

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	1.0
Originator: Hubbard		Page #	3 of 3
		Date	1/1/02

- 1.4.10 Supervisor or supervisory officer means Park Superintendent, District Superintendent, Superintendent of State Parks and Director, or their Acting personnel.
- 1.4.11 Oleoresin Capsicum (O.C.) Spray means an aerosol chemical agent made from cayenne pepper contained in a pressurized canister used as a defensive weapon.
- 1.4.12 Deadly Weapon for the purposes of this guideline, section 8.1.7.1, means a Bowie knife, dirk, dagger, slungshot, loaded cane, metallic knuckles, razor, shurikin(star shaped martial arts throwing weapon), stun gun, firearm, pistol, gun or other deadly weapon of like kind.
- 1.4.13 Division Issue Weapons for the purposes of this guideline, section 8.1.7.2, means the Glock Model 21 Pistol and the Mossberg Model 500 and 590 shotgun.

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	6.0
Originator: Hubbard		Page #	1 of 3
		Date	1/1/02

6.0 SPECIAL PEACE OFFICER COMMISSIONS

6.1 Guidelines

- 6.1.1 Employees commissioned as special peace officers with the Division are prohibited from maintaining or accepting a law enforcement commission from another agency.
- 6.1.1.2 Employees commissioned as special peace officers with the Division who leave a position requiring a law enforcement certification will be prohibited from retaining their commission. This will apply to commissioned staff moving to a non law enforcement position or leaving employment with the Division.
- 6.1.2 A background investigation must be made and completed for each applicant for a special peace officer commission prior to attending B.L.E.T., even if the applicant has prior (non law enforcement) Division experience or has previously held a law enforcement commission.
- 6.1.2.1 The background investigation must be completed in accordance with the requirements of the state Criminal Justice Education and Training Standards Commission (CJETSC).
- 6.1.3 Prior to issuance of a commission, an applicant must have documented completion of the following minimum standards:
 - 6.1.3.1 Law enforcement training requirements as prescribed by the State Criminal Justice Education and Training Standards Commission including First Responder Training.
 - 6.1.3.2 American Red Cross Standard First Aid certificate or equivalent (excluding Multi-Media).
 - 6.1.3.3 American Red Cross or American Heart Association Cardio-Pulmonary Resuscitation (CPR).
- 6.1.4 Once issued, the special peace officer commission is valid throughout the state park system.
- 6.1.5 Employees transferring to new positions in the state park system will retain their commission.
- 6.1.6 Commissions have no expiration date and are issued on a permanent basis unless removed through an administrative action such as revocation or suspension, departure from the Division or failure to maintain training standards. Termination of employment will be in accordance with the provisions of the CJETSC and Staff Directive 89-16 (see Appendix K).
- 6.1.7 Suspension of Special Peace Officer Commission
 - 6.1.7.1 A special peace officer commission may be suspended pending an investigation of matters covered by the provisions of the Division Law Enforcement Policies and Guidelines or the State Personnel Manual, or the CJETSC.
- 6.1.8 Motor Vehicle Driver's License/Driving While Impaired (DWI)
 - 6.1.8.1 The possession of a valid motor vehicle driver's license by all special peace officers is mandatory in order to carry out the duties and responsibilities of the position.

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	6.0
Originator: Hubbard		Page #	2 of 3
		Date	1/1/02

6.1.8.2 Revocation, suspension or restriction of an officers motor vehicle license for a charge or a conviction of a violation of law shall be reported to the Chief of Operations within 24 hours. Revocation, suspension or restriction of a motor vehicle drivers license of a commissioned employee or a Division employee who is required to obtain a commission for a charge or a conviction of a violation of law shall be reported to the employees immediate supervisor and the District Superintendent immediately. The Superintendent of State Parks will be notified within 48 hours.

