

## ROAD PATROL

STANDARD NO(S)

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REFER TO:

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### I. OBJECTIVE:

To establish guidelines for the performance of those members of the SCSO engaged in the road patrol functions.

### II. POLICY:

It is the policy of the Seneca County Office of Sheriff that all members assigned to road patrol duties shall dedicate themselves to the following performance objectives, thus promoting the safety and insuring the rights of the general public in Seneca County:

- A. Curtailment of personal injury and property damage accidents through the use of directed patrol and aggressive law enforcement.
- B. Reduction of crime by increasing the efficiency of preventive patrol, timely investigations and accurate and complete reporting.
- C. Lessening the harmful effects the impaired driver has upon public safety by making concentrated enforcement efforts and encouraging public awareness of the seriousness of such conduct.
- D. Meeting the needs of the public with a quick response to their calls for service and through thorough examination resolving those matters in a fair and just manner.
- E. Compliance with the performance objectives will be insured with periodic assessment by supervisory personnel.

### III. DETAILS:

A. Within the SCSO Law Enforcement Division, the Road Patrol Division is an established component. Supervision of the Road Patrol consists of five (5) Sergeants and one (1) Lieutenant who reports to the Chief Deputy, Under Sheriff and Sheriff. Responsibilities of those members assigned to the Road Patrol Division shall include the following:

**1. Preventive patrol** - This activity begins with the member's mere presence with a marked vehicle in an area; however, in order to be truly effective, must include the appropriate inquiry and inspection activity as well. A thorough knowledge of one's patrol sector, along with constant vigilance for the potential violations of public order and the curiosity to determine the reasons for unusual activity, will contribute greatly to the prevention of crimes and accidents.

**2. Crime prevention activities** - Through regular contact with the public, members will become aware of situations which may have the potential for, or appear to encourage criminal activity. The road patrol officer is in an excellent position to educate the citizen and to enlist his aid in the prevention of crime.

**3. Response to calls for services** - Because one is in constant radio contact while in an on-duty status, the road patrol officer is in a position to respond in a timely manner to a call for service.

a. Calls for service can originate in several ways:

- 1) Thru a call to the E911 Center as a request for police presence in an emergency or non-emergency situation;
- 2) Thru a call or contact with personnel at the LEC for either an emergency or non-emergency situation where an officer is requested; or
- 3) When the public appears at the LEC to for information or to report a situation that should be handled by a police officer.

b. During regular business hours, personnel assigned to the Records Division will be the first contact a citizen has with the SCSO. Citizens come to the LEC for a variety of reasons such as to file a complaint or request information. If personnel in the Records Division can provide such requested they will make every effort to do so. If the matter is outside the purview of the Records Division the following procedure will be used:

- 1) Records personnel will attempt to contact any on duty Deputy or Sergeant or if necessary the Lieutenant within the confines of the

LEC and request they respond to the lobby to assess the situation and arrange for the matter to be handled.

- 2) If not available, then a member of CID or if necessary a member of the Administration, should be contacted and requested to come to the lobby to assist;
    - a) In this situation, when appropriate, the E-911 Center will be contacted and a request will be made to direct the local SCSO patrol to the LEC to handle the matter. When the local patrol is assigned by the E-911 Center, an estimate time of arrival (ETA) of the member will be established and the complainant will be informed.
  - c. If there is to be a delay pending the arrival of a member of the Law Enforcement Division, the complainant may be given the option of waiting on the premises or meeting with an SCSO representative at another time or location. What is essential is that an early determination must be made by an appropriate officer as to the possibility of a threat to persons or property, the nature of the violation, if any, and the course of action to be taken.
  - d. Having responded to a call for service, it is necessary for the road patrol Deputy to advise the E-911 Center when he or she has completed the call and is available for further calls. A report on how the complaint was handled will be made through the electronic SJS Record Management System.
4. **Investigation of offenses** – A member assigned to the SCSO Road Patrol will respond to any calls for police service. When appropriate the member will request a backup patrol from the E-911 Center. Road patrol officers and Sergeants, if appropriate, are responsible to respond to all calls for service and be responsible for the preliminary investigation action and required SJS reports. Road Patrol Officers, and if appropriate Sergeants, are responsible to investigate and follow through to conclusion all cases involving violations and misdemeanor crimes unless directed otherwise by a higher authority. Road Patrol deputies are to consult with the Duty Sergeant before calling the on call CID Investigator. Most Felony cases, except V&T Felonies, are turned over to CID. In some Felony cases, where a CID response is not needed, the Road Patrol may handle the case with the approval of the Duty Sergeant and the on call CID Investigator. With the consent of the CID Lieutenant Road Patrol Officers may continue to handle or assist with any Felony case on a case by case basis. All Road Patrol Officers are responsible to see that all information developed—including but not limited to: original notes, statements, text messages, emails and documents are turned over to the CID Investigator assigned.
- a. The initial phase, known as the preliminary investigation, [See "**Criminal Investigations**", this manual] of all offenses will be conducted by the member(s) responding to the scene, unless ordered otherwise by the shift Sergeant or higher authority. In this circumstance, the matter will be

