any of the officers' normal use of force weapons such as OC, ASP, etc.
- D. Shotguns
- 1. Shotguns for the Moraine Police Division will be the division issued 12 gauge Benelli semi-automatic shotguns.

2. A shotgun will be assigned to each marked patrol vehicle in the cruiser ready condition (magazine fully loaded, a round on the carrier, bolt forward, chamber empty and the safety in the off-position). It is important that the shotguns be secured in the vehicles in a uniform manner so every officer knows exactly what condition the weapon is in when it is needed. Officers are responsible for inspecting the weapon in their assigned vehicle at the beginning of each shift to ensure that it is operating properly and in the correct condition.
3. Shotguns are to be removed from the police vehicle when the vehicle is out of service at a garage, other than the City Garage, for maintenance. Shotguns removed from the vehicle, unloaded, and secured in the shotgun locker. A note will be left with the weapon to identify which vehicle it was removed from.

E. Rifles

1. The Police Division owns a limited number of Colt M-16 / AR-15 type rifles and may issue these rifles to officers at the discretion of the Chief of Police.
2. Officers who wish to carry a personally owned rifle for on-duty use will be permitted to do so with the approval of the Chief of Police.
3. Regardless if the rifle is division or personally owned, use of the weapon is subject to the following requirements:
 - a. The officer must have successfully completed the field training program.
 - b. The officer must have no past serious disciplinary issues with regard to the use of sound judgment.
 - a. The rifle must be a Colt AR-15 / M-16 type rifle or "Colt clone" type rifle of law enforcement quality, .223 caliber with no mechanical modifications made to the trigger/firing system. The rifle must be equipped with a sling and at least two magazines.
 - b. During the officer's tour of duty, the rifle will be kept in the in-car rifle rack or some type of protective case in the trunk of the car, until its deployment is required. While in the case or rack, the rifle will be carried in a "cruiser ready" position (bolt closed, chamber empty, safety off and a fully loaded magazine inserted in the weapon).
 - c. The rifle may be kept in the trunk or rack of marked patrol vehicles during the officer's tour of duty only. At the end of the tour of duty the officer must remove the rifle from the patrol vehicle and secure it in an approved location. Rifles will not be left in the marked patrol vehicles after the tour of duty. Rifles may be kept in the trunk of an unmarked car (command staff, detectives, etc.) But will be removed if the unmarked car leaves the possession of the police division (i.e., service at a dealership). Any vehicle containing a rifle will be secured while unattended.
 - d. Prior to the initial qualification the officer will undergo a basic familiarization course / training session taught by the Moraine PD firearms training unit.

- e. Once qualification with the rifle is complete, no modifications or repairs will be made to the weapon unless approved by the firearms training unit. This includes, but is not limited to, sights, optics, grips, stocks, etc... Once the approved modifications are complete, the officer must qualify with the weapon before carrying on duty.

XV LESS LETHAL WEAPONS

- A. Officers will be provided with and certified in the use of division approved less-lethal weapons as follows.
- B. These less lethal weapons will be carried and used only in accordance with the provisions of this general order, all applicable laws and current established division training standards.
- C. Only Division approved less lethal weapons will be carried and all issued less lethal weapons will be carried while on duty unless otherwise authorized by the Chief of Police.
- D. Less lethal weapons may be carried off duty.
- E. Approved less lethal weapons will include:
 - 1. Approved O.C.
 - 2. Approved batons, including the ASP.
 - 3. Taser X-26 and M-26 electrical control devices.
 - a. General use of the Taser will be divided into two separate categories:
 - 1. Drive stun mode will be primarily used as a pain compliance technique.
 - 2. Probe launch mode (NMI effect) will be considered a higher level of force and officers must perceive:
 - a. An immediate threat of harm or injury to themselves or others,
 - b. Fleeing or flight risk from a serious offense,
 - c. Officers should consider the necessity of a warning,
 - d. Officers must be aware of foreseeable risks of secondary injuries from falls or other environmental factors.
 - b. As with all Use of Force situations, officer/subject factors and environmental factors can affect the use of force but, the generally approved uses for all "Taser" type weapons are:
 - 1. To control subjects who are exhibiting active aggression and/or are actively resisting, when verbal commands (time permitting) have failed and the officer feels that the subject presents a risk of harm to himself or others if not restrained.
 - a. Fleeing should not be the sole justification for using a Taser against a subject. Officers should consider the severity of the offense, the subject's threat level to others, and the risk of serious injury to the subject before deciding to use the Taser on a fleeing subject.
 - 2. To disarm and control subjects in a situation that may escalate to deadly force. This could include but is not limited to persons holding themselves hostage with knives or other sharp instruments, blunt weapons, or martial arts practitioners. It is not advisable to use against person armed with firearms or threatening others with weapons.

3. Other circumstances where the use of the device is likely to assist officers in gaining control of the resistive or combative subject.
- c. Non-approved uses are:
 1. Against young children, women known to be pregnant and the elderly.
 2. Against persons contaminated with flammable liquids.
 3. Against anyone as a means of punishment.
 - a. Subsections 1 and 2 may not apply if the use of the weapon can be justified as a means to reduce the chance of a higher level of force.

XVI. ADMINISTRATIVE LEAVE/DUTY

- A. Any officer directly involved in a deadly force incident which results in a death or serious physical harm will be placed on administrative leave.
- B. Any officer directly involved in a deadly force incident will be placed on administrative leave directly upon completion of the paperwork detailing his/her involvement in the incident. The duration of such administrative leave will be determined by the Chief of Police.
- C. This leave shall be without loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave shall not be interpreted to imply or indicate in any way that the officer has acted improperly.
- D. While on administrative leave, the officer shall remain available at all times for official division interviews and statements regarding the deadly force incident and shall be subject to recall to duty at any time.
- E. The officer shall not discuss the incident with anyone except those listed in Section XI(B)(1) of this General Order.
- F. Psychological Services for the Officer

In all cases where any person has sustained serious physical harm or been killed as a result of the use of deadly force by an officer, the involved officer(s) will be offered the services of psychological counseling selected by the officer and approved by the Chief of Police. The counseling will be provided by the Police Division at the officer's request.

XVII. USE OF FORCE REPORT

- A. In any incident involving use of force or deadly force, each officer using force or deadly force will, prior to going off duty, complete a written "Use of Force Report". The report will be submitted to the relief supervisor if still on duty; if not, submit it to the current relief supervisor. If the officer is injured or otherwise unable to complete the report, the relief supervisor shall do so. A written incident report will also be initiated.
- B. The shift supervisor will review the report and determine if division procedures were adhered to and recommend if further investigation is needed.
- C. The shift supervisor will forward the Use of Force Report to the Chief via the Deputy Chief. Both the Deputy Chief and Chief will review the report to ensure compliance.
- D. An annual review of uses of force, and of the use of force policy, will be conducted to identify any potential improvements in policy, procedure or training which are needed. Reviews may occur more frequently, as needed.

XII. DISCHARGING OF FIREARMS REPORT AND INVESTIGATION

A. Reporting discharge of firearms.

1. Officers are required to report any deliberate or accidental discharge of firearms as follows:
 - a. The officer will report the incident to his/her immediate supervisor as soon as is practical after the incident in which the weapon was fired.
 - b. A "Discharge of Firearms Report" will be submitted by the officer involved prior to the end of the shift during which the firearm was discharged. The report will be submitted to the relief supervisor if still on duty; if not, submit it to the current relief supervisor.
 - c. If the officer involved is injured or unable to make the report, the officer's supervisor will submit the report prior to the end of the shift.
 - d. The shift supervisor will review the report and determine if division procedures were adhered to and recommend if further investigation is needed.
 - e. The shift supervisor will forward the Discharge of Firearms Report to the Chief via the Deputy Chief. Both the Deputy Chief and Chief will review the report to ensure compliance.
 - f. An annual review of discharges of firearms will be conducted to identify any potential improvements in policy, procedure or training which are needed. Reviews may occur more frequently, as needed.
 - g. Training, practice and qualification are exempt from the reporting section.

B. Procedures to follow after use of deadly force.

The following procedures will be used to investigate every incident of the use of deadly force by a division member except for target practice, hunting, ballistics examinations, and incidents involving the destroying of an animal.

1. The officer(s) involved in the use of deadly force, to include accidental or official discharges of a firearm, shall:
 - a. Notify the dispatcher of the incident and location, determine the physical condition of any injured person, request necessary emergency medical aid and render first aid when appropriate.
 - b. Remain at the scene (unless injured) until the arrival of the Detective Section. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd), the shift supervisor or O.I.C. shall have the discretion to instruct the officer to respond to a more appropriate location.
 - c. Preserve for examination the firearm or other instrument used and shall submit the firearm or other instrument to the appropriate investigator.

- d. Assist the Detective Section with any reports required for the investigation of the incident. Involved officers will give enough initial information to the OIC and detective section while on the scene so as to enable the detective section to begin the investigation, begin collecting evidence, and begin contacting potential witnesses.
 - e. Due to the trauma and high emotional stress brought on by deadly force incidents, the involved officer will be afforded the opportunity for emotional and stress levels to dissipate so as to facilitate a clear, concise, and coherent statement for the investigators. A reasonable amount of time will be given to facilitate this. If the officer was injured in the incident, the statement will take place as soon as the officer is physically able.
 - f. Not discuss the case with anyone except:
 - 1) Supervisors,
 - 2) Investigators,
 - 3) City/County prosecutor(s),
 - 4) Division approved psychologist,
 - 5) Division police chaplain/officer's chosen clergy,
 - 6) The officer's privately retained attorney,
 - 7) The officer's immediate family, or
 - 8) Other persons as approved by his/her supervisor.
2. The dispatcher shall:
- a. Dispatch requested medical aid,
 - b. Notify the on-duty supervisor or O.I.C.,
 - c. If any person is injured, suspect, bystander, officer or other, the Chief will be notified.
 - d. Notify other persons as directed by a supervisor or O.I.C.
3. The on-duty shift supervisor or O.I.C. shall:
- a. proceed immediately to the scene,
 - b. Ensure the securing of the scene,
 - c. Ensure an adequate and complete preliminary investigation,
 - d. Activate the Detective Section, as needed,
 - e. Render command assistance to the Detective Section, and
 - f. Assist the involved officer and remain conscious of the mental and physical state of any involved officers. The supervisor should be aware that uninvolved officers may also have adverse traumatic experiences and should remain conscious of that fact. The OIC will make an effort to stay in constant contact with the involved officers while at the scene to facilitate these actions. Involved officers shall not drive themselves away from the scene but rather will have an uninvolved officer or detective transport them away from the scene.

- g. The supervisor will direct the Moraine Police Department dispatch to make notification of the incident to a command staff person.
- h. The supervisor will initiate the process of calling in additional officers and dispatchers as needed.
- 4. A representative from the command staff will at a time which is appropriate;
 - a. Initiate the request for outside assistance of a debriefing unit if needed and assemble the employees in the debriefing.
- C. Investigation of the use of deadly force.
 - 1. The Detective Section will conduct a thorough investigation of every use of deadly force by a police officer.
 - 2. If the deadly force was by use of a firearm, examine the weapon(s) of all officers present at the time shots were fired , including secondary weapon(s) and any weapon(s) in police vehicles. Weapons which were discharged will be taken for examination along with all ammunition and ammunition carriers (magazines) for the firearm which was fired. The involved officers' firearms will be surrendered at the time immediately after the officers is taken from the scene. The involved officers weapons may be taken prior to leaving the scene if the OIC or detective believes it is necessary to the criminal investigation or believes the officer's possession of the weapon is not proper due to physical or emotional conditions.
 - 3. The assigned detective will initiate the offense case report for the entire incident and the involved officers will complete supplement reports as necessary.

XVIII. LAW ENFORCEMENT OFFICERS SAFETY ACT

- A. The Law Enforcement Officers Safety Act (LEOSA) is a Federal Law which permits the nationwide carrying of concealed handguns by qualified current and retired law enforcement officers and amends the Gun Control Act of 1968 to exempt qualified current and retired law enforcement officers from state and local laws prohibiting the carry of concealed weapons.
- B. Police Officers currently employed with the Moraine Police Division will comply with the Act under the following conditions and provisions:
 - 1. Current police officers of the Moraine Police Division will qualify and carry firearms and other weapons in conjunction with all other provisions of the entire Use of Force policy.
 - 2. LEOSA does not permit carrying of firearms into most Federal, State or Local Government controlled facilities.
- C. Retired Police Officers of the Moraine Police Division will comply with all conditions and provisions of the Act in addition to the following:
 - 1. Retirees must have separated in good standing, not facing any disciplinary action that could have resulted in his or her termination for misconduct or unfitness for duty.
 - 2. Retirees must have separated for reasons other than mental instability or psychological problems.