6.1.8.3 Charge of Offenses That Affect Officers Motor Vehicle Licences Other Than DWI

6.1.8.3.1 Other than the offense of driving while impaired (DWI), any officer who is charged with an offense which includes or results in revocation or suspension of their driver's license shall be suspended without pay for that period of time when the officer's driver's license is revoked or suspended (the officer may choose to use available vacation leave). An officer shall not be suspended when a limited or restricted driver's license has been granted for work related purposes.

6.1.8.4 Conviction of Offense Other Than DWI

6.1.8.4.1 Other than the offense of driving while impaired (DWI), any officer with a final conviction for an offense which includes or results in the revocation or suspension of their driver's license shall be suspended without pay for that period of time when the officer's driver's license is revoked or suspended. The officer may choose to use vacation leave for all but three days; at least three days suspension without pay is mandatory. An officer shall not be suspended when a limited or restricted driver's license has been granted for work related purposes.

6.1.8.5 Charge of Driving While Impaired (DWI)

6.1.8.5.1 Any officer who is charged with the offense of driving while impaired shall be suspended without pay for that period of time when the officer's driver's license is revoked or suspended (the officer may choose to use available vacation leave). An officer shall not be suspended when a limited or restricted driver's license has been granted for work related purposes.

6.1.8.5.2 Any officer who is charged with the offense of driving while impaired for the second time within seven years of a prior conviction for DWI shall be suspended without pay for that period of time when the officer's driver's license is revoked or suspended. The officer may choose to use vacation leave for all but three days; at least three days suspension without pay is mandatory. An officer shall not be suspended when a limited or restricted driver's license has been granted for work related purposes.

6.1.8.6 Conviction of Driving While Impaired (DWI)

6.1.8.6.1 In addition to the provisions of sections 6.1.8.5.1 or 6.1.8.5.2 any officer with a final conviction for the offense of driving while impaired at sentencing levels 3,4 or 5 shall be issued a final written warning. Such officers are also subject to a transfer of duty station if determined by the Division Director to be in the best interest of the Division.

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	6.0
Originator: Hubbard		Page #	3 of 3
		Date	1/1/02

6.1.8.6.2 In addition to the provisions of sections 6.1.8.5.1 or 6.1.8.5.2 any officer with a final conviction for the offense of driving while impaired at sentencing levels 1 or 2 shall be terminated from employment with the Division.

6.1.8.7.1 Division Notification of Criminal Charges

6.1.8.7.2 Division commissioned employees or Division employees who are required to obtain a commission shall notify their immediate supervisor and the District Superintendent of all criminal offenses which the employee is arrested for, or charged with, including by citation, immediately. The Superintendent of State Parks will be notified within 48 hours.

6.1.8.7.3 This notification requirement shall include all criminal offenses except minor traffic offenses. A minor traffic offense as defined by the Criminal Justice Standards Division is an offense where the maximum punishment by law is 60 days or less. Traffic offenses that specifically require notification include driving while impaired, driving under the influence, driving while license is permanently revoked or permanently suspended, duty to stop in event of an accident and persons under the influence of drugs (G.S. 20-139).

6.1.8.7.4 Upon notification of a commissioned employee or an employee who is required to obtain a commission having been charged with a crime other than a minor traffic offense, the Superintendent of State Parks at their discretion may direct the Parks Chief Ranger and/or the District Superintendent to investigate the incident.

6.1.8.7.5 The investigation will identify legal and policy requirements that apply to the facts of the incident and determine compliance with those requirements. The investigation results will be provided to the Superintendent of State Parks.

6.1.8.7.6 Results of the investigation will remain confidential, consistent with the Privacy Act and other administrative procedures that serve to protect all employees.

6.1.8.7.7 Upon receiving the investigation results, the Superintendent of State Parks will determine the appropriate action to be recommended to the Division Director including no action be taken or appropriate disciplinary action.

6.1.8.7.8 A commissioned employee or an employee who is required to obtain a commission who has been charged with a criminal offense other than a minor traffic offense shall notify their immediate supervisor and District Superintendent immediately of the time the charges were disposed of in court. The Superintendent of State Parks will be notified within 24 hours. This notification will include the final disposition of the criminal charges.