handled by a member assigned to the Criminal Investigation Division or by some other component of the SCSO.

- 1) The preliminary investigation includes careful evaluation of the situation upon arrival; location, identification and interviews of suspects, victims, witnesses or complainants; protection of the scene, if necessary; and the collection or the request for collection of evidence. All such activity must be recorded and submitted in an appropriate report.
- b. If information is obtained that should be entered into the EJUSTICE system, such as a missing person, a stolen vehicle (auto, motorcycle, ATV) firearm, etc. The responding officer is responsible for providing that information to the E-911 Center immediately after taking the report. Do not wait until the end of the shift. The E-911 Center will send the message and provide the message number. This number shall be entered in the Incident Report. Sergeants will not approve any reports at shift's end that lack this number.
- c. Members assigned to the Road Patrol are expected to conduct follow-up investigations whenever possible, [See "**Criminal Investigations**", this manual.] Depending upon the locality or complexity of the matter, or other indicated need for a specialized investigation, the case will be turned over to the Criminal Investigations Division for follow-up. Circumstances which will result in automatic transfer to CID are for example, but not limited to:
  - 1) The offense appears to be one of a pattern;
  - 2) All felony crimes, except Driving While Intoxicated
  - 3) The investigation involves a member of the SCSO; or,
  - 4) There is some other condition which would make it difficult for the road patrol member to follow-up, such as a scheduling issue or a conflict of interest.
  - a) In cases where there is a question as to appropriate referral to CID from the Road Patrol the CID Lieutenant, after a thorough review of the case facts has the right to decline adoption and assignment to a CID Investigator.
  - b) Nothing in this directive shall preclude members having different assignments from working together on a follow-up investigation, provided their respective supervisors approve and such activity will cause no impairment of a component's chief function.
- d. Road Patrol personnel are occasionally dispatched to a banking institution on the basis of an alarm having been received at the E-911

Center. As noted in "**Communications**", this manual, the Seneca County E-911 Center has a policy and procedure (7.1) dealing with alarms including bank alarms. The E-911 Center Communications Officer will attempt to determine the validity of the alarm and will advise any dispatched units of the result.

- 1) The methods for determining the status of a bank alarm have been developed by the FBI and the banking industry in this area. They consist of a telephone inquiry (during business hours); an observable signal in the form of a green card placed inside a window or glass door at each customer entrance of the bank; and, a bank employee inside the entrance to intercept the responding law enforcement officers.
- 2) The green card is a signal to the officers that it is safe to enter, i.e., either the alarm was activated by mistake, or if there had been a hold-up, the perpetrators are no longer on the premises. The green card system was developed to eliminate the possibility of a hostage situation inside the bank.

**DO NOT ENTER THE BANK IF YOU DO NOT SEE A GREEN CARD.**

- 3) Failure to receive the coded response by telephone, or if the telephone is not answered, the E-911 Center will notify the responding units that the proper response code WAS NOT received and caution should be used upon approach (If an alarm is received after business hours when the premises should be unoccupied, the incident shall be treated as a crime in progress.)
- 4) Upon notification from the 9-1-1 Center that the proper response was received, meaning that a bank employee has described the alarm as false; the following procedure shall be followed:
  - a) One of the dispatched units shall proceed to the bank at non-emergency speed.
  - b) Even with assurance that the alarm is false, responding personnel should, nevertheless, exercise due caution and look for both the "green card" displayed on the inside of the customer entrance door, and for the bank employee who should be waiting inside the door to assist.