3. Retirees must have served the Moraine Police Division for a period of ten or more years as a police officer.
4. Retirees must not be prohibited by Federal, State or local laws from possessing or carrying firearms for any reason.
5. Retirees must not be under the influence of drugs or alcohol while carrying a firearm.
6. Retirees meeting the above requirements will be issued a permanent Moraine Police Identification card indicating a "RETIRED" status and must be in possession of that card while carrying a firearm.
7. The Moraine Police Division will not host training for or directly qualify the retiree. It will be the retirees' responsibility to attend and successfully pass a qualification course from an outside source. The qualification course must be the current OPOTA qualification standard for the specified weapon or an equivalent course of fire from the state in which the retiree resides.
8. It will be the responsibility of the retiree to comply with all current legislation as it pertains to the LEOSA and any subsequent changes that may be made.

ALTERNATIVES TO ARREST

General Order 5-14
April 1996

I. USE OF DISCRETION

- A. Discretionary power is the power of free decision, or latitude of choice within certain legal bounds. When this power is poorly exercised, discretionary power may be viewed by the public as favoritism, bias or corruption.
- B. Therefore, it is imperative that officers take into consideration when exercising discretionary power the goals and objectives of the Division, the best interests of the public they serve, any mitigating circumstances, and the volatility of the situation at hand.

II. ALTERNATIVES TO ARREST AND/OR PREARRAIGNMENT CONFINEMENT

- A. The power of arrest granted to police officers is one of the alternatives available to them under circumstances that require some form of police action. Additional alternatives that are effective and still allow an officer an alternative to arrest and/or prearrest confinement are issuing a summons in lieu of arrest; summons after arrest without warrant; permitting an O.R. Bond; minor misdemeanor citation; traffic citation.
 - 1. Summons in lieu of arrest without warrant and complaint on such summons - Criminal Rule 4(A)(3) of the Ohio Criminal Rules of Procedure states, "In misdemeanor cases where a law enforcement officer is empowered to arrest without a warrant, he may issue a summons in lieu of making an arrest, when issuance of a summons appears reasonably calculated to assure the defendant's appearance. The officer issuing such summons shall file, or cause to be filed, a complaint describing the offense. No warrant shall be issued unless the defendant fails to appear in response to the summons, or unless subsequent to the issuance of summons it appears improbable that the defendant will appear in response thereto."
 - 2. Summons after arrest without warrant, and complaint on such summons - Criminal Rule 4F states that in misdemeanor cases where a person has been arrested without a warrant, the arresting officer or his/her supervisor, without unnecessary delay, may release the arrested person by issuing a summons when issuance of a summons appears reasonably calculated to assure the person's appearance. The officer issuing such summons shall note on the summons the time and place the person must appear and, if the person was arrested without a warrant, shall file or cause to be filed a complaint describing the offense. No warrant or alias warrant shall be issued unless the person fails to appear in response to the summons.
 - 3. O.R. bond - Upon the arrest of a misdemeanor violator, unless a Judge has filed an exception, an officer has the option, with supervisory approval, of releasing the violator on his personal recognizance if it has been reasonably calculated the violator will appear at the criminal proceedings. Consideration should be given to the accused's employment, character and mental condition, length of residence in the community, his record of convictions and his record of appearance of court proceedings.
 - 4. Minor misdemeanor citation - Criminal Rule 4.1 permits a law enforcement officer in minor misdemeanor cases to issue a citation. A law enforcement officer who issues a

citation shall complete and sign the citation form, serve a copy of the completed form upon the defendant and, without unnecessary delay, swear to and file the original with the court.

5. Uniform traffic citation - Ohio Traffic Rule 3 states, "A law enforcement officer who issues a ticket shall complete and sign the ticket, serve a copy of the completed ticket upon the defendant and, without unnecessary delay, file the court copy with the court."
 - a. If the defendant deposits his current valid Ohio operator's or chauffeur's license with the officer as security, the officer shall notify the defendant that if he does not appear at the time and place stated in the citation or comply with O.R.C. 2935.25(C), his license will be canceled, that he will not be eligible for the reissuance of the license or the issuance of a new license for one year after cancellation and that he is subject to any applicable criminal penalties.
 - b. The Interstate Compact provides a procedure whereby a non-resident receiving a traffic citation must fulfill the terms of the citation or face the possibility of license suspension in the motorist's home state until the terms of the citation are met.

When the motorist from a Compact member state signs the traffic citation, he/she should be informed that his/her signature on the citation is his/her guarantee that the terms and instructions of the citation will be fulfilled. Failure to contact the court within the specified time will result in the motorist's having his/her license suspended by his/her home state.

- B. In lieu of formal action, an officer may exercise discretion and choose informal action to solve the problem, such as referral, informal resolution, and warning.
 1. Referrals - The officer shall offer referrals to other agencies and organizations when, in his/her discretionary judgment, it is the most reasonable alternative for the offender and the violation.
 2. Information Resolution - An officer, at his/her discretion, may offer informal resolutions to situations and conflicts when the officer's judgement they can be adequately resolved by use of a verbal warning; informing the proper agency or organization, advising parents of juvenile activity, etc.
 3. Warnings - A warning may be issued by an officer when, in his/her discretionary judgement, it is the most reasonable alternative for the offender and the violation.

C. Release Without Charges

If someone is arrested on probable cause and further investigation by the arresting officer determines that sufficient probable cause no longer exists, a supervisor will be immediately notified. Once determined, the suspect must be released. If possible, a suspect release form should be signed by the suspect. Under no circumstances should the suspect's release be contingent upon signing the form.

It is imperative that in these situations a detailed report of arrest is completed outlining the events that led to the probable cause for the arrest.

I. GENERAL ASSISTANCE TO MOTORISTS

- A. Because of the overall danger to the stranded motorist, and also to the motorist on the roadway potentially affected by the stranded motorist, the Division will offer reasonable assistance at all times to the motorist who appears to be in need of aid. This will apply at all hours of the day, but particularly during the nighttime hours when the hazards are higher.
- B. Officers should be constantly alert for roadway users who appear to need assistance. Officers should freely provide information and directions upon request. In an effort to better serve the citizens, officers should not only become familiar with the streets and services of the city, but also the various services and facilities available in the area.

II. STRANDED MOTORISTS

- A. Many occasions present themselves that call for the immediate removal of a disabled vehicle from a traveled highway so further traffic problems and/or the possibility of a serious collision may be diminished. At the discretion of the officer, the police vehicle may be used to move the vehicle to safety if it is equipped with push bars. Officers will not use their cruisers to "jump start" other vehicles.
- B. Officers may, at their discretion, transport stranded motorists to the nearest convenient location where assistance may be obtained; however, officers should be certain that assistance is available. When transporting stranded motorists of the opposite sex, officers will give the dispatcher their starting and ending mileage.
- C. Stranded motorists should not be abandoned when exposed to a hazardous situation. Consideration should be given to traffic hazards, location, time of day, weather conditions and priority of calls for service. This does not preclude placing devices to warn oncoming traffic and clearing the scene if conditions are such that this can be done safely. Officers should periodically check to ensure the condition does not deteriorate.
- D. Officers who assist stranded motorists should remain alert to the following possibilities: the vehicle, in the possession of the motorist, has not been authorized for their use; the vehicle is in unsafe operating condition; the motorist is unlicensed to drive; the motorist is incapable of safely operating the vehicle; and/or the vehicle's occupants have engaged in criminal activity.
- E. Officers may provide assistance to motorists in obtaining tow services, if needed.

III. EMERGENCY ASSISTANCE

- A. Officers will render all practical assistance to users of the roadway who are involved in emergency situations.
- B. Vehicle Fires - Officers will immediately advise the dispatcher upon discovery of a vehicle fire. The location, type of vehicle, location of fire, and cargo (if applicable) will be given to the dispatcher. The dispatcher will notify the fire department of these facts so an appropriate fire department response can be made.
- C. Medical Emergencies
 - 1. Notification - Upon discovery of a medical emergency, the officer will request a fire

department paramedic. When requesting a paramedic unit, the following information will be given to the dispatcher: type of emergency, location, condition of patient, and any other information available regarding the emergency.

2. Assistance - After notifying the dispatcher of the nature of the emergency, officers will render as much first aid assistance as possible.

D. High Visibility Clothing

1. The Police Division provides high-visibility outer wear, Reflective Safety Vest, to personnel assigned to perform scheduled manual traffic direction and control functions. Officers will wear such high-visibility outer wear, in addition to the full prescribed uniform, whenever conducting scheduled manual traffic direction and control.
1. Persons conducting unscheduled manual traffic direction and control in response to unforeseen contingencies will wear high-visibility outer wear in the form of a traffic Reflective Safety Vest that is stored in the trunk of each patrol vehicle. In emergencies, the officer's first consideration should be to abating the emergency. However, use of the Reflective Safety Vest is required as soon as possible.

IV. ESCORTS

A. Scheduled Escorts

1. Legitimate requests for scheduled law enforcement escort services include, but are not necessarily limited to, those associated with funerals, motorcades and other traffic of public officials and dignitaries, oversize vehicles, highway construction and maintenance vehicles, and vehicles with hazardous or unusual cargo.
2. When the Division elects to honor a request for scheduled escort service, the trip route will be established in advance, as will the maximum speed to be maintained along each segment of the route.
3. The use of patrol vehicle emergency equipment during the escort will be specified in advance by appropriate supervisory or command personnel.
 - a. Request for non-emergency escort should be referred to patrol supervision. Escort requests for

funerals, oversize loads/vehicles or hazardous materials should be referred to private agencies equipped for such details.

- b. Escorts for public officials or other special requests are to be approved by the Chief of Police or his designee.

V. HAZARDOUS ROADWAY CONDITIONS

A. Hazardous highway and/or environmental conditions are defined as:

1. Defects in the roadway itself (holes, ruts, or dangerous shoulders).
2. Lack of, or defects in, highway safety feature (e.g., center and roadside striping and reflectors) or improper, damaged, destroyed or visually obstructed traffic control and information signs.
3. Lack of traffic control and information signs (curve and hill warnings, stop and yield signs, speed limit signs, street and highway identification), or improper, damaged, destroyed, or visually obstructed traffic control or information signs.
4. Lack of mechanical traffic control devices or improperly located or malfunctioning traffic control devices.
5. Lack of roadway lighting systems or defective lighting systems.
6. Natural or man-caused obstructions (fallen trees, and rocks, litter, debris, parts of vehicles, broken water mains and electrical wires).
7. Ice or heavy snow accumulations on roadway surfaces.
8. Fire and its attendant smoke in areas adjacent to the highway.
9. Vehicles parked or abandoned on or near the roadway.

B. The following procedure will be followed in identifying, reporting and correcting hazardous roadway, roadside, or

environmental conditions.

1. When a hazard is identified and in the officer's opinion such hazard requires immediate correction (such as a fallen tree or electrical wire across or on any part of the traveled portion of this situation), they will immediately inform dispatch of this situation and identify the assistance or special equipment required. The officer will protect the scene and bystanders, and direct traffic or take any other action deemed necessary to correct the situation.
2. When a hazard is detected that represents a potential accident situation but the threat of such is not imminent, as in the case of a discarded muffler, the officer will pass this information on to dispatch. Dispatch will notify the Street Department or other proper authority to have the situation corrected. If the officer can correct the situation (such as the discarded muffler), they will take appropriate action.

VI. RADIOACTIVE AND HAZARDOUS MATERIALS

A. Background

1. A hazardous material is defined as follows: any element, compound, or combination thereof which is flammable, corrosive, explosive, toxic, radioactive, an oxidizer, or is highly reactive and which, because of handling, storing, processing, and packaging may have detrimental effects upon operating and emergency personnel, the public, equipment, and/or the environment.

2. Radioactive materials are in current use in hospitals, research laboratories, and numerous industrial and military applications, and are transported throughout the state by truck, rail, air and waterborne transportation.
3. In addition, numerous hazardous materials are transported throughout the state every day. While many of these are in common use, accidents or spills present a serious threat to the health and safety of the general public, especially the officer who happens to be first on the scene.
4. Many accidents and other emergencies involve more than one agency and require a cooperative emergency response. It is of extreme importance for all officers to be aware of what actions they should take during hazardous material emergencies.