6.1.8.7.9 The Division will notify the Criminal Justice Standards Division of the involved employees name, all arrests and criminal charges filed and the final court disposition of the charges in writing within 30 days of the court disposition date as required by 12 NCAC09B.0101(8).

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	8.0
Originator: Hubbard		Page #	8 of 11
		Date	1/1/02

- 8.1.3.1.10.1 Review of the incident involving a restraining device is the responsibility of the immediate supervisor who will determine if additional reporting or investigation is needed.

8.1.4 Inspections

- 8.1.4.1 All Division issued and approved weapons will be inspected annually by a certified armorer. ~~instructor prior to each qualification. Inspections will be documented along with the qualification scores, and the records maintained by the Parks Chief Ranger or his designee.~~

- 8.1.4.2 Supervisors shall make periodic inspections of Division issued and approved handguns and ammunition, used by subordinates. In addition, supervisors shall conduct quarterly inspections of shotguns, rifles and chemical agents which are used for official duty. The following items should serve as a guide to inspections:

No unauthorized equipment or ammunition.

No changes made to alter the manufacturer's functional standard for any firearm. No alterations made to holster, ammunition, or other defensive equipment.

Firearms will be clean and in proper and safe mechanical condition.

Expandable batons should be clean and free of rust with moving parts lightly lubricated. The baton should deploy smoothly and completely. Locking joints should be inspected for cracks.

Age of ammunition and chemical agents should also be checked during inspections. Chemical agents generally should be replaced after 4 years use. Previously carried ammunition should be used for training.

- 8.1.4.3 Each park will conduct at least an annual inventory of all defensive equipment.

8.1.5 Acquisition and Accountability of Equipment

- 8.1.5.1 Acquisition of firearms will be the responsibility of the Raleigh office. All Division defensive equipment will be the property of the park. A signed receipt shall be obtained whenever defensive equipment is issued to individuals. Receipts shall be filed in a manner which will allow the equipment in the possession of each individual to be readily determined.

- 8.1.5.2 Appropriate procedures shall be established to ensure that, when individuals leave the Division, weapons in their possession are turned in to the appropriate officials.

- 8.1.5.3 Whenever a commissioned employee transfers to another position within the Division which requires a commission, the commissioned employee will retain and transfer with him/her the equipment belt, handgun, holster, handcuffs, handcuff case, ammunition holders, speed loaders, belt keepers, and expandable baton with holster. ~~Since coastal area parks are equipped with stainless steel handguns, the Parks Chief Ranger will determine whether handguns should be retained or reissued in the case of transfers to or from coastal area parks.~~

- 8.1.5.4 In accordance with G.S. 20-187.2, retiring commissioned officers may request and, with Departmental approval, be awarded their service sidearm. Such request must be in writing and accompanied by a pistol permit as required in G.S. 14-402 et. seq. or 14-409.1 et. seq. The Division Director is responsible to complete and forward a request for Departmental approval to award a service sidearm (see example in Appendix N).

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	8.0
Originator: Hubbard		Page #	10 of 11
		Date	1/1/02

- 8.1.6.12.1 The immediate supervisor may authorize low ride holsters for employees who have difficulty drawing the handgun from a high ride holster.
- 8.1.6.13 Handcuff case--American manufacture, plain leather-like synthetic laminate or leather, plain black color, pouch type with hidden snap closure.
- 8.1.6.14 Equipment belt--American manufacture, two belt system, outer belt 2 1/4 inch wide, plain leather-like synthetic laminate or leather, plain black color with no design or tooling, buckleless, with velcro hook lining. Inner belt, reversible plain leather-like synthetic laminate or leather, 1 1/2 inch wide, with velcro pile lining plain black color with no design or tooling, buckleless.
- 8.1.6.15 Ammunition magazine carrier--American manufacture, plain leather-like synthetic laminate or leather, plain black color, hidden snap closure, covered ammunition holder. Single or double magazine holders are authorized.
- 8.1.6.16 Accessories--Any other authorized plain leather-like synthetic laminate or leather items to be plain black color with no exposed buckles. Closures are to be hidden snap closure.
- 8.1.6.17 Speed Loaders or magazines.
- 8.1.6.18 Speed strips authorized to be carried in dump pouches.
- 8.1.6.19 Soft body armor.
- 8.1.6.20 Radium luminescent material sight.
- 8.1.6.21 Tear gas masks--standard police type.
- 8.1.6.22 Safety helmet--police type with face shield.
- 8.1.6.23 Expandable baton holster, plain black color, swivel type or side break type.
- 8.1.6.24 Flashlight holder.
- 8.1.6.25 Black rubber handgun grips.
- 8.1.6.26 Badge case or badge holder, plain black leather.
- 8.1.6.27 Chemical agent carrier--American manufacture, plain leather-like synthetic laminate or leather, plain black color, covered aerosol canister carrier with hidden snap closure.