**5. Civil matters** - As noted in "**Code of Conduct**" this Manual, officers may not assist in the prosecution of a private or civil matter, except when authorized after due process. This limitation on a police agency is frequently misunderstood by the public.

- a. Where a purely civil matter is indicated, the responding officer should carefully explain the SCSO's lack of jurisdiction and suggest the complainant contact an attorney, legal assistance, small claims court, the

Center for Dispute Settlement, or any other referral agency deemed appropriate.

6. **Traffic direction and control** - Road patrol officers will respond to reports of traffic problems, or where traffic problems can be anticipated. On the scene, the road patrol officer shall assume responsibility for the resumption of the safe progress of traffic, and, if caused by a hazard which can be removed, one shall take action to do so.
  - a. Hazards which might be encountered include debris in the roadway, defects in the roadway itself, vehicles parked or abandoned on or near the roadway, or defects in or the lack of highway safety devices.
    - 1) The road patrol officer shall be familiar with highway safety devices which are used in the patrol post on a permanent or temporary basis. Such devices include, but are not limited to:
      - a) Street lighting and reflectors;
      - b) Traffic control signs and devices;
      - c) Pavement markings and conditions; and
      - d) Impact attenuation devices.
    - 2) Upon becoming aware of a condition affecting the safety of a roadway, which cannot be rectified at once, the member shall immediately advise the E-911 Center.
    - 3) In the event the threat to the safety of highway users is immediate, the member shall remain at the scene to direct and assist traffic movement until the hazard is removed or until one is relieved by competent authority.
    - 4) In the event the traffic impediment involves a hazardous material, the member should refer to "**Hazardous Materials Incidents**," this Manual.
7. **Regulation of businesses or activities** - Road patrol officers may be required to make on-site inspections of activities that are licensed by the New York State Racing and Wagering Board for the purpose of insuring that licensees are in compliance with the law.
8. **Maintenance of public order** - Certain private or public activities result in large gatherings. The presence of on-duty SCSO members at such events insure that public order is maintained.
9. **Provision of emergency services** - Because of the general availability of on-duty SCSO members, they will occasionally be called upon to

provide emergency services until the arrival of another appropriate agency if required.

**10. Development of relationships between citizens and the SCSO** - All members, regardless of assignment, should never lose sight of the necessity for fostering good relationships with individual citizens and groups and should put this into practice at all times. No law enforcement agency can function without the goodwill and cooperation of the public.

**B.** Communication, coordination and cooperation between personnel assigned to the Road Patrol Division and other components of the SCSO shall be accomplished through:

1. Monthly management meetings;
2. Patrol supervisors meetings;
3. Shift briefings, either verbal or written; and
4. The exchange of information via the SCSO computerized message system.

**C.** Members assigned to the Road Patrol Division are the eyes and ears of the SCSO. Their effectiveness will be in direct proportion to their diligence in assuring that information received is passed along to other SCSO components, especially those whose function is the investigation of offenses and the apprehension of suspects. The media through which this kind of information is disseminated are:

1. Discussion based on officer's notes - Members are encouraged to discuss significant activities and ongoing cases within their assigned posts with criminal investigators working in that patrol area.
2. Incident Reports - Reportable activities are reflected in the appropriate format and are submitted to the shift supervisor at the end of the shift. These reports shall be reviewed by the patrol supervisors and, if appropriate, are forwarded to the Criminal Investigation Division.
3. In order to insure that all personnel are aware of the latest developments in matters within their purview, investigators shall, if appropriate, prepare written handouts for distribution through the patrol supervisor, or include the necessary information in the message system or on the current hot sheet. Consideration should be given to methods by which confidentiality can be maintained, if necessary.