B. Procedure

1. Radioactive Material
 - a. Complete information concerning the incident will be forwarded to headquarters by the quickest means available. This information will include:
 - 1) Basic description (explosion, fire, etc.).
 - 2) Exact location.
 - 3) If possible, all information contained on the Interstate Commerce Commission (ICC) label or labels.
 - b. Upon being notified of any incident, dispatch will notify the Beat Officer, Duty Supervisor and Fire Department.
 - c. Police personnel will not approach, examine, move or disturb suspected radioactive materials.
 - d. A safety perimeter will be established and personnel will be located up wind. Time will be limited in the exposure area to the shortest possible time.
2. Hazardous Materials

The police division will coordinate efforts with the fire division and any other proper agency in the identification and removal of the hazardous agent. Identification can be facilitated by interviews with drivers, bills of lading or other shipping papers, containers, package labels, vehicle placards, or other means.

3. In the case of hazardous material incidents, officers will isolate the hazard area, evacuate non-essential personnel, and assist the Fire Division in making a preliminary hazard identification (spill, leak, fire).
4. Employee Exposure Incidents
 - a. When an employee is involved in an incident involving hazardous materials, the employee will be required to receive medical attention under the following conditions:
 - 1) Exposure to hazardous substances at concentrations above the permissible exposure limits without the necessary personal protective equipment being used, or
 - 2) Injury to an employee due to overexposure during an emergency incident; or,
 - 3) When the employee advises a supervisor of, or shows signs of, symptoms indicating exposure to a hazardous substance. Such symptoms may include dizziness or rashes.
 - b. Upon notifying a supervisor, the employee will go to the hospital emergency room for examination and treatment as soon as possible. The officer will prepare an Occupational Injury Form or if he/she is unable, the officer's supervisor will prepare the form.

DEATH INVESTIGATIONS

General Order 5-16
November 2012

I. PURPOSE

To provide for the proper and efficient investigation of persons found dead.

To facilitate handling and processing of deceased persons and their personal effects.

To facilitate information transfer between the Moraine Police Division and the Montgomery County Coroner.

To insure proper handling of evidence in cases involving deceased persons.

II. PROCEDURE

- A. Investigation of deceased persons by the Police Division will generally reveal that death came about as a result of one of the following:
 1. Natural Causes
 2. Suicide
 3. Homicide
 4. Industrial or other selected accidents
 5. Suspicious, sudden or unusual deaths
- B. Upon receipt of information that a person has been found dead, or upon discovery of a dead body; the responding officer should:
 1. Determine that the person is actually dead. It is better to make the mistake of sending someone to the hospital who is already dead, than for a person to die as a result of your assumption of death.
 2. Request a Supervisor to respond to the scene. (A supervisor must respond to the scene of all deceased persons.) Make certain that the scene is protected. Call for another unit if necessary.
- C. A Supervisor will respond to the scene of all deceased persons and will assume command of the initial investigation. If there is any evidence of homicide, violence or suspicious circumstances the supervisor will notify the SAS Supervisor, SAS Investigator/Detective, and the Chief of Police.
- D. The initial investigation of the scene will be made at the direction of the supervisor to determine the particulars of the death, except in the case of homicide, violence or suspicious circumstances, in which case the Detective or Special Assignments Supervisor will assume direction of the investigation.
 1. Ascertain who found the body; name, address, telephone number, and the relationship to the deceased.
 2. Time and date body was found.
 3. Time deceased was last seen alive; by whom, name, address, telephone number, and relationship to the deceased.

4. Location and position in which the deceased was found. Any vomitus, body fluids or blood found at the scene.
 5. How the body was clothed.
 6. Name and relationship of next of kin, if notified of death; if not, what agency will make the notification.
 7. When person was last treated by a physician; physician's full name, address, telephone number, type of treatment received. Note type of medicine prescribed and recover that medicine for the Coroner.
 8. If recently in a hospital: What hospital, when entered and when discharged; name of physician and treatment received.
 9. Examine area for possible weapon, medicine bottles, suicide notes, or other items which might have a bearing on the death. In suicide cases where the body is removed to the Montgomery County Morgue, all medication (empty and full containers) and suicide notes should be brought along to the morgue. Weapons will be processed through the Police Property Room. In suspicious deaths or apparent homicides do not touch weapon unless absolutely necessary. The SAS Supervisor, SAS Detective and an Evidence Technician will process/direct the processing of the scene.
 10. All efforts will be made to photograph the body and the scene.
- E. Should the deceased live alone, it will be necessary to lock or in some manner secure the premises and tag the keys for the Coroner.
1. Items of obvious value should be secured by the officers or Coroner's Investigator and noted in the report.
 2. Inquiries concerning the premises and personal property will be directed to the Coroner's Office.
 3. Final disposition of personal effects will be the responsibility of the Coroner.
- F. The Coroner's Office (225-4156) must be called to report the facts of any death. Based upon information you provide, you will be instructed to:
1. Stand by for Coroner's office personnel to arrive who will transport the body to the Montgomery County Coroner's Office for their examination.
 2. Release the body to the family for direct removal from the scene by the funeral director selected by the family.
 - a. The body may remain at the scene. Officers may move the body indoors if circumstances exist which make same prudent.
 - b. The officers may return to service. It is not necessary to wait for the arrival of the funeral director selected.
 - c. Securing the official pronouncement of death then will become the responsibility of the funeral director.
 3. If no family member is present or no funeral director selected by the family, removal of the body to the Montgomery County Morgue, as specified in F 1 above, will occur.

4. If a physician is on the scene, he may make the official pronouncement of death, but instruction must still be received from the Coroner's Office regarding removal and disposition of the body.
 5. When directed to proceed to the Montgomery County Morgue:
 - a. Supervise the removal of valuable property (money, jewelry, etc.) from the body by the morgue attendant. Note items in report.
 6. Homicide Cases may present peculiar problems and require special handling which may deviate from the above directives. Therefore, the SAS Supervisor or Police Chief may give specific directives as to transportation and handling of the body in order to preserve evidence or expedite the investigation.
- G. The initial investigating officer will prepare an Information Report relating all the facts previously gathered, including the name of the person at the Coroner's office who authorized the release of the body and the funeral director responding, and process according to standard reporting procedures. An Information Report should be made even though the person is transported by a Coroner's office unit.
- H. Deceased Prisoners:
1. Whenever a person held in Moraine Police custody is found dead, the SAS Supervisor and Operations Lt. will make a prompt and thorough investigation.
 2. Statements related to the investigation will be recorded and attached to a comprehensive report of the investigation.
 3. All police personnel charged with the registration and custody of persons detained will immediately notify the SAS Supervisor, the Operations Lieutenant, and the Chief of Police and cooperate fully with them in the investigation of prisoners deaths.
 4. The Montgomery County Coroner's Office will order an autopsy on receipt of an official request.
 5. All deaths occurring at the Montgomery County Jail or the Community Correctional Institution will be investigated by the Montgomery County Sheriff's Office.

I. JUDGEMENT

An officer should use reasoning in the confiscation of a weapon for "safekeeping".

- A. Where an officer responds and threats of bodily harm have been established, and weapon(s) were used to emphasize these threats, confiscation of the weapon or weapons is (felt) justifiable. It is not our desire that a person be left at large with a weapon, in an emotional circumstance whereby he may cause harm to other persons or whereby the officer might have to face that same weapon on a return call. If the person causing the disturbance is arrested, then there does not exist any reason for confiscation of the weapon unless it would serve as evidence in relation to the particular charges being filed.
- B. Confiscation of weapons for safekeeping will require that all pertinent information reference to your action be made in report form and submitted through proper channels.
- C. Confiscated weapons will be placed (unloaded) in the property room. (See Property Room Procedure)
- D. The officer confiscating the weapons will advise the person from whom it is being taken that return of same can be accomplished:
 - 1. After a thirty (30) day period, if there are no reoccurrences.
 - 2. By contacting the property room officer.
 - 3. The officer will issue a property for safekeeping receipt to the individual in which the weapon(s) were confiscated from. This receipt specifies the guidelines for retrieving the weapon(s) and serves as a notice of destruction after 60 days of being unclaimed.
 - 4. The Property Room Officer/Cadet will send a certified letter after 30 days to the individual in which the weapon(s) were confiscated from as a reminder to retrieve the property. This will be the final notice before destruction.
- E. If the investigation and circumstances indicate that a weapon was not used, or will not be used, the weapon will not be confiscated.

I. PURPOSE

It is the policy of this law enforcement agency to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the division, as long as these activities do not unduly interfere with division operation, infringe upon individual rights or violate the law.

II. DEFINITIONS

A. Public Information

Information that may be of interest to the general public regarding policy, procedures and events involving the division or other newsworthy information that is not legally protected.

B. News Media Representatives

Those individuals who are directly employed by agencies of the electronic or print media such as radio, television and newspapers. Freelance workers in the field are to be regarded as other members of the general public unless otherwise designated by the Chief of Police.

C. Public Information Officer (PIO)

The division's PIO services as a central source of information for release by the division and responds to requests for information by the news media and the community.

III. PROCEDURES

A. Duties of the PIO

1. Assist news personnel in covering routine news stories, and at the scenes of incidents.
2. Assist the news media on an on-call basis.
3. Prepare and distribute news releases.
4. Arrange for, and assist at, news conferences.
5. Coordinate and authorize the release of information about victims, witnesses and suspects.
6. Assist in crisis situations within the agency.
7. Coordinate the release of authorized information concerning confidential agency investigations and operations.

B. Cooperation with the Media

1. Authorized news media representatives shall have reasonable access to the PIO, the agency's chief executive or his designee and operations of the division as governed by this policy. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained.
 2. This division recognizes authorized identification from all local, national and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.
 3. Public information shall be released to the media as promptly as circumstances allow, without partiality and in as objective a manner as possible.
 4. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be authenticated.
 5. Ranking officers at crime or incident scenes may release information of a factual nature to the media as governed by this policy or refer the inquiry to the PIO. If the officer is unsure of the facts or the propriety of releasing information, he/she shall refer the inquiry to the PIO.
 6. Written press statements shall be released only following approval of the Chief of Police or his designee, or the PIO.
 7. The division's communications center shall inform the Shift Supervisor as soon as possible upon receipt of information about events or activities that may have media interest.
 8. The Shift Supervisor shall be responsible for ensuring that the agency's PIO or Chief of Police is informed of events that may have media interest.
- C. Special Considerations - Criminal Matters
1. Division personnel shall extend every reasonable courtesy to news media representatives at crime scenes. This may include closer access of personnel and equipment than available to the general public to the degree that it does not interfere with the police mission or the movement of traffic.
 2. The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed and secured by the division, the media may be allowed to enter by permission of the commanding officer at the scene.
 - a. On private property, photography, film or videotape recording requires the permission of the owner or the owner's representative.

- b. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts or interviews, nor shall division personnel pose with suspects or accused persons in custody.
 - c. When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual. No division photographs, mug shots, videotape, film or composites of subjects in custody shall otherwise be released to the media unless authorized by the Chief of Police or authorized designee.
 3. At the scene of major crimes, such as hostage and barricade situations, the officer in charge shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.
 4. The fact that a suicide or suspected suicide has occurred may be reported to the media, along with factual information describing how it happened. The name, age, address, sex and occupation of the victim may also be released following notification of next of kin. The fact that a suicide note exists may also be acknowledged without further comment. The content of such notes is personal and confidential and shall not be released except as provided by law.
- D. Special Considerations - Noncriminal Matters
 1. At the scene of significant accidents, man-made or natural catastrophes, the principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the police, fire, medical or other emergency relief workers.
 2. Media access to and movement within fire lines shall be controlled by the fire officer in charge. In consultation with the fire officer in charge, the ranking police officer at the scene shall establish an observation point from which the media may observe and photograph the incident.
 - a. At the discretion of the officer in charge, an inner perimeter may be established for the media from which to record the event.
 3. News media representatives should not be prevented from access to any area solely because of the possibility of their injury or death. If this is the only consideration, the media representative should be advised of the danger and allowed to make the decision to enter on his own volition.

I. JUVENILE REPORTS REQUIRED

- A. Whenever a juvenile is taken into custody, whether released to the parents/guardian, or detained, a report shall be completed.