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	8.0
Originator: Hubbard		Page #	11 of 11
		Date	1/1/02

8.1.6.28 Safariland Model 6000 Hood Guard for the Division issue Safariland holster

8.1.6.29 Safariland Model 6001 Sentry Holster Lock for the Division issue Safariland 6280 holster. Use of this accessory requires that the officer practice until they are proficient with the holster lock prior to using the device on duty. Officers who have the holster lock installed are required to engage it during firearms qualifications.

8.1.6.30 Surgical glove pouch in plain black with hidden snap or velcro closure.

8.1.7 Non Issue Deadly Weapons

8.1.7.1 In accordance with G.S. 14-269.1 (4a) the Division Director or the Parks Chief Ranger acting on the Directors behalf may submit a written request to the court that a deadly weapon (See 1.4 Definition Of Terms) confiscated by Division officers be turned over to the Division for official use, providing that the weapon has a unique legible identification number.

8.1.7.2 Division officers who believe a specific non issue deadly weapon would have value for official Division use, should submit a written request to the Parks Chief Park Ranger that the weapon be retained. Non issue deadly weapons shall be secured in the park evidence storage area when being held as evidence in an active criminal case, held pending the weapons destruction, awaiting return to the appropriate owner or awaiting transfer to a Division Firearms Instructor or the Parks Chief Ranger.

8.1.7.3 Court awarded and other non Division issue weapons that are not evidence in an active criminal case will be secured and maintained for official Division use by the Parks Chief Ranger or when used in a training program by a Certified Division Firearms Instructor. An annual inventory of these weapons will be completed by the Parks Chief Ranger indicating the weapons identification number, description, location and status. This annual inventory will be maintained in the Parks Chief Ranger office and a copy will be forwarded to the Superintendent of State Parks.

8.1.7.4 All non issue firearms used for training activities will be rendered incapable of firing live ammunition by a Division armorer or a certified gunsmith. This deactivation will be documented on a case incident report. Deactivated training firearms will be identifiable by a red stripe on the weapons stock or grip.

DIVISION OF PARKS AND RECREATION

Guideline #4	Title: LAW ENFORCEMENT POLICIES AND GUIDELINES	Section #	11.0
Originator: Hubbard		Page #	1 of 1
		Date	1/1/02

11.0 LAW ENFORCEMENT VEHICLES/VESSELS AND EMERGENCY DEVICES

11.1 Guidelines

- 11.1.1 ~~All Division cars, station wagons, jeeps and trucks (law enforcement and non-law enforcement) will be marked with the state seal provided by the Division. Operation of vehicles with 'State Ranger' graphics should be avoided by non Ranger staff. All vehicles marked with 'State Ranger' will have any visible blue lights covered, the light rotated inward on the bracket to face inward or otherwise hidden from public view when operated by a non commissioned employee.~~
- 11.1.2 ~~All vehicles marked with the "State Park Ranger" insignia, or any approved variation thereof, will be operated only by commissioned employees.~~
- 11.1.3~~2~~ In addition to any other equipment that may be provided, all vehicles used for law enforcement purposes will be equipped with a two-way radio, blue light(s) and siren.