**D.** The SCSO is staffed 24 hours a day, every day of the year. Provided each 8-hour shift is at full complement, road patrol staffing is as follows:

1. "A" Line - From a total of 3 officers assigned, a minimum of 2 on-duty officers;

2. "B" Line - From a total of 3 officers assigned, a minimum of 2 on-duty officers; and,
3. "C" Line - From a total of 3 officers assigned, a minimum of 2 on-duty officers

In addition, each shift is supervised by a road patrol Sergeant or higher ranking officer.

**E.** In order to provide for continuous patrol coverage of Seneca County, the following schedule of shift changes shall be in effect:

- "A" Line – 11:00 PM to 7:00 AM,
- "B" Line - 7:00 AM to 3:00 PM, and
- "C" Line - 3:00 PM to 11:00 PM.
- "A+" – 10:00 PM to 8:00 AM
- "B+" – 6:00 AM to 4:00 PM
- "C+" – 2:00 PM to 12:00 PM
- "G" – 11:00 AM to 7:00 PM
- "G+" – 10:00 AM to 8:00 PM
- "H" – 7:00 PM to 03:00 AM
- "H+" – 6:00 PM to 4:00 AM

1. Officers reporting for duty shall, arrive at their assigned post prior to the designated starting time, unless given permission by their patrol Sergeant or a higher ranking officer. Upon arrival at the assigned post, the previous shift officer is relieved. Shift briefing for the reporting officer is discussed in ¶K below.
2. When, by reason of illness or other emergency, an officer is unable to report for work, it is the member's responsibility to notify the shift Sergeant, or in his absence, another on-duty member must be notified immediately. Failure to do so will result in the absence being designated as an unpaid day for the officer. Upon being notified of a member's absence, the shift supervisor or member will send an electronic mail message email to the Road Patrol Lieutenant AND the clerical person designated to do payroll detailing the call in absence.



- F. It is the responsibility of the Sheriff to insure that effective patrol coverage is provided throughout the county. To achieve this, final authority for the designation of patrol areas must rest with the Sheriff.
1. Shift assignment shall be done in accordance with the Union contract. The following guidelines will govern patrol shift assignments:
- a. New members will be assigned to a Field Training Officer for a period of not less than nine (9) weeks. See “**Field Training Officer Program**”, this manual.
  - b. Following successful completion of the Field Training period, the member assigned to the Road Patrol Division, as a full time officer shall have the opportunity to express a preference for a particular shift assignment as follows:
    - 1) Bids are put out at different times of the year but each encompasses a six week rotation, members may submit a shift preference list for each of these six week rotations.
    - 2) Preferences will be accommodated on the basis of member's seniority in the Road Patrol Division.
    - 3) After bidding is completed members may ask for a “swap” with another member, this will be submitted in writing and signed by both members indicating they both request the swap. It will be forwarded to the Road Lieutenant for final approval. Approval will be based on what is best for the SCSO, but no request will be unfairly denied. No request will be approved if it causes an increase in overtime.
  - c. Members may volunteer for special assignments and when there are insufficient volunteers, the road patrol supervisors will assign members to be able to complete the detail and will do so on a rotating basis.
- G. In order to insure the proper delivery of law enforcement services throughout the county, the county has been divided into five patrol posts. The boundaries of the patrol posts shall be determined by township. Members assigned to the Road Patrol Division will be assigned to a patrol post and will remain within the boundaries of that post throughout the shift unless directed to leave the post by the shift Sergeant or other competent authority.
- H. It shall be the responsibility of the shift (or duty) Sergeant to assign members to the various patrol posts. Such assignment shall be made on the basis of the number of patrols available, i.e., a patrol may be directed to cover more than one post. In a county like Seneca, It is desirable that all officers to become thoroughly familiar with all areas in the Seneca County. Sergeants should rotate patrol post assignments to insure members become familiar with all portions of the County. It will also be the responsibility of the shift Sergeant to assist members in

completing follow-up investigations by assigning members to appropriate patrol posts to accomplish such follow-up investigations.