II. JUVENILE RUNAWAYS/MISSING

- A. Any time a report is received that a child is missing or runaway, an officer will be assigned to investigate. The investigating officer will immediately initiate a Case Report. In addition to the report, the officer will:
1. Make a concentrated effort to locate the juvenile.
 2. Enter the juvenile into LEADS/NCIC.
 3. Notify the parent that the juvenile has been entered into LEADS/NCIC.
 4. By teletype notify other law enforcement agencies within the County.
 5. If after thirty (30) days the juvenile has not been located, the juvenile officer (Lt. or his designee) shall contact the parents to obtain the juvenile's dental records.
 6. The Juvenile Officer shall follow up the report the following day by contacting the parent or other appropriate person.
- B. Returned Missing Juveniles.
1. Any time a call is received that a missing child has returned home or been located, an officer will be assigned to investigate the circumstances surrounding the disappearance and return.
 2. If the missing child is a runaway, the investigating officer will initiate an Arrest Report. At the discretion of the investigating officer the arrest may be handled within the Division by the Juvenile Officer or referred to Juvenile Court.
 3. It is the investigating officers responsibility to request the missing juvenile be removed from LEADS/NCIC.

III. CRITERIA FOR REFERRAL TO YOUTH SERVICE BUREAU

- A. The following types of cases could be referred to Satellite Court or Juvenile Officer for processing when apprehensions have been made.
1. A first referral for any act that is considered to be unruly behavior, incorrigibility, or one that includes any behavior that is outlined under Section 2151.022 of the Ohio Revised Code regarding "unruly child".

2. A first referral for any act that would be considered a misdemeanor if committed by an adult.
3. A first referral on specific acts of a felonious nature that do not involve personal threat or force of violence and, when the complaint has not reported damage or theft of an uninsured nature.
4. Any additional referrals of either an unruly nature or a misdemeanor equivalent on a youth who appears amenable to the services of Juvenile Officer or Satellite Court.
5. Additional complaints on any case active with the Juvenile Court will continue to be referred to the court system for processing.
 - a. If there is a question regarding the present status of an apprehended youth, call 225-4140.
 - b. Any questions regarding scheduling of review time can be answered by Juvenile Court Admissions Officer when you receive authorization to detain. In order to make possible the hearings on detained children according to the above schedule, it will be necessary for the arresting officer to submit a written report when bringing the child in to be detained or not later than 10:00am the next morning if the child is brought in at night. If the report is not received in time so it can be processed for the hearing, Juvenile Court will release the child from detention.

IV. DETENTION

- A. State law requires a hearing for juveniles within 72 hours after incarceration. It is imperative that the reports be at Juvenile Court, General Admission Office, 303 W. Second Street, Dayton, OH by 10:00am the following day, or at the time of detention.
- B. Since the matter of detention care periodically leads to conflict between law enforcement personnel and Juvenile Court, some further clarification appears necessary. Children who fall into one of the following groups should be detained:
 1. Children who are almost certain to run away during the period the court is studying their case, or between disposition and transfer to an institution or another jurisdiction.
 2. Children who are almost certain to commit an offense dangerous to themselves or to the community before court disposition or between disposition and transfer to an institution or another jurisdiction.
 3. Children who must be held for another jurisdiction.
 4. Juvenile Court has determined that some violations are mandatory: Aggravated Murder, Murder, Voluntary Manslaughter, Involuntary Manslaughter (in commission of a felony), Felonious Assault (by firearm), Rape, Aggravated Robbery, Robbery, Drug Abuse, Trafficking in Drugs.

- C. Conflict arises when the arresting officer and the Juvenile Court Admissions officer do not agree on whether a child should be detained or not. However, control of admissions is a responsibility of the court and the Admissions Officer must make the decision in each situation in the exercise of that responsibility.
- D. Children who fall into one of the following groups should not be detained.
 - 1. Children who are not almost certain to run away or commit other offenses before court disposition or between disposition and transfer to an institution or another jurisdiction.
 - 2. Neglected, dependent, and non-delinquent emotionally disturbed children and delinquent children who do not require secure custody but must be removed from their homes because of physical or moral danger or because the relationship between child or parents is strained to the point of damage to the child. (These children may require shelter care, not detention).
 - 3. Children held as a means of court referral (detention should not be used for routine over-night care).
 - 4. Children held for police investigation or social investigations that do not otherwise require secure custody.
 - 5. Children placed or left in detention as a corrective or punitive measure.
 - 6. Psychotic children, and children who need clinical study and treatment and do not otherwise need detention.
 - 7. Children placed in detention because of truancy.
 - 8. Children who are material witnesses, unless secure custody is the only way to protect them from being tampered with as witnesses.

V. ADMITTING JUVENILES AT FAMILY COURT CENTER

- A. You are requested not to make direct calls to the supervisors or probation officers in regard to possible detention.
- B. Inquiry should be directed to the person on duty at the Admissions Office.
- C. The Admissions Officer will have the responsibility for contacting the proper person within the court.

VI. EMERGENCY ADMISSION OF CHILDREN

- A. Switchboard operator will contact a caseworker who will return your call as soon as possible.

- B. When making an inquiry, give the emergency or intake worker as much identifying information as possible about the child. It is also important to advise regarding the circumstances precipitating the emergency. This will assist the agency in seeing that the child is afforded the attention, protection, or medical care needed at time of admittance.

VII. EXECUTION OF ARREST WARRANT - JUVENILE

- A. **Warrant Service.** Upon execution of a warrant to arrest a juvenile, the juvenile shall be transported to the Family Court Center under the normal detention guidelines.
- B. **Foreign Warrant Service.** Upon execution of a Juvenile Arrest Warrant for an outside agency the juvenile shall be surrendered to that agency at the Moraine Police Division. If it is a warrant issued by the Court, the juvenile shall be transported to the Family Court Center. Any medical treatment required by the admissions personnel for the juvenile shall not be the responsibility of this agency unless alleged medical treatment stems from the arrest.

VIII. INTERVIEWING JUVENILES

- A. **Non-custodial interview.** In a non-custodial situation the officer will attempt to obtain parental consent prior to the interview of the child or conduct the interview in the presence of the parent.
- B. **Interviewing Juvenile at School.** In the event it becomes necessary to interview a juvenile at school, the officer shall contact the school principal of the necessity. He shall, when practical, obtain written consent from the parent prior to the interview at the school. The parent/guardian shall be given the opportunity to be present during the interview after being briefed on the nature of the interview. In the event the parent/guardian declines to be present, the officer shall request that the parent contact the school principal informing him that they are aware of the circumstances and have consented to the interview.
- C. **Custodial Interview of Juvenile.** The juvenile offender(s) shall be transported to the police division for processing and interview. The officer involved shall cause the parent to be notified as soon as possible. The parent shall be requested to come to the police division and then be briefed on the circumstances and advised of the juvenile's rights via pre-interview form. Both parent and juvenile shall be given the information and shall complete the appropriate sections prior to any questioning.

IX. PHOTOGRAPHS AND FINGERPRINTS OF JUVENILES

- A. Ohio Revised Code 2151.313 allows for juveniles to be photographed and printed if:
 - 1. Juvenile Court consents.
 - 2. The crime under investigation would be a felony if committed by an adult and there is probable cause to believe the child is involved.

- B. In order to comply with ORC 2151.313, the officer must complete the form "Notification to Juvenile Court of Photographs and Fingerprints Taken".
1. Once the prints are obtained, the officer must inform the Juvenile Court:
 - a. That fingerprints and photographs were taken.
 - b. The child's identity.
 - c. The number of prints and photographs taken.
 - d. The name and address of the person with custody and control of the prints or photographs.
 2. The fingerprints may be retained for 30 days. During the initial 30 day period, the prints may only be used to investigate the specific act for which the prints were taken.
 3. If at the end of the initial 30 day period a complaint has not been filed against the juvenile for the act on which the prints were taken, the fingerprints must be delivered to the Juvenile Court and destroyed. If a complaint is filed within 30 days and the juvenile is found not guilty, the prints must be turned over to Juvenile Court and destroyed.
 4. If a complaint is filed within 30 days against the juvenile in relation to the act for which the prints were taken, the fingerprints will be retained for an additional two years after the date they were taken or until the child turns 18, whichever is earlier. During the two year period the fingerprints may be used:
 - a. To investigate the act for which they were taken.
 - b. To investigate any crime in which the child is a suspect.
 - c. To arrest or bring the child into custody.
 5. If after the fingerprints are taken, the juvenile is adjudicated or convicted of any of the following, their fingerprints can be maintained in the files of fingerprints taken of adults and used as if they were taken of adults: Aggravated Murder, Murder, Voluntary Manslaughter, Involuntary Manslaughter, Felonious Assault, Aggravated Assault, Assault, Aggravated Menacing, Menacing, Kidnapping, Abduction, Extortion, Rape, Sexual Battery, Gross Sexual Imposition, Felonious Sexual Penetration, Aggravated Arson, Arson, Aggravated Robbery, Robbery, Aggravated Burglary, Burglary, Breaking and Entering, Escape, Aiding Escape, Resistance to Authority, or Theft of a Motor Vehicle.
- C. The only persons who may have use of these items are:
1. Investigating officers.
 2. State or local officers.
 3. Court of jurisdiction.

- D. No originals or copies are sent to B.C.I.
- E. A supply of these notification forms may be found at the jail booking desk.
- F. If the fingerprints of juveniles are kept separately from those of adults, the fingerprints of juveniles adjudicated or convicted of felonies must be kept separate from the fingerprints of other juveniles.

The role of the Police Division is to protect the citizens of the community. Specifically, their role is to preserve evidence, including photographs and statements for possible court proceedings.

In order to effectively carry out the mission of protecting children, a thorough understanding of certain definitions must be undertaken.

I. DEFINITIONS**A. Abused Child (ORC 2151.031)**

1. Is the victim of "sexual activity" as defined under Chapter 2907 of the Ohio Revised Code, where such activity would constitute an offense under the chapter, that the court need not find that any person has been convicted of the offense in order to find that the child is an abused child.
2. Is endangered as defined in Section 2919.22 of the Ohio Revised Code, except that the court need not find that any person has been convicted under that section in order to find that child is an abused child.

B. Endangered Child (ORC 2919.22)

1. This section prohibits any behavior toward a child, including discipline or corporal punishment, which creates a substantial risk to the physical or mental health or safety of any child by violating a duty of care, protection or support on the part of a parent, guardian, custodian, person having custody or control, or person in Loco Parentis.
2. This section also prohibits any torture, abuse, corporal punishment, discipline, or physical restraint, by any person to a child and prohibits any child from being used for any pornographic materials (ORC 2151.031).
3. Exhibits evidence of any physical or mental injury or death inflicted other than by accident or at variance with the explanation.

C. Neglected Child as Any Child (ORC 2151.03)

1. Who is abandoned by his parents, guardian, or custodian.
2. Who lacks proper parental care because of the faults or habits of his parents, guardian, or custodian.
3. Whose parents, guardian, or custodian neglects or refuses to provide him with the proper or necessary subsistence, education, medical or surgical care, or other care necessary for his health, morals or well-being.
4. Whose parents, guardian, or custodian neglects or refuses to provide the special care made necessary for his mental condition.
5. Whose parents, legal guardian, or custodian have placed or attempted to place such child in violation of Section 5103.16 and Section 5103.17 of the Ohio Revised Code.

“A child who, in lieu of medical or surgical care or treatment for wound, injury, disability or physical or mental condition, is under spiritual treatment through prayer in accordance with the tenets and practices of a well-recognized religion, is not a neglected child for this reason alone.” (ORC 2151.03)

Section 5103.16 and 5103.17 of the Ohio Revised Code specify that the child can be legally placed only in a home of a relative or in a licensed home or child care facility.

D. Child Without Proper Parental Care (ORC 2151.05)

1. “A child whose home is filthy and unsanitary; whose parents, step-parents, guardian, or custodian permit him to become dependent, neglected, abused or delinquent; whose parents, step-parents, guardian, or custodian, when able, refused or neglected to provide him with necessary care, support, medical attention, and educational facilities; or whose parents, step-parents, guardian, or custodian fail to subject such child to necessary discipline without parental care or guardianship.”

E. Emergency (OACR 5101: 2-35-21)

1. Is a situation where there is reason to believe an immediate threat to a child's safety or well-being exists.

F. Report (OACR 5101: 2-35-02)

1. Is any information of allegation of the abuse or neglect of a child made orally or in writing. It includes, but is not limited to, allegations involving individuals, families, facilities.

G. Reason to Believe (OACR 5101: 2-35-02)

1. Is knowing or suspected that an abuse or neglect of a child is occurring or has occurred. Physical proof or other forms of validation are not required.

