

BODY ARMOR

STANDARD NO(S):

NYSLEAP 41.1
NYSSA # 93

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REFER TO:

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I. OBJECTIVE

To establish procedures for the use of body armor by members of the SCSO.

II. POLICY

It is inevitable and understandable that incidents involving injury to police and correction officers and which result from assaults involving firearms and edged weapons receive high profile coverage both within the police service itself and also through the media.

The risk of such incidents occurring is thankfully extremely low when compared to the total number of arrests and incidents, which happen on a daily basis. However, the serious or even fatal consequences which, usually result from these incidents must never be underestimated.

The SCSO has a statutory responsibility under the NYS Public Employee Safety and Health Act to “furnish to each of its employees, employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm to its employees and which will provide reasonable and adequate protections to the lives, safety or health of its employees...” This statutory responsibility is further enhanced by the requirements of the Hazard Communication Standard (HCS) 29CFR 1910.132 as prescribed by the Occupational Hazard and Health Administration (OSHA) as it relates to Personal Protective Equipment and the responsibility of employers to provide personal protective equipment where risks cannot be adequately controlled by other means.

This policy aims to minimize the risks of injury to police officers and corrections officers from firearms or edged weapons through the provision and wearing of personal issue body armor. The SCSO will provide body armor which incorporates levels of protection that meets or exceeds standard number 0101.06 approved by the National Institute of Justice (NIJ).

Body armor is designed to protect the vital organs and cannot offer complete protection. It is therefore essential that staff continue to undertake dynamic risk assessments of the circumstances of an incident as an aid to the decision making process to enable the most appropriate course of action to be taken to minimize the risk to personal safety.

III. DETAILS

A. Distribution -Members engaged in law enforcement functions are issued body armor at the time of their employment. The Road Patrol Lieutenant will ensure that each member assigned to the Law Enforcement Division is assigned body armor. Members from the Corrections Division assigned to Transport duties have available to them “pool” body armor for use during Corrections related transports outside of the Correctional Facility and CERT Team operations.

B. Required use and exceptions -

1. UNIFORMED DEPUTY SHERIFF'S & SUPERVISORS

(Law Enforcement Division)

- a. Every uniformed member of the SCSO is required to wear his/her issued body armor at all times while on duty.
- b. Uniformed members during the times when SCSO policy requires the wearing of short sleeve shirts will wear their body armor inside of their uniform shirt and not visible or in a tactical vest carrier approved by the Sheriff.
- c. Uniformed members during the times when SCSO policy requires the wearing of long sleeved uniform shirts will wear their body armor in either the quilted outer shell outside of their duty uniform or inside of their uniform shirt, or in a tactical vest carrier approved by the Sheriff.

The following exception applies:

- 1. The requirement to wear body armor will not apply to members undertaking administrative tasks within police buildings or while participating in meetings, but will have it immediately available in their police vehicle. In the event that members undertaking administrative duties within police buildings are summoned to assist with activities outside of the police building, they may don and wear their body armor in either the quilted outer shell or inside of their uniform, but in all cases will wear their body armor.

2. PLAIN CLOTHES INVESTIGATORS & SUPERVISORS

- a. All plain clothes Investigators and Deputy Sheriff's will be provided with personal issue body armor, which will be worn:

1. While undertaking pre-planned operations involving forced entry in to premises where there is a reasonably foreseeable risk of confrontation;
 2. While undertaking pre-planned arrests where there is a reasonably foreseeable risk of confrontation;
 3. While undertaking inquiries into incidents involving members of the public/suspects where there is a reasonably foreseeable risk of confrontation;
 4. In any other circumstances identified as a result of an informed risk assessment by an individual officer and/or their supervisor.
- b. Plain clothes Investigators and Deputy Sheriff's will not be required to wear body armor for duties where risks to safety could be significantly compromised if individual identity is revealed. In such circumstances, the risk assessment for these activities must identify the alternative control measures, which need to be implemented to manage the risks.

The following exception applies:

1. The requirement to wear body armor will not apply to plain clothes investigators and supervisors while undertaking administrative tasks within police buildings or while participating in meetings, but will have it immediately available in their police vehicle.

3. CORRECTIONS OFFICERS & SUPERVISORS

- a. Every Correction Officer assigned to perform transport duties outside of the Seneca County Correctional Facility or deployed in a CERT Team operation within the facility is required to wear body armor until the completion of the task assigned. Corrections Officers have been provided with "pool" body armor concealed in an outer carrier which will be worn on the outside of the member's uniform.

C. Care of equipment -The cleaning and maintenance of body armor is the responsibility of the member to whom it is issued. As with any item of equipment, body armor is subject to periodic inspection by supervisory personnel.

D. Replacement -Although current studies are not conclusive as to how time affects the protective quality of body armor, for the present, it shall be assumed that armor now in use has an effective life of approximately five years or more and shall be considered for replacement thereafter.