- I. Proper supervision is essential to the discipline and high level of competence which is expected of our profession. The Sergeant, as the first-line patrol supervisor, has the primary responsibility to guide, train, direct, motivate and counsel subordinates. In order to meet these responsibilities, the number supervised, their deployment, and the duration of such supervision must be held to manageable limits.
- J. Work schedules for members and Sergeants assigned to the Road Patrol Division are based on an 80 work hours in a two week payroll period. The Road Patrol work week cycle consists of six day cycles; four days on-duty, two days off-duty, after which the cycle repeats. In the weeks that 40 hours would not be reached due to the above schedule, then four, ten hours days, known as “plus” shifts will be worked with two days off-duty.

The Sheriff will attempt, in good faith, to adhere to this plan; however, in the interest of meeting responsibilities to the public, scheduling decisions are solely those of the Sheriff.

**K. Shift briefing –**

- 1. As noted in ¶E above, officers are expected to be prepared to assume duty at the designated starting time. Whether at roll call, by radio or other electronic means from the Duty Sergeant or other competent authority, the following matters will be addressed:
  - a. Verification of post assignments and notification of any changes;
  - b. New policies, procedures, or directives;
  - c. Information regarding stolen vehicles, wanted persons, or general intelligence from other SCSO components or outside agencies;
  - d. Noteworthy events or hazardous situations as reported by earlier shifts;
  - e. Relevant community-based initiatives, if any; and
  - f. Training matters.
- 2. The road patrol Sergeant is responsible for meeting the patrol officers in their respective posts in order to conduct personal and vehicle inspections and to insure the delivery of any necessary paperwork. To facilitate the sharing of information between officers, investigators, and supervisory personnel, the E-mail system from and to any of the Community Offices provides a secure method of communication.

**L.** The safety of SCSO members while responding to a call for service is of paramount concern; therefore it is recognized that certain calls demand the presence of more than one officer to handle the matter effectively. Although the decision to deploy additional officers is ordinarily made by the road patrol supervisor, the incidents listed below are typical of those calls which would require that at least two patrol units be dispatched.

1. Member's call for assistance (e.g., officer is under actual or threatened attack, or arrest is being resisted).
2. Alarm, residential or business.
3. Report of violent misdemeanor or felony in progress, e.g., assault, robbery, burglary.
4. Report of family disturbance.
5. Report of a violent person.
6. Mental hygiene arrest.
7. Report of attempted suicide.
8. Report of a fight in progress or violence is threatened.
9. Serious motor vehicle accident or traffic control situation.
10. Execution of a felony warrant.
11. Report of the display or threatened use of weapons.
12. Report of fleeing suspect.

**M.** As set out in the Criminal Procedure Law, Section 140.50, "a police officer may stop a person in a public place located within the geographical area of such officer's employment when he reasonably suspects that such person is committing, has committed or is about to commit either (a) a felony or (b) a misdemeanor defined in the Penal Law, and may demand of him his name, address and an explanation of his conduct." Members of the SCSO are encouraged to conduct field interviews, which do not violate the above provisions, in order to resolve any ambiguous and suspicious situation. In all such instances, the member should:

1. Advise the dispatcher of the activity and the location; and,
2. Approach the intended interviewee with caution.

**N.** Generally, it shall be the policy of the SCSO to respond to a report of a crime by having a patrol officer make a personal on-the-scene appearance for the collection of information. Recognizing that there may be circumstances in which

a victim or complainant may be reporting an incident from outside the jurisdiction of the SCSO; the following criteria are set out governing the acceptance of such information in this alternative manner:

1. Victim/complainant is lodging a formal crime report in writing or through his attorney; or,
  2. If by telephone, the investigating member shall verify that the information is directly related to a crime and that the source is the victim/complainant, his attorney, or some responsible person acting on his behalf if he is incapacitated.
  3. These criteria should not discourage a member from receiving information other than in person, especially if the information concerns an impending emergency or criminal activity and it appears to be credible. A report on how the complaint was handled will be made through the electronic SJS Record Management System
- O.** The New York State Criminal Procedure Law, which codifies all aspects of prosecution from arrest to sentence and beyond, does not require police officers to be present at arraignments.
1. In the case of other preliminary proceedings, such as a hearing to determine whether a defendant is to be held for Grand Jury action, or a hearing to determine whether evidence or a statement is to be suppressed, a police officer's presence may be required if the officer's testimony is considered necessary. In this event, a written report or sworn affidavit will not suffice.
- P.** Occasionally, members assigned to road patrol duties will encounter a situation which requires the presence of a supervisor at the scene for the purpose of assuming command. In this context, "supervisor" means the on-duty road patrol Sergeant or Lieutenant, who will proceed to the scene upon notification that any of the following incidents have occurred:
1. Fatal or serious accidents/fires;
  2. Suicides or natural death cases;
  3. Felonious assaults;
  4. Serious felony cases;
  5. Bomb threats or evacuations;
  6. Fugitive or missing person searches;
  7. Barricaded suspect or hostage situation;
  8. Incidents involving the use of force;