H. Complaint/Referral Source (OACR 5101: 2-35-02)

1. Is the person or agency alleging abuse or neglect of a child.

II. INTERVIEWING THE ALLEGED CHILD VICTIM

A. Whenever possible, an officer and a Children Services representative shall meet to coordinate and conduct a joint interview of the alleged child victim. If a joint interview is not feasible, the officer shall proceed with the interview.

B. In cases of alleged sexual abuse, a Children Services representative and an officer, experienced in the area of child sexual abuse, and a trained Victim/Witness representative from the Prosecutor's Office (if available) shall be present at the interviewing of the child. If the interview is being conducted at a hospital, a hospital social worker, experienced in the area of child sexual abuse, shall

also be present. A lead person shall be identified who would primarily conduct the interview.

- C. Cases meeting the CAREHOUSE requirements should, when practical, be conducted at CAREHOUSE (741 Valley Street, across from Children's Medical Center, 512-1670), so that the victim need only be interviewed once, by all necessary parties.
- D. All unnecessary interviews of children should be eliminated. Every effort should be made to conduct only one interview of a child.

III. REPORTS TO MONTGOMERY COUNTY CHILDREN'S SERVICES

- A. ORC 2151.421 requires that the officer who takes a report of any suspected child abuse or child neglect shall notify the individual making the report that he may contact Montgomery County Children's Services to find out the following information:
 - 1. Whether Children's Services has initiated an investigation of the report.
 - 2. Whether Children's Services is continuing to investigate the report.
 - 3. Whether Children's Services is otherwise involved with the child who is the subject of the report.
 - 4. The general status of the health and safety of the child who is the subject of the report.
 - 5. Whether the report has resulted in the filing of a complaint in juvenile court or in any other court.
- B. Are received 24 hours a day, 7 days a week.
 - 1. To the Central Intake Staff, Monday through Friday, 8:00am - 5:00pm.
 - 2. To assigned Children's Services Staff after 5:00pm and before 8:00am.
- C. Reports of abuse and neglect must contain sufficient information, written or oral, to locate the child and assess his or her safety. Report must have reasonable cause to SUSPECT that a child has been harmed or threatened with harm. It is not necessary that there be a reasonable cause to

BELIEVE that a child has been harmed or threatened with harm.

D. Reports shall include:

1. Name and address of child, child's parents and/or person having custody of child.
2. Child's age and brief description of neglect, description of abuse and injuries, including any evidence or previous injuries, abuse or neglect.
3. Any other information helpful to an investigation.

E. Whenever oral reports are given and the referring party has additional information believed to be helpful to the investigation, a written report may be sent within 48 hours to:

Montgomery County Children's Services, 3501 Merrimac Avenue, Dayton, OH 45405 Attention: Central Intake Department (or caseworker, if known). The report may also be faxed to Children's Services at 277-1127.

IV. DETERMINATIONS

A. Prosecution

1. Cases of Child Endangerment are always referred to the Juvenile Officer.
2. Felony cases are referred to the County Prosecutor.
 - a. If the offender is a juvenile, the case will be reviewed with a prosecutor in the juvenile division.

B. When criminal charges are filed against a parent, Montgomery County Children's Services and other agencies shall furnish the prosecuting attorney with a report and recommendations as to the probable effect of incarceration upon the family. Such reports and recommendations will be submitted by the prosecuting attorney and to the court prior to sentencing of any parent convicted of abuse or neglect.

V. CHILDREN'S SERVICES BOARD STAFF

Upon receipt of any report, oral or written, the Children's

Services Board Staff shall:

- A. Initiate an investigation within one (1) hour upon receipt of an emergency report; within 24 hours upon receipt of a non-emergency report.

VI. REMOVING A CHILD FROM THE HOME OR CUSTODIAN

Section 2151.31(A)(3) of the Ohio Revised Code specifies, in part: "A child may be taken into custody...by a law enforcement officer...when any of the following conditions are present":

- A. There is reasonable grounds to believe that the child is suffering from illness or injury and is not receiving proper care...and his removal is necessary to prevent immediate or threatened physical or emotional harm.
- B. There is reasonable grounds to believe that the child is in immediate danger from his surroundings and that his removal is necessary to prevent immediate or threatened physical or emotional harm.
- C. There is reasonable grounds to believe that the parent, guardian, custodian or other household member of the child's household has abused or neglected another child in the household and to believe that the child is in danger of immediate or threatened or emotional harm from that person.
- D. The officer removing the child will then surrender custody of the child to Montgomery County Children's Services.

VII. CONFIDENTIALITY

- A. All reports of actual or suspected child abuse or neglect are confidential. No officer will make, permit, or encourage the dissemination of any of the contents of any such report except to those agencies who need such information to discharge their responsibilities.
- B. Unauthorized dissemination is in violation of ORC 2151.421, and is a misdemeanor of the fourth degree.
- C. The Moraine Police Division forwards to the Montgomery County Children Services Board all investigations of child abuse, and cooperates with that agency in such investigations. Any and all requests for information (received from sources other than involved agencies) pertinent to such reports are to be referred to Montgomery County Children Services Board.

VIII. IMMUNITY FROM SUIT OR PROSECUTION (ORC 2151.421)

Any officer or agency participating in the making of reports of child abuse, or any officer participating in a judicial proceeding resulting from such reports, shall be immune from any civil or criminal liability.

BICYCLE PATROL

General Order 5-21
May 2005

POLICY

The Moraine Police Division Bicycle Patrol Program is implemented as a tool to enhance the patrol function of the Division.

PROCEDURE

I. BICYCLE PATROL PROGRAM

The Bicycle Patrol Program will achieve the stated policy by operating in three general methods.

- A. The Shift Supervisor will assign the Bicycle Patrol Officers to specific blocks of time during their patrol shift to patrol specific areas on the bicycle.
- B. The Operations Lieutenant will coordinate the assignment of Bicycle Patrol Units to special events (i.e., parades, festivals, etc.).
- C. The Operation Lieutenant will coordinate the assignment of Bicycle Patrol Units to specific problem areas or situations which the Bicycle Patrol may be able to more effectively resolve.

II. SUPERVISION

- A. A Patrol Sergeant will be routinely assigned as the Operations Supervisor for the Bicycle Unit. The Operations Lieutenant will have overall responsibility for the program. The Sergeant will be responsible for the day-to-day operations relating to equipment, training and any special issues.

III. OPERATIONS

- A. The Bicycle Patrol Officers will not operate generally in any inclement weather, rain, cold, etc.
- B. Bicycles will be mounted on the rear of police cruisers in the carriers provided, and the cruisers shall be parked at a reasonably secure location while the Bicycle Patrol Officer is away on his/her bicycle.
- C. The Shift Sergeant will work with the Bicycle Sergeant and Operations Lieutenant to develop a rotating schedule to provide the routine bicycle patrol function in all areas of the City.
- D. Cruisers with a bicycle mounted, in place, will not be operated at high speeds. The carriers are not intended for such circumstances.

IV. STORAGE AND SERVICE

- A. Bicycles will be removed from the cruisers and stored prior to the end of shift. Officers will perform the routine service suggested on the bicycle during shift. The Shift Supervisor will direct the timing of these functions.
- B. The storage location of the bicycles and related materials will be designated by the Bicycle Sergeant.

* The focus of the Program is two-fold; first to enhance interaction with citizens, second as an enforcement tool for special situations.

NOTIFICATION OF NEXT-OF-KIN

General Order 5-22
May 2005

I. PURPOSE

Pursuant to ORC 4501.80, the purpose of this policy is to provide guidelines for the notification of the next-of-kin of person(s) fatally injured or sustaining life-threatening injury in a motor vehicle accident, which results in department investigation.

II. POLICY

Traffic Fatalities - Notification must be carried out promptly, in person, and in a considerate professional manner. The Coroner will immediately be contacted pursuant to ORC 313.12 and will accompany the affected jurisdiction to notify the next-of-kin.

Life Threatening Injuries - Law Enforcement personnel will make all reasonable efforts to notify the next-of-kin in the event of life threatening injuries.

Release of information to the media will be made in accordance with department policy.

Circumstances surrounding each incident will dictate how a particular notification should be accomplished. Often, assistance may be obtained from clergy, a close friend, neighbor, or relative.

A. Notification Within County

It is the primary responsibility of the investigating officer and the officer's supervisor to see that notifications are made. If the next-of-kin resides within the investigating agency's jurisdiction, the investigating officer or other assigned officer should make the notification without delay.

In cases where the next-of-kin resides outside the department's area but within reasonable boundaries within the county, the department employee will make notification to the next-of-kin.

B. Notification Outside the County

In cases where next-of-kin resides out of county, a LEADS message will be sent to the law enforcement agency having jurisdiction in the area where the next-of-kin resides. The message will include name, address, and phone number of the person to be notified, name of the relative involved in the incident, a brief description of the incident, the name of the contact person, and a phone number to call for further details.

C. Notification Requests from Other Agencies

In instances where a police department is requested by another law enforcement agency to deliver an emergency notification to next-of-kin, every attempt will be made to cooperate with the requesting agency so long as the location falls within its jurisdiction. Should the location lie outside the agency's jurisdiction, the requesting agency will be referred to the proper authority. Messages left at a residence should be to contact the officer. The officer should then respond to the location and make the notification in person.

PROFESSIONAL CONTACTS

General Order 5-23
May 2001

I. GENERAL

It is the stated objective of the Moraine Police Division to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority, while protecting the rights of citizens. To this end, enforcement action, including but not limited to vehicle stops, stop and frisk of an individual, arrests, searches and seizures, the application of force, and initiation of forfeiture proceedings must be based solely upon statutory law, constitutional law, departmental policy, probable cause, and articulated facts.

II. DEFINITION

Improper profiling is the exercise of police authority to seize and detain an individual solely upon an individual's race, ethnic origin, gender, age, or income status.

III. POLICY

Improper profiling, as defined in paragraph II above, by employees of the Moraine Police Division, is prohibited.

IV. TRAINING

Command staff, supervisors, and training officers shall ensure that this policy is appropriately discussed with all enforcement officers in departmental training programs, to include recruit, in-service, and roll call training programs.

FINANCIAL INSTITUTION ROBBERY ALARM RESPONSE

General Order 5-24
November 2003

The objective of this policy is to establish a uniform, workable procedure to be implemented by police personnel and financial institution employees in response to alarm situations and/or actual robbery situations at financial institutions. The objective of this procedure is to maximize the safety of financial institution employees, police personnel and the citizenry at large.

I. RECEIVING THE CALL

- A. When the Communications Center receives a hold-up alarm, citizen call-in, or officer notification of a possible robbery in progress at a financial institution, the dispatcher will immediately dispatch units to the location of the incident according to established departmental policy.
 - 1. A codified method is recommended.
- B. The central station monitoring the location the alarm was received from, when capable, will notify the dispatcher of the alarm status, either "valid" or "false" as soon as the condition is verified.
- C. The dispatcher will restrict all traffic to emergency only for both police and fire personnel.

II. PROCEEDING TO THE SCENE

- A. Dispatched police units should respond to the area in accordance with established Division policy (General Order 5-6, section III) and assume a position of maximum observance with minimal potential for detection by suspects inside.
- B. The primary responsibility of the first responding units is to secure the inner perimeter; **do not enter** or approach the institution at this time; observe and contain until further information is obtained by Communications.
- C. Police units shall request that Dispatch call the institution only after they have observed activity for a period of time.

III. ON SCENE VALIDATION OF ALARM CONDITION

- A. After responding units have arrived and a perimeter is established, the dispatcher will contact the financial institution after being requested to do so by the primary officer on the scene. The responsible financial institution employee then must prefix their explanation to the dispatcher by using an established code word (make the code the current

time).

1. If the code is provided, then information concerning the alarm status is accepted to be factual. If an incorrect or no code is provided, the situation should be considered a robbery in progress.
- B. If the alarm is false, the financial institution employee will proceed as outlined in Section IV of this policy.
- C. If the alarm is real and the suspects are gone, the financial institution employee will proceed as outlined in Section V of this policy.
- D. If the hold-up is in progress and the suspects are still inside, then the situation will be handled according to Section VI of this policy.
- E. If, after arrival, no perpetrators are visible and contact with financial institution employees cannot be made by phone, officers will proceed as if there is a robbery in progress until further investigation. A supervisor will respond to the location and, after reviewing the situation, determine what additional steps will be taken.

