PURPOSE To record and process property coming into police custody.

DEFINITIONS

PROPERTY CATEGORIES - Arrest Evidence, DNA Arrest Evidence, Investigatory, DNA Investigatory, Forfeiture, Decedent's Property, Found Property, Safekeeping, Peddler Property, Determine True Owner, Parking Enforcement, Photo Release, Rotation Tow, Other.

PROPERTY TYPE - Firearms, Controlled Substances, Currency, Jewelry, Vehicles/Boats, General Property, Evidence Collection Kits/Swabs, Explosives.

PROCEDURE Upon taking property into custody, in addition to any other special procedures:

UNIFORMED MEMBER OF THE SERVICE

1. Enter circumstances and description of property in digital **Activity Log**.
2. Notify desk officer.
   a. If property is a vehicle unable to be driven, inform desk officer to request authorized tow/rotation tow, as appropriate.
3. Prepare a **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.
   a. Comply with instructions in Finest Online Records Management System (FORMS) Property..
4. Notify Stolen Property Inquiry Unit to cancel or transmit an alarm, as necessary.
5. Notify owner, if known.
6. Cancel alarm for stolen vehicle only after owner takes possession or vehicle has been removed to Property Clerk facility or rotation tow storage facility.
7. Enter notifications and results of inquiries on **WORKSHEET**.
8. Deliver property and completed **WORKSHEET** to desk officer of command of record.

DESK OFFICER

9. Review **WORKSHEET** for accuracy.
10. Submit approved **WORKSHEET** to command clerk for entry into FORMS Property.

COMMAND CLERK

11. Enter **WORKSHEET** into the FORMS Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.
12. Record time and name of FINEST operator who transmitted alarm cancellation on appropriate **INVOICE**, if applicable.

UNIFORMED MEMBER OF THE SERVICE

13. Ensure all property is properly tagged, packaged or sealed, and clearly identified by **INVOICE** number and barcode.
14. Ensure that every bag/security envelope or item that cannot fit in a bag/security envelope, has a FORMS Property bar-coded label affixed to the upper right hand corner or a Property Clerk Division seal attached to the bag/property.

UNIFORMED MEMBER OF THE SERVICE (continued)

a. Affix the FORMS Property bar-coded label to the upper right hand corner of windshield of all automobiles/boats.

15. Digitally sign **INVOICE** verifying accuracy and completeness.
16. Complete **VEHICLE REPORT (PD371-145)** in Finest Online Records Management System (FORMS) if vehicle, bicycle, moped, scooter or e-bike, etc., is seized as a result of a vehicle stop.

DESK OFFICER

17. Review and digitally sign **INVOICE** verifying accuracy and completeness.
18. Photocopy **INVOICE** and forward, direct, to the Commanding Officer, Firearms and Tactics Section, if item being invoiced is a bullet resistant garment.
19. Ensure property is properly stored and location is entered into the FORMS Property.
    a. Manually enter storage location if barcode scanner is unavailable.
20. Safeguard property until properly disposed of.
21. Telephone New York State Tax Office for pickup of property owned by Division of Lottery. DO NOT send to Property Clerk.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*A separate **PROPERTY CLERK INVOICE** will be prepared for each of the following:*

a. Different property types
b. Different property categories
c. Different owners
d. Property that will be delivered to different locations (e.g., Police Laboratory, Property Clerk, Bomb Squad, OCME, etc.).

*When preparing a **PROPERTY CLERK INVOICE** where the items invoiced will be sent or have the potential to be sent to the Police Laboratory for laboratory analysis, the **INVOICE** will not exceed twenty line items.*

*Uniformed members of the service who do not have a username and/or password and members of other police agencies will sign **PROPERTY CLERK INVOICE** utilizing the digital signature device.*

*When a vehicle removed by the Sanitation Department or invoiced by this Department has obvious fire damage, the invoicing member will notify Fire Department borough dispatcher; however no **COMPLAINT REPORT (PD313-152)** will be prepared. A Fire Marshal will determine if arson occurred and prepare a **COMPLAINT REPORT**, if necessary.*