9. Injured SCSO member;
10. Accidents involving County-owned vehicle;
11. Crowd control, if potentially violent; and,
12. Details or out-of-county assistance, if more than two members.
13. Cases involving suspected or confirmed Hate Crimes.

The road patrol Sergeant has the authority to make the necessary decisions for requesting additional resources in order to meet the objective; however, it shall be incumbent upon the Sergeant to notify the duty Lieutenant that on-the-scene supervision is underway. In the event the situation requires coordination among SCSO components, or with one or more outside agencies, the Lieutenant will personally respond to the location.

It is the Lieutenant's responsibility to notify the Sheriff through the chain of command. In the absence of the Sheriff, Undersheriff or Chief Deputy, the Lieutenant shall act to insure that all appropriate policies and directives are followed.

**Q.** As seasonal supplements to the regular patrol function, the SCSO provides marine patrol; components of the Marine Unit are described as "**special details**", this manual. These patrols are staffed by part-time members and are under the command of the Road Patrol Lieutenant.

1. The marine patrol operates on a regular basis from May to September, with priority given to the regulation of boat traffic on Seneca and Cayuga Lakes and the Seneca Canal, all of which lie partly within Seneca County. The marine patrol is also responsible for providing support as needed to the area fire departments Underwater Search & Recovery Units as described elsewhere in this Manual. Members assigned to the marine patrol are required to file the necessary reports based upon their activity.
2. As with any other arrest, one made for operating a vessel while intoxicated under the provisions of the Navigation Law, must be founded on probable cause.
  - a. The difficulty here is that unlike a traffic stop, intoxication of a boat operator may not be so readily apparent since the member will not ordinarily be close enough to observe the physical signs of intoxication, nor will one usually be in a position to administer a field sobriety test to confirm one's suspicions. Therefore, the member must find reasonable cause from the totality of the circumstances surrounding the incident which, when taken together, indicate operation in violation of the law. Such circumstances may include, but are not limited to:

- 1) Evidence of operation in violation of any provision of the Navigation Law which regulates the manner in which a vessel is to be properly operated while underway.
- 2) Visible indication of alcohol or drug consumption or impairment by the operator.
  - 3) Any other evidence surrounding the circumstances of the incident which indicate that the operator had been operating a vessel while impaired by the consumption of alcohol or drugs or intoxicated at the time of the incident.
3. It shall be the policy of the SCSO, consistent with similar policy affecting DWI, that an operator who is believed to be intoxicated shall be charged with a violation under Section 49-a, paragraph 2 (a). Having made the determination that the operator should be so charged, the member should adhere to the following procedures:
  - a. The person shall be told that he is under arrest for boating while intoxicated. It must be realized that an arrest under these circumstances is a custody arrest since the level of intrusion which accompanies the removal of the arrestee from the site cannot be avoided; therefore any questioning must be preceded by the Miranda warning and waiver.
  - b. Using the following language, the arresting officer should say the chemical test warnings as follows:
    - 1) You are under arrest for operating a vessel while in an intoxicated condition.
    - 2) You are requested to submit voluntarily to a chemical test of your breath (blood or urine) to determine the alcoholic (or drug) content of your blood. If you refuse to submit to a chemical test, the fact of your refusal will be introduced into evidence at any trial, proceeding or hearing resulting from this arrest.
    - 3) Will you submit to such a chemical test?
  - c. If the operator consents, the member shall contact the E-911 Center and request that:
    - 1) The shift Sergeant be notified and transportation arranged.
    - 2) Arrangements be made to obtain the assistance of a certified breath test operator or of a medical facility for the drawing of blood or urine.