IV. ON-SCENE VERIFICATION / FALSE ALARM

- A. After contact is made by the dispatcher with the financial institution employee and the code (current time) has been provided, the dispatcher will obtain the name and general description of the financial institution employee who will be exiting the financial institution and relay it to responding units.
 1. Officers will not approach or enter the financial institution at this time.
 2. The financial institution employee shall exit the bank carrying the placard (*orange bulls-eye) and picture identification (employee ID or driver's license) and approach the officers outside.
 3. If the officer contacting the financial institution employee is satisfied from the person's manner and demeanor that the alarm is false, the officer may leave without further investigation. If unsatisfied that the alarm is false, the officer will withdraw and continue to observe until suspicions are resolved.

*Description of Placard: seven and one half inch fluorescent lime-green bulls-eye with a one inch black border on a fluorescent orange background, on 14" x 14" cardboard stock.

V. VERIFIED HOLD-UP / SUSPECTS INSIDE

- A. If there is an actual robbery and the suspects have already fled, the manager will hang the placard at a predetermined location.
- B. The door to the bank will be locked and all witnesses will be asked to remain.
- C. The first unit on the scene will notify Communications if the placard is displayed. The dispatcher shall attempt to immediately make contact by phone and confirm the robbery and street address. The bank employees will be instructed to unlock the doors to the uniformed officers. The scene will be secured and information regarding the suspect's description and direction of travel will then be broadcast in accordance with the established departmental policy.

VI. HOLD-UP IN PROGRESS / SUSPECT INSIDE

- A. If after arrival it is believed that a hold-up is in progress, barring very unusual circumstances such as a shooting inside, responding officers will not enter the bank unless directed to do so by the supervisor on scene.

- B. If perpetrators are still in the business, any apprehension efforts shall be made after the suspects have exited the business. This is to discourage a hostage situation.
- C. If the perpetrators have taken hostages inside the bank, the suspects will be contained and a Special Response Team will be called (mutual aid) to the scene to deal with the situation.

I. CRITERIA FOR AMBER PLAN ACTIVATIONS

- A. The following three criteria must be met for an Amber Alert to be activated:
 - 1. Law enforcement confirms a child has been abducted;
 - 2. Law enforcement believes the circumstances surrounding the abduction indicates that the child is in serious danger of bodily harm or death; and
 - 3. There must be enough descriptive information about the child, abductor, and suspect's vehicle to believe an immediate broadcast alert will help.

- B. In evaluating whether these criteria are present, the following circumstances should be considered:
 - 1. The age of the child, health, and condition of the missing child;
 - 2. The time, place, and manner of the abduction or circumstances related to the child's disappearance including timeliness of reporting the missing;
 - 3. Reliability of eye witness accounts of what happened including information describing the child victim, the perpetrator, vehicle, license plate number, and/or location description;
 - 4. Danger presented to the child;
 - 5. Review of any convincing, circumstantial evidence of foul play;
 - 6. Determination by the investigating officer upon credible evidence that an alert of a missing child may enhance the recovery of that child.

- C. The Activation Process
 - 1. The on-duty supervisor will make the determination to activate an alert.
 - 2. Advise the Sheriff's Department Dispatch you are constructing a missing for an Amber Alert.

3. Enter the missing child through LEADS/NCIC Missing Child Screen.
4. After the M.C.S.O. has communicated with us to verify receipt via LEADS of the information, they will activate the primary emergency broadcast system of Dayton and surrounding Miami Valley.
5. This activation of the emergency broadcast system triggers EAS (Emergency Alert System) receivers at all radio and TV stations in the area.
6. Simultaneously, an audio message containing police information about the abduction is sent over to all stations about the abducted child and suspects.

7. If the investigators believe the child has left the state, alert those states the child may be in by sending a National Law Enforcement Telecommunications System NLETS, broadcast message.
8. Contact the National Center for Missing and Exploited Children to report the missing child at 1-800-843-5678. This is a 24 hour hotline.
9. The contact residents in the child's neighborhood or last known address for information, contact "A Child is Missing" at 1-888-875-2246, pager 954-492-4778; or fax 954-763-4569 so telephone calls can be placed to residences in the area for information. "CodeRed" is another method to accomplish this.

D. Procedural Process

1. Determine and prepare information for public distribution.
2. Designate a Division contact person for the TV and radio stations. Include the name and telephone number on standardized form.
3. Fax documents to M.C.S.O.
4. The M.C.S.O. will immediately call the Division to confirm the information. Upon confirmation, the M.C.S.O. will immediately proceed with distributing the information to the other participating TV and radio stations by the E.A.S. system.
5. Subsequent updates from the Division can be provided at the discretion of the on-duty supervisor or lead detective.
6. After the first EAS usage, it is up to each broadcaster to put out the alert on its own.
7. Amber Alert Plan requests the broadcasters to repeat the alert every 15 minutes for the first two hours. Local stations may set their own protocols for times.

E. Cancellation of Amber Alert

1. An Amber Alert cancellation is only activated when a child

abduction case is resolved within the first 24 hours.

In this case, a final bulletin should go out to the EAS broadcast stations so that it can be issued, notifying the public to stop looking for the child and/or suspect.

2. If the child is found 24 hours or more after the abduction, the information will be broadcast during a regular newscast.

F. Follow-Up

1. Within two weeks, a review board will review all activations to help ensure accuracy, and clarify procedural issues.

G. Testing the System

1. Law enforcement agencies with the review board and broadcasters will distribute a "test fax" to confirm the system is in place. These tests should be conducted quarterly.

I. POLICY

The Moraine Police Division policy regarding handling of missing adult person reports is as follows. Officers are required to determine, based on the individual circumstances of each case, the age of the missing person and whether or not foul play and/or suspicious circumstances exist. Any further action required by this agency will be determined based on that investigation.

II. DEFINITIONS

A. The person missing is eighteen years of age or older who is a temporary or permanent resident of Moraine, Ohio and meets one of the following characteristics:

- 1. The individual has a physical or mental disability (at time of disappearance).**
- 2. The individual is missing under circumstances indicating their safety may be in danger.**
- 3. The individual is missing under circumstances indicating the disappearance was not voluntary.**

B. Foul Play

- 1. Indications may include, but not limited to, missing person's vehicle or home being in disarray, evidence of a struggle between missing person and another individual(s), is the missing person at risk, or any other evidence that law enforcement agency determines.**

III. FACTORS TO CONSIDER

A. Is a current description, photograph, DNA standard of missing available?

- B. Why does complainant think victim is missing, has the residence been thoroughly searched?**
- C. Medical, financial or criminal history of missing.**
- D. National Center for Missing Adults hot line 1-800-690-FIND.**
- E. Missing person in a vehicle, description, etc.**
- F. What outside agency assistance or other resources may be needed.**

IV. NCIC REPORTING

- A. If the missing adult is at least eighteen, but less than twenty-one years of age, a report must be taken and information contained in the initial report must be entered into NCIC immediately. Any updated or additional information received must be entered into NCIC immediately.**
- B. The following conditions apply to missing adults who are twenty-one years of age or older:**
 - 1. If foul play is suspected, the information contained in the report must be entered into NCIC within seven days.**
 - 2. If no foul play and the subject has not returned, the information contained in the report must be entered into NCIC within thirty days.**
 - 3. If no foul play was indicated initially but, evidence of such becomes known to this agency before the end of the seven day period, the information contained in the report must be entered into NCIC by the end of the seven day period.**
 - 4. If no foul play was indicated initially but, evidence of such becomes known to this agency after the seven day period, the information contained in the report must be entered into NCIC within forty-eight hours.**

V. MISSING ADULT LOCATED

- A. When a missing person this agency entered into NCIC has been located all information will be promptly removed from NCIC.**
- B. A supplemental report will be submitted as to the circumstances of the missing's return/recovery.**

OHIO BLUE ALERT

General Order 5-27
December 2012

I. PURPOSE

The policy will establish the criteria and response the Moraine Police Division will give in the injury, death or disappearance of a Law Enforcement Officer. This policy and procedure is derived from the Ohio ORC 5502.53 and Ohio LEADS manual regarding the Blue Alert System and that those information sources should be used as a reference if needed.

II. POLICY

- A. The Moraine Police Division will participate in the Ohio LEADS Blue Alert System.
- B. The LEADS Blue Alert System will be utilized in the following two circumstances:
 - 1. A Law Enforcement Officer has been critically injured or killed and the suspect is still at large, or
 - 2. A Law Enforcement Officer is missing on duty under circumstances warranting concern for the Law Enforcement Officer's safety.
- C. Additionally, a Blue Alert will only be issued when there is sufficient descriptive information about the suspect or the circumstances surrounding a law enforcement officer's injury, death or disappearance to indicate that an activation of the alert may help locate a suspect or missing Law Enforcement Officer.
- D. If the above criteria are not met, a LEADS Blue Alert will not be issued. However, other normal methods of communication and notification may still be used.

III. PROCEDURE IF CRITERIA HAVE BEEN MET

- A. The shift supervisor will notify the Moraine Police Division Command Staff and activate the SAS section. The shift supervisor will also call in additional dispatchers and road patrol units as needed.
- B. The shift supervisor will initiate a LEADS entry sheet containing all pertinent information and ensure the information is entered in the LEADS Blue Alert system immediately.
- C. The dispatcher will enter the information contained in the LEADS manual. Changes, modifications and cancellations will be conducted immediately whenever such changes are needed to keep information on the Blue Alert current.

OFF-DUTY LAW ENFORCEMENT ACTIONS

General Order 5-28
March 2013

I. PURPOSE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as other at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Moraine Police Department with respect to taking law enforcement action while off-duty.

II. POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious physical harm or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of significant property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

III. FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in General Order 5-13-XIV. When carrying firearms while off-duty, officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officers who has consumed an amount of an alcoholic beverage or taken prescribed drugs that would tend to adversely affect the officer=s senses or judgement.

IV. DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration:

- A. The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- B. The inability to communicate with responding units.
- C. The lack of equipment such as body armor, handcuffs, OC, baton or Taser.
- D. The lack of cover.

- E. The potential for increased risk to bystanders if the off-duty officer were to intervene.
- F. Unfamiliarity with the surroundings.
- G. The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

V. INTERVENTION PROCEDURE

If involvement is reasonably necessary the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practical, the officer should loudly and repeatedly identify him/herself as a Moraine Police Department officer until acknowledged. Official identification should also be displayed.

VI. INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

VII. NON-SWORN RESPONSIBILITIES

Non-sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practical.

VIII. REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the on-duty supervisor of the Moraine Police Department as soon as practicable. The on-duty supervisor shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

FORMS AND REPORTS

General Order 6-1

May 2005

All line reports and field interrogation cards are entered into Tiburon's Automated Reporting System (ARS). The exception being OH-1 Traffic Accidents. The narrative reports will be broken down into proper paragraph form and spell check will be used. Supervisors will check reports in ARS. Records will transfer approved ARS reports to the Records Management System (RMS). A hand written arrest report is required to book a prisoner into the Kettering or County Jails, copy of same will be submitted to records via the supervisor.

RECORDS RETENTION AND DESTRUCTION SCHEDULE

General Order 6-2
June 2009

I. PURPOSE

To establish a schedule of records retention and disposition that complies with the standards of the Auditor of the State of Ohio and the Ohio Historical Society and the Moraine Records Commission.

II. POLICY

No police record, report, or file will be destroyed except through the established Records Retention Schedule. No record may be destroyed without a Certificate of Records Disposal. The Records Supervisor will oversee the destruction of all records, files, and reports.