- 3) The arrestee will be removed to the location designated for the breath test. Using the same methods as stated in “**Traffic Administration, Enforcement and Control**”, this manual.
- d. If a breath test is to be administered, the procedures set out in **Traffic Administration, Enforcement & Control**, this Manual shall be followed.
- e. The procedures applicable to a blood or urine test will be found in paragraph H (10) of the above citation.
- f. The provisions for obtaining a court order for a chemical test in those cases where a boating accident resulted in the death or serious physical injury of a person, other than the operator, and there is reasonable cause to believe the operator was intoxicated, are set out under Navigation Law, Section 49-a, paragraph 8 and shall be carefully followed.
- g. A member making a custody arrest of an operator under any provision of the law shall take any necessary action to insure that the defendant's vessel is secured at a safe location on shore.
- h. In cases where there is no reason to keep the arrestee in custody, thus not necessitating an arraignment, the member may issue a Parks and Recreation Ticket for a court appearance at a later date.
- i. Any samples of blood or urine obtained shall be stored and secured in the evidence refrigerator located in the patrol office and the Evidence Custodian shall be notified of such evidence being present in the refrigerator for transmittal to the laboratory in accordance with procedures described in this Manual.
- j. The following is a checklist of the reports and other documents which may be required following an arrest made for boating while intoxicated and, if appropriate, which should be assembled into a packet for review by the shift Sergeant:
  - 1) Arrest report
  - 2) Report of refusal to submit to chemical test
  - 3) Incident report
  - 4) Accident report
  - 5) Teletypes
  - 6) Results of breath test or any laboratory test results, when received
  - 7) Copy of Parks & Recreation Tickets

- 8) Other accusatory instrument together with any supporting depositions
- 9) Statements
- 10) 710.30/Bill of Particulars
- 11) Copy of court order for compulsory chemical test and application requesting same
- 12) Oral exam

k. Upon completion of the arrest and any testing procedures, it is the responsibility of the arresting member to advise the E-911 Center in order that the required teletype may be sent to the Commissioner of Parks, Recreation & Historic Preservation in Albany.

4. Activation of the marine unit may be initiated by the duty Sergeant with approval of the Lieutenant. Requests for these resources from out- of- county agencies must have the prior approval of the Sheriff or a designee.

**R.** As members assigned to the Road Patrol travel throughout Seneca County, they will be in a position to recognize and identify an actual or potential police hazard, defined as "any situation, person, property or place that may induce an incident calling for some law enforcement action." Some of these are:

1. Clandestine drug laboratories - With the proliferation of controlled substances, rural areas have offered ideal seclusion for the manufacture and processing of illegal drugs. Members suspecting such activity shall, after obtaining available preliminary information such as location, persons involved, vehicles present, chemicals purchased or stored, unusual security measures, report immediately to the shift Sergeant who, in turn, will notify the CID supervisor or on-duty Investigator for further possible investigation.
2. Public events - As with any resort area, Seneca County is host to many seasonal visitors who attend events such as the Seneca County Fair, Empire State Farm Days, the Strawberry Festival, among others. Any of these can be expected to attract at least a few persons with criminal proclivities. Members assigned to road patrol duties should be aware of this potential for the need for law enforcement action.
3. Public locations - There are a number of parks in Seneca County where young people, especially minors, congregate for the consumption of alcoholic beverages or illegal drugs. This activity generally takes place after dark. If observed, members should notify the shift Sergeant who will assess the need for additional manpower in the event an enforcement action is necessary. Some of these locations are:

a. Seneca Lake State Park, Route 5 and 20, Geneva (T/Waterloo)



- b. Cayuga Lake State Park, Route 89, Seneca Falls
  - c. Lodi Point State Park, County Road 136, Lodi
  - d. Deans Cove State boat launch, Route 89 Romulus
  - e. Herndon Park, First Street, Willard
  - f. Three Bears park, Main Street, Ovid (County Park)
  - g. Ovid Municipal Park, Behind the Ovid Municipal Building, Ovid
  - h. Lodi Town Park, Orchard Street, Lodi
  - i. The Play Ground, Lower Lake Road, Seneca Falls
4. Information regarding the presence or updating of actual or potential police hazards as described above, whether received from SCSO members or from an outside agency, will be disseminated at briefings and/or through the computerized message system, thereby insuring its receipt by all concerned. It shall be the responsibility of the shift Sergeants or Lieutenant to determine the best patrol techniques to be used to minimize or, if possible, to eliminate police hazards; however, when a member is confronted with a police hazard, one may act immediately to minimize or eliminate the hazard, taking into consideration public safety, officer safety and the need to act without further delay.