III. RETENTION SCHEDULE

A.	Alarm/False Alarm Forms	One Year	
B.	Alarm Permit Applications	Permanent	
C.	Annual Report	Permanent	
D.	Arrest Report	Permanent	
E.	Arrest Report Attachments (P)		Two Years
F.	Arrest Report Attachments (M)		Permanent
G.	Arrest Recap	One Year	
H.	Bicycle Registration	Seven Years	
I.	BCI Domestic Violence Stat Sheet		One Year
J.	Blank Forms - All Media	Until Revised, obsolete or superseded, then destroy.	
K.	BMV 2255 Report (P)	Three Years	
L.	BMV 2255 Report (M)	Permanent	
M.	Breathalyzer Test/Calibration & Maintenance Records		Three Years
N.	Cash Receipts	Six Months	
O.	CCH Log	Two Years	

- P. Citizen Background Check One Year
- Q. Correspondence: including Until no longer of administrative
value.
general, routine correspondence
and emails
- R. Court Expungement Order Enclosed with sealed/expunged
records.
- S. Daily/Weekly Calendars and/orContinually updated, revised or erased.
Planners
- T. Departmental Awards, Newspaper Two Years
Articles, Clippings, Scrapbook
- U. Departmental Reports/RecordsThree Years or no longer of administrati
- V. Employee Background ChecksSeven Years
for Pre-Employment
- W. Expunged Reports (P) Upon receipt from Court, all
copies removed
and sealed in envelope.
- X. Expunged Report (M) Upon receive from Court, all
copies removed
and sealed in envelope.
- Y. External Correspondence (P)Three Years or no longer of administrativ
- Z. External Correspondence (M)Three years or no longer of administrativ
- AA. Facsimile Logs, Cover Sheets,Until no longer of administrative value
Confirmations and Activity Sheet
- BB. Field Interrogation Cards Permanent
- CC. Firearms Records Three Years
- DD. Firearms Inventory Permanent
- EE. Grievance/Arbitration Records Seven Years
- FF. Internal Affairs Investigations Five Years
- GG. Internal Correspondence Until no longer of administrative
value.
- HH. Inventory of Fixed Assets (P) Until superseded
- II. Inventory of Fixed Assets (E) Until superseded

JJ. Juvenile Arrest Report	Permanent	
KK. Juvenile Arrest Report Attachments (P)		Two Years
LL. Juvenile Arrest Report Attachments (M)		Permanent
MM. KMC Report confirmation Sheet		Six Months
NN. LEADS Audit	Four Years	
OO. Minor Misdemeanor Citations (P)		Three Years
PP. Minor Misdemeanor Citations (E)		Permanent
QQ. Offense/Incident Reports	Permanent	
RR. Offense/Incident Rpt Attachments (P)		Three Years
SS. Offense/Incident Rpt Attachments (M)		Permanent
TT. Patrol Activity Report	Until incorporated into annual report.	
UU. Payroll Report	Three Years	
VV. Permanent Arrest Jacket	Age 80 or deceased.	
WW. Permanent Arrest Jacket: Video Taped Confessions		Age 80 or deceased.
XX. Personnel Records	Permanent	
YY. Purchase Orders	Three Years	
ZZ. Quarterly Report	Until incorporated into annual report.	
AAA. Radio/Telephone Audio Tape	90 days if not pending.	
BBB. Returned Property Receipt	Five Years	
CCC. Response to Resistance Report	Four Years	
DDD. Rules and Regulations (P)	Six Years after revised, superseded or no longer of administrative value.	
EEE. Rules and Regulations (E)	Six Years after revised, superseded or no longer of administrative value.	

FFF.	Scheduling (P)	One Year
GGG.	Scheduling (E)	One Year
HHH.	Security Cameras located in Dispatch Center	Until no longer of administrative value.
III.	Subpoenas, Summons, Warrants	Until Discharged
JJJ.	Summons in Lieu of Arrest (P)	Three Years
KKK.	Summons in Lieu of Arrest (E)	Permanent
LLL.	THF Log	Three Years
MMM.	Traffic Accident Reports (P)	Two Years

NNN.	Traffic Accident Reports	Permanent
OOO.	Traffic Accident Attachments	Permanent
PPP.	Traffic Citations (P)	Three Years
QQQ.	Traffic Citations (E)	Permanent
RRR.	Traffic Citations Ledgers	Three Years
SSS.	Traffic School Tests	Seven Years w/ Court Records
TTT.	Training Records (P)	Permanent (merged w/ personnel records)
UUU.	Training Records (E)	Permanent (merged w/ personnel records)
VVV.	Transient Documents (includes Phone Messages, Post-It Notes, & Other Minor Written Communication	Until no longer of administrative value.
WWW.	Use of Firearm Report	Four Years
XXX.	Vacation Security Checks	Two Years
YYY.	Vehicle Pursuit Report	Four Years
ZZZ.	Voice Mail (Telephone Messages)	Until no longer of administrative value.
AAAA.	Voided Tickets	Three Years
BBBB.	Written Warnings (P)	One Year
CCCC.	Written Warnings (E)	Permanent
DDDD.	Mobile Device Communication cell phone, blackberry, text messages	Until no longer of administrative value.
EEEE.	Internal Police Motor Vehicle Accident Investigations	Three Years

RECORDS RELEASE POLICY

General Order 6-3
June 2009

I. PURPOSE

- A. To provide prompt inspection of public record.
- B. Upon request, to provide copies of public records within a reasonable amount of time.
- C. Upon request, to mail copies of public records by U.S. Mail or fax.
- D. To provide copies in the medium specified by the requester, if that medium is available to our office in the normal course of business.

II. DEFINITION OF PUBLIC RECORD

A record held by a public office that is stored on a fixed medium, created, received or sent under the jurisdiction of a public office and that documents what the office does. Record include but are not limited to paper, videotape, audio tape, film, e-mail, etc.

III. AVAILABILITY

- A. All public records shall be promptly prepared and made available for inspection free of charge to any person at all reasonable times during regular business hours.
- B. The regular business hours of the Moraine Police Department Record Section are 8:00am -4:00pm Monday through Friday.
- C. Charge for records paper copies shall be fifteen cents for each sheet after the first 25 sheets.
- D. Video, audio and photographs
 1. The Moraine Police Division maintains a limited storage of audio and video tapes.
 2. Persons requesting copies of these are required to furnish blank recording tapes of sufficient quality to allow reproduction of the requested material.
 3. Costs shall be determined on a request basis following the guidelines established in this policy.

4. Persons requesting 35mm photographs pursuant to this policy shall be referred to the Miami Valley Regional Crime Laboratory. MVRCL processes film for the Moraine Police Department and retains all negatives prior to the end of 2007.
 5. Photographs for cases after 2007 will be kept at the Moraine Police Division in the DIMS. Persons requesting photographs, involving cases after 2007, will be provided a CD of photos at a cost of \$2.00.
 6. Polaroid photos will be filed in Records and cost one dollar per copy.
- E. Requests for personnel records or internal investigation records will be referred to the Chief of Police.

IV. RECORDS RELEASE

Members of the Moraine Police Division, who are authorized to release public records maintained by the Division, shall take the appropriate action to ensure that confidential law enforcement records are not released.

- A. Persons requesting a copy of a record or to inspect a record will be asked to fill out a Records Request Form.
- B. Releasing members will note in the Tiburon print log the reason and the recipient's name if voluntarily provided, otherwise put refused. For release of non-Tiburon records, file the records request form with the face sheet or fax transmittal form.
- C. If any information on the record has to be redacted, use a black marker to cover the redacted information on the first copy then copy it again and release this second copy and stamp with State issued stamp explaining redaction.

V. RECORDS NOT SUBJECT TO PUBLIC DISCLOSURE OR LIMITED PUBLIC DISCLOSURE

- A. Records that are not subject to disclosure due to State or federal laws such as social security numbers, LEADS / CCH / NCIC information, probation and parole records or records sealed pursuant to a court order.
- B. Medical records that relates to a patient's medical condition and were generated and maintained in the process of medical treatment.
- C. Trial preparation materials that were specifically compiled in a reasonable

- anticipation or in defense of litigation until the case is over, which includes appeals and post conviction relief, unless subjected to discovery and inspection pursuant to Criminal Rule 16. DataMaster results are public records.
- D. Records on matters occurring before a grand jury.
 - E. Investigation files such as notes, memoranda and working papers if the case is not over and if litigation is pending or highly probable.
 - F. Original Offense Reports can be released without redacting the identity of an uncharged suspect, but not supplemental investigative reports. Copies of original case reports containing the identity of an uncharged suspect, anyone who has not been arrested nor indicted can be released without redacting the name or identifiers. The suspect's name, identifiers or any information that would disclose the identity to the public, even if the identity has been disclosed in widespread media coverage, can be redacted from any supplemental

investigative reports/records. If the identity of the suspect is woven throughout the supplemental investigative reports or records that redacting sufficiently would be impossible, then you may withhold the entire record.

- G. Confidentiality of witness identity. A person must be reasonably promised confidentiality in order to survive a court challenge on withholding their identity in a record. This means you must have made an individualized determination that the promise was necessary to further the purpose of the investigation. Routine or automatic promises of confidentiality are not reasonable within the meaning of the public records act.
- H. Sophisticated investigatory techniques or procedures that would lose their usefulness if widely known can be redacted. Clearly, routine investigative techniques may not be redacted.
- I. Information that would endanger life or physical safety of law enforcement, victims, witnesses, and sources. Mere allegations or bare conclusions that a person's physical safety is threatened is not sufficient. The danger must be self evident.
- J. Juvenile reports of actual or suspected child abuse or neglect and sex cases unless to those agencies who need the information to discharge their responsibilities providing a written request is on the letterhead of the agency. Unauthorized disclosure is a violation of ORC 2151.421 and a misdemeanor of the fourth degree.
- K. Court Ordered Sealed or Expunged records will not be inspected nor copies released except under the conditions set forth in ORC 2953.32. Members will not even divulge the existence of any sealed or expunged records unless the requestor is allowed access under ORC 2953.32. These sealed or expunged records are filed in a designated location under the control of the Records Office. Members are not authorized to store sealed or expunged records in their files

VI. A.D.A. COMPLIANCE

- A. The Moraine Police Division shall facilitate all requests made by all citizens, regardless of handicap or disabilities. Members of the Moraine Police Division, authorized to release public records shall take all reasonable steps to ensure that no one is denied access to public information on the basis of handicap or disabilities.
- B. The Moraine Police Division shall follow all standards and guidelines established by local, state and federal law or mandates, as it pertains to the Americans with

Disabilities Act and other applicable laws.

VII. EXTRAORDINARY OR UNUSUAL REQUESTS

- A. An extraordinary or unusual request is defined as a request which would cause an interruption in the normal operation of the Moraine Police Division. Such requests may:
1. Take longer than 3-5 working days depending upon the scope of the request.
 2. Charges for the reproduction of the request may be made in advance.
 3. The viewing of such requests may be scheduled in advance to allow for planning of sufficient staff of the Moraine Police Division.

I. GENERAL GOALS AND OBJECTIVES OF POLICE RECORDS

- To provide the Department with records services support in an economical and efficient manner.
- To render maximum service to police personnel at the lowest possible cost.
- To furnish accurate and complete information when, where, and to whom it is requested.
- To provide correct information at the lowest possible cost.
- To safeguard police information from unauthorized use or disclosure.
- To make available information to the public as required by legislation.
- To contribute to the productivity of the Department through efficient completion of assigned responsibilities.

A. Submitting of Reports

1. All personnel are required to submit, to their supervisor, reports (completed and uncompleted) 1 hour prior to end of shift (unless the employee became ill or injured during the shift).
2. The shift supervisor will check for accuracy and completeness and forward the report for processing after any errors have been corrected.
3. Reports requiring immediate attention will be completed prior to the officer leaving. These reports include, but are not limited to, arrest reports, domestic violence reports, reports where LEADS/NCIC entries/cancellations were made, reports needed by the oncoming shift for follow-up, reports needed by the SAS or other agencies for investigation, reports needed for court or prosecutor filings, reports that could generate a substantial media or public interest, etc. Reports, other than the ones described herein, taken in the last hour of a shift may be submitted the next day.

B. Processing of Reports

1. All personnel will use the Tiburon User Manual and Moraine Police Department ARS Reference Guide in respect to documenting information as well as writing, submitting and checking reports.
2. Any report writing malfunctions will be submitted to the Records Section on a Computer Help Ticket / Repair Request form.

VOIDING UNIFORM TRAFFIC CITATIONS AND PARKING CITATIONS

General Order 7-1
May 2001

I. TRAFFIC CITATIONS AND MISDEMEANOR CITATIONS

- A. No citation, once issued to a violator, will be voided without approval of the Chief of Police or in his absence his designee. Any such request must first be approved by the supervisor and then be submitted to the Chief's office with a full explanation of the reason for the request. No ticket will be voided because of political pressure or request from other police departments, supervisors, command officers, or co-workers. The ticket shall be submitted in the original form and not marked as a void.
- B. When a citation is voided due to a printing error, technical language or falsification, etc., the citation replacing said ticket will be submitted with the voided citation as above. The voided ticket will be marked "void" across the front. An explanation of the error will be printed on the back of the citation. Attach a copy of the corrected citation and any pertinent information.
- C. Upon approval, the citation will be filed in the designated file.
- D. On the M.U.T.T. if only a certain charge is to be voided, not the entire citation, write Void This Charge only after appropriate section.

II. PARKING CITATIONS

- A. Parking citations may be voided upon request of the issuing officer by oral review with the supervisor. No ticket will be voided because of political pressure, request from other police departments, command officers, supervisors, or co-workers.
- B. Upon approval the supervisor shall initial the ticket and submit same to the Chief of Police.
- C. Upon approval the citation will be filed in the designated file.

I. PURPOSE

To establish division procedures for the operation and maintenance of radar and laser units.

II. OBJECTIVES

- A. The objective of using traffic radar or any speed meter device is:
 - 1. To aid the enforcement of speed laws.
 - 2. To reduce the number of motor vehicle accidents.
 - 3. To provide detailed speed information for traffic surveys.

III. OFFICER CERTIFICATION

- A. Division radar and/or any other speed metering devices shall be operated only by officers who are trained in their use and who have proven their proficiency to the satisfaction of the Chief of Police.
- B. Division radar instructors shall train and certify any officer who wishes to be a radar/laser operator.
- C. Training shall consist of a minimum of eight (8) hours of classroom/practical instruction. Each officer will also be issued an operator's manual for each type of radar/laser unit they are authorized to operate.
- D. This training will be integrated into the Field Training Officer program. Each officer will receive their radar/laser instruction as part of the FTO program.

IV. OPERATIONS

- A. Location - in selecting the site/area for stationary or moving radar enforcement, consideration should be given for the following factors:
 - 1. Location of accidents.
 - 2. Congestion of area.
 - 3. Special speed zones.
 - 4. Special traffic problems.
- B. Enforcement - a reasonable tolerance of five (5) miles per hour over the posted speed limit will be accorded the motorist. At all times, good judgement should be employed with consideration to such conditions as weather, traffic, presence of pedestrians, type of speed zone, and time of day.
- C. Operation - when operating the radar or laser unit, the officer shall manually lock in the violator's speed once the

officer has determined a violation has occurred and shall leave the control unit locked in on the speed until the violator has been given an opportunity to view the speed.

However, this does not impair the officer's ability to enforce a violation if the speed is not locked in, but should be avoided. Once the violator has either declined to view or has viewed the locked speed, the screen may be released.

- D. Use - before a radar/laser unit is used, each officer shall check the calibration before beginning his tour of duty. This shall be done in accordance with the operator's manual for the device being used.

NOTE: Do not strike tuning forks on any metal surface.

1. Should the machine fail to calibrate or develop any type of problem, the unit must be taken out of service immediately, and the division's radar instructor be notified of the problem via the vehicle/equipment repair request. No citations or arrests will be made until the unit has been placed back in service by the radar instructor.
- E. Storage - the Division has made every effort to have a traffic radar unit mounted permanently in each patrol vehicle. The Division does maintain other traffic radar/laser units that cannot be permanently mounted in a vehicle.
1. The hand held type radar/laser units are to be stored in their carrying case and will be transported to/from the patrol vehicles in their case.
 2. These radar/laser units are not to be transported loose in the vehicle trunk or left laying on the patrol vehicle floor.

MOTOR VEHICLE ACCIDENTS

General Order 7-3
May 2011

I. MOTOR VEHICLE ACCIDENTS

- A. Each police officer will investigate any motor vehicle accident reported or observed. The investigating officer will make every attempt to determine if a violation has occurred and any contributing factors.
- B. Officers will issue a citation when his investigation reveals that a violation of the law has occurred.
- C. Officers will attempt to obtain statements from persons involved, and from available witnesses.
- D. Motor vehicle accidents occurring on public streets will be reported on an Ohio Traffic Crash Report (OH-1).
- E. Motor vehicle accidents resulting in less than \$1000.00 damage, or no personal injury or death, need not be investigated if all parties agree to settle among themselves.
- F. Motor vehicle accidents at which parties have exchanged the required information and left the scene without notifying this Division need not be investigated. If at some later time one party wishes a report, an ARS informational report will be initiated.

II. PRIVATE PROPERTY TRAFFIC ACCIDENTS

- A. Motor vehicle accidents occurring on private property will not be investigated unless the accident:
 - 1. Involves serious injury
 - 2. Involves death
 - 3. Involves a hit skip crime.

III. MOTOR VEHICLE ACCIDENTS INVOLVING CITY VEHICLES

- A. All motor vehicle accidents involving City vehicles will be reported, regardless of severity of damage.
- B. If the motor vehicle accident results in injury or damage to motor vehicles or property whether private or City owned, the employee will submit the City's "Equipment or Vehicle Accident Report" form.
- C. City vehicle accidents will be investigated by the district officer. If the vehicle involved is a Police vehicle, the accident will be investigated by the Duty Supervisor.
- D. Photographs will be taken at all City vehicle accidents.
- E. Post-accident alcohol and drug testing shall be required within four hours of any City vehicle accidents involving a fatality, bodily injury to any person requiring medical treatment away from the scene, if one or more motor vehicles have disabling damage requiring the vehicle to be towed from the scene, or if the City driver received a citation for a moving violation arising from the motor vehicle accident. Testing will be done in accordance with the personnel manual section regarding drug-free workplace (section 6.4).

IV. SERIOUS INJURY AND FATAL MOTOR VEHICLE ACCIDENTS

- A. In instances where a death has occurred or might occur, there is serious physical injury or a high probability of litigation, the special traffic investigator will be notified.
- B. The traffic accident scene will be treated with the same care as any major crime scene.
- C. Officers will protect the scene, giving special attention to physical evidence, such as: skid marks, marks in pavement, and tire tracks in earth, snow, or mud.
- D. Officers are still responsible for gathering OH-1 and OH-3 information. The beat officer will coordinate his investigation with the special traffic investigator.

Notes: Primarily, removes the private property accident investigations unless there's serious injury/death. This brings us in line with the policies of other departments in the area. Also, removes the numbers and instructions for complying with the drug-free workplace conditions, and refers to the personnel manual, where the changes will be made by the City to reflect current conditions.

Finally, reminds the officers that they still have investigatory duties at a serious accident, and not to just stand around doing nothing while waiting on the accident investigator to arrive.

PROOF OF INSURANCE

General Order 7-4
March 1999

I. PURPOSE

To comply with Ohio Revised Code 4509 which requires that all persons who operate a motor vehicle must have liability insurance.

II. PROCEDURE

- A. The officer, upon issuing a traffic citation or making a physical arrest for a traffic violation, shall request appropriate proof of insurance from the violator. If the violator does not provide such, the officer shall:
1. Give the violator a Proof of Insurance form.
 2. The violator will be directed to sign the white copy on the top line indicated by DRIVER: Name.
 3. The officer will not fill out any information on the Proof of Insurance form for the violator.
 4. The hard carbon copy will be issued to the violator and the violator will be advised that further instructions are on the reverse side.
 5. The violator must submit the completed form to the Clerk of Court prior to the court date, or to the Court on the assigned court date.
 6. The officer will submit the white copy with the traffic citation.
- B. Violators with additional questions about the Proof of Insurance form or court procedures will be directed to the Clerk of Courts during normal working hours.
- C. Proof of Insurance forms are only for appearances in Moraine Mayor's Court.

ABANDONED and/or JUNK VEHICLES

General Order 7-5
March 1999

In accordance with Sections 4513.60 through 4513.64, ORC, certain procedures are mandated to be followed in cases of vehicles ordered towed as abandoned vehicles.

I. ABANDONED CARS

- A. Investigating officer, upon locating or receiving a complaint of an abandoned vehicle, shall make every attempt to have the matter corrected before initiating the removal procedure. If such efforts fail:
 - 1. Determine that the vehicle is not wanted or stolen, and identify the owner, if possible.
 - 2. Determine the vehicle has been abandoned:
 - a. 72 hours on private property.
 - b. 48 hours on public street.
 - 3. Complete the "Abandoned Vehicle Report". In instances where a property owner requests the vehicle be removed from private property, an "Authorization For Removal" form will also be submitted.
 - 4. The owner may be cited for abandonment if the owner can be found.
- B. Disposition of all unclaimed, abandoned vehicles will become the responsibility of an execution officer who shall keep all records as required for a period of two (2) years. The execution officer will be designated by the Chief of Police.
- C. Vehicles found abandoned on public property with no license plates can be towed at any time.

II. UNLICENSED OR INOPERABLE VEHICLES ON PRIVATE PROPERTY (SEC 353.02, M.T.C.)

- A. Upon observing an unlicensed or inoperable vehicle the officer shall give written notice, on the form prescribed, to the person having possession of the premises where the vehicle is located.
 - 1. White copy to the person served.
 - 2. Yellow copy to the Community Services Officer. The Community Services Officer will follow-up on the warning notice in three (3) days, and take enforcement action if the violation is not corrected.
 - 3. Hard copy to the reports tray for the Records Section.
- B. Upon failure to comply with the three (3) day notice, the Community Services Officer shall cause to be towed such unlicensed or inoperable vehicle.

- C. Thirty (30) days following the towing of said vehicle, after available means of locating the owner are exhausted, the vehicle will be disposed on in accordance with State Law as described in A-2.

III. RESPONSIBILITY

- A. The Community Services Officer shall be responsible for making periodic checks of private properties for violations.
- B. It is the immediate responsibility of all units to take action on abandoned, unlicensed, or inoperable vehicles, in public streets.
 - 1. Three day notices served for violations on public streets or public property will be forwarded to the Community Services Officer for follow-up action.

IV. TOWING

- A. Vehicles towed by authority of the police officer or vehicles towed by a licensed tow agency used by the police division and dispatched by the division, at the request of the driver/owner, will be recorded with the police dispatcher.
 - 1. License number and state.
 - 2. Owner's last name, if known.
 - 3. Reason for tow.
 - 4. Location vehicle towed from.
 - 5. If a hold is placed on the vehicle, the reason.
- B. All vehicles removed without the owner/driver notification shall be entered into the LEADS Towed Vehicle File.
- C. A Vehicle Inventory is to be completed on all vehicles towed by this Division.

ADMINISTRATIVE VEHICLE INVENTORY

General Order 7-6
April 1996

I. PURPOSE

To provide guidelines for conducting and Administrative Inventory on vehicles and property recovered by the Moraine Police Division.

II. POLICY

- A. To protect personal property.
- B. To protect the public caretaker, (i.e., towing or storage company).
- C. To protect the officer and the Moraine Police Division.

III. PROCEDURE

- A. It is the policy of the Moraine Police Division to inventory all vehicles or other property with which we become involved where the owner or agent of the owner is unable to assume control of the vehicle or property. If contraband or other incriminating materials are discovered during the course of an inventory, the officer will seize the items following normal rules of evidence and file criminal charges where appropriate. The officer must complete the inventory and should not stop after finding contraband or other incriminating materials.
- B. The scope of the inventory and the level of security for the property which is inventoried is the responsibility of the officer whose signature appears on the inventory report.
- C. Closed containers may be inventoried. Closed containers include locked and unlocked luggage and briefcases as well as other closed, sealed or taped containers. Should a key not be available, the decision to open locked containers should be an objective one based on the totality of the circumstances and whether the contents of the container can be determined by the container's exterior. The Moraine Police Division may have to assume responsibility for any property damaged during inventory. The officer should seek supervisory authority when damage may occur. The Vehicle Inventory Report form must be completed.
- D. During the course of a routine inventory, the following areas will be checks for items of value:
 - 1. Passenger compartment of a motor vehicle. (The passenger compartment is defined as any place the occupant can reach without exiting the vehicle).
 - 2. Glove compartments (unlocked or, if locked, when the key is available).
 - 3. Trunk area: to include any side panel compartments and under the spare tire (when the trunk key is available, unless exigent circumstances exist or probable cause exists to indicate items of value are present).
 - 4. Engine compartment (visible observation of items of value).
 - 5. Closed, locked, sealed, or taped containers. (The Moraine Police Division may have to assume responsibility for any property damaged).

6. Other vehicles (trailers being towed, etc., when the key is available).
7. Luggage carriers.

BICYCLE LICENSING

General Order 7-7
May 2005

I. PURPOSE

To establish division procedures for administering and maintaining a bicycle licensing program for the City of Moraine.

II. PROCEDURE

- A. It shall be the responsibility of the Crime Prevention Officer to:
 - 1. Maintain an adequate supply of bicycle licenses, registration forms and related safety-oriented material.
 - 2. Coordinate licensing and registration efforts.
 - 3. Conduct or be available to present, upon request, bicycle safety information programs.
- B. Bicycle license registrations shall be maintained by the Crime Prevention Officer and subsequently stored in the Police Records Division computer.
- C. Bicycle licenses shall be issued by the Crime Prevention Officer or by any employee of the Police Division. Licenses are issued only one (1) time for each bicycle or motorized bicycle, and will not have an expiration date. No license shall be issued unless the bicycle or motorized bicycle being licensed is physically inspected by the officer.