**T. Spillman Incident Management System** – Spillman is a computerized incident reporting system and records management tool. It works as a data base for all reportable incidents, arrests and other subjects including the master name index. All Law Enforcement members have access to this system through the computer network. The following guide lines for the use of the Spillman system is as follows:

- a. All law enforcement officers, designated employees assigned to the records division and other designated members deemed by the Sheriff to need access, will have rights to utilize Spillman through computer work stations located in the patrol, CID, administration and records areas. All laptops will also have this program so they may be used as a work stations in the LEC and north patrol station, when logged onto the SCSO electronic network. Each user will have a unique user name, set by the Spillman administrator or Network administrator and password as selected by the user. If the user forgets their password or feels there is a breach to their security access they may request the password be reset by the Spillman administrator or Network administrator.
- b. All calls for service that members are sent to by the E-911 center require a Spillman entry be made. If the member is cancelled from one call to answer another then ask E-911 center to note that in the complaint.

- c. Calls for Service (complaints) may be generated by a call from the public or self-generated by the officer. Self-generated calls for service, including but not limited to: Traffic Stops, Property Checks, Suspicious Person checks and Suspicious Vehicle checks will also require a Spillman entry.

**U. TraCS System-** Traffic and Criminal Software (TraCS) is a computer base reporting system for uniform traffic tickets (UTT), MVA's, incidents and field interviews. Each member of the road patrol unit and others as deem necessary by the Sheriff will have access to this system through all the computer work stations located in patrol, selected CID and administration and all records computers work stations. This program is also located on the laptop computers in Sheriff Office patrol vehicles.

1. Each user has a specific user name set by the TraCS administrator and password as selected by the user for log in purposes.
2. It is recommended that members do a "START SHIFT" every day before going out on patrol. This will update their laptop mobile unit for TraCS.
3. All UTT's will be issued through the TraCS system unless there is extenuating circumstance for them not to be. Reasons for not using the TraCS system may include but are not limited to, the system being down, laptop not working properly, printer in vehicle is down and not yet trained on system.
4. Each member will, at the end of their shift do an "END SHIFT" on their laptop sending all shift activity to the Server.
5. After "END SHIFT" the member will log into the RMS system and finish out all incidents that migrated over from TraCS.
6. Problems with the TraCS system are to be reported to the Patrol Lieutenant, the Patrol Lieutenant will be responsible to make arrangements for repairs and coordinate with TraCS support unit in Albany and the Seneca County Network coordinator for such repairs.
7. Each new member will receive training on the use of TraCS during their field training time and it will be the responsibility of the members FTO to see that this is completed.

**V. Hospitalization of the mentally ill -** § 9.58(a) of the Mental Hygiene Law provides for a "mobile crisis outreach team" comprised of certain mental health professionals who have the power to remove or *to direct the removal* of any person to a hospital "for the purpose of evaluation for admission if such person appears to be mentally ill and is conducting himself in a manner which is likely to result in serious harm to the person or others."

1. § 9.58(b) provides that "if the team physician or qualified mental health professional determines that it is necessary to effectuate transport," he or she may *direct ... "a sheriff's department* to take into custody and transport any persons identified in subdivision (a) of this section."
2. Members of the SCSO, while engaged in road patrol duties, may be called upon to render such service. Arrangements should be made to have two officers, riding together, engage in such transportation.
3. For further guidance, § 9.61, entitled "Transportation of persons to or between hospitals" reads, "In carrying out the transportation of any person to or between a hospital, including a comprehensive psychiatric emergency program, pursuant to the provisions of this article appropriate attempts shall be made to elicit the cooperation of the person to be transported, prior to resorting to compulsory means of transportation."