*To avoid confusion, do not use the terms "pairs" or "sets" when invoicing property (e.g., a "pair" of trousers, scissors, etc., refers to one item while a "pair" of shoes, gloves, etc., refers to two items). The term "set" (e.g., chess set, golf set, etc.) does not specifically indicate how many items within the "set." Therefore, when invoicing property, the actual number of items will be entered in the box captioned "quantity" on the **INVOICE** and no reference will be made to "pairs" or "sets."*

ADDITIONAL DATA (continued)

When members of the service are invoicing items due to a large scale/bulk seizure (arrest related) or investigatory/operational purchases (UC or CI) and there are two or more cases/boxes which contain several items, the invoicing member will ensure a FORMS Property bar-coded label is affixed to the upper right corner of each case/box as well as the ***INVOICE*** *number related to the bar-coded label. The invoicing member will ensure that the* <u>*actual*</u> *number of items contained in each case/box is properly entered on the* ***INVOICE****.*

NYPD

Section: Property - General		Procedure No: 218-02
RETURN OF PROPERTY/VEHICLES AT COMMAND AND PROCESSING VOIDED PROPERTY INVOICES		
DATE EFFECTIVE: 02/02/23	LAST REVISION: R.O. 8	PAGE: 1 of 3

PURPOSE To return all property listed on an invoice to legal claimant at a command and process voided **PROPERTY CLERK INVOICES (PD521-141)**.

PROCEDURE When all property listed on an invoice is returned to legal claimant at the command or when processing voided **PROPERTY CLERK INVOICES**:

DESK OFFICER

1. Require the claimant to produce valid identification, preferably photo identification (see *P.G. 208-27, "Desk Appearance Ticket – General Procedure"* for examples of satisfactory forms of valid identification).
   a. Ensure a copy of claimant's approved identification is uploaded digitally to the **PROPERTY CLERK INVOICE** utilizing the "Add Remarks/Document" function in the "Invoice Summary" tab of Finest Online Records Management System (FORMS) Property.
2. Check property/vehicle against **PROPERTY CLERK INVOICE**.
3. Request claimant examine security lead seal and/or plastic security envelope and check against number entered on **PROPERTY CLERK INVOICE** (if seal or envelope is used), prior to breaking seal or opening envelope.
4. Complete the "Release/Disposition – Return To Owner" function utilizing FORMS Property.
   a. Have claimant sign for item(s) utilizing the digital signature capture device.
5. Ensure alarm has been canceled and a notation has been made on **PROPERTY CLERK INVOICE** utilizing FORMS Property.
6. Approve delivery of property/vehicle utilizing username and password.
7. Release property/vehicle to claimant.

NOTE *Members of the service are reminded that valid forms of identification other than those included in P.G. 208-27, "Desk Appearance Ticket – General Procedures" may be acceptable.*

When no physical identification is available, or if a claimant produces non-photo identification (e.g., court paperwork, etc.), a photograph of the claimant will be taken utilizing a Department smartphone and digitally attached to the ***PROPERTY CLERK INVOICE****."*

No property should be returned to the claimant until they are properly identified. The desk officer will make the final determination as to whether the claimant's identity has been ascertained.

VOIDING PROPERTY CLERK INVOICES:

DESK OFFICER/ INVOICING COMMAND SUPERVISOR

8. Utilize the "Void Invoice" function, if **PROPERTY CLERK INVOICE** has not been approved by a supervisor and cannot be corrected using the "Update Invoice" function (i.e., **PROPERTY CLERK INVOICE** should not have been prepared in the first place).

NOTE

*Most mistakes or errors on **PROPERTY CLERK INVOICES** (i.e., error in entering property description, etc.) can be corrected utilizing the "Update Invoice" function instead of the "Void Invoice" function in FORMS Property.*

9. Create a new **PROPERTY CLERK INVOICE**, if **INVOICE** has been approved by a supervisor.
   a. Enter in the "Remarks" section, the **PROPERTY CLERK INVOICE** number to be voided.
10. Utilize the "Void Invoice" function to void appropriate **PROPERTY CLERK INVOICE**.
   a. Enter in the "Remarks" section the reason for voiding **PROPERTY CLERK INVOICE** and cross-reference the new **INVOICE** number.

NOTE

*Once a **PROPERTY CLERK INVOICE** has been approved by a supervisor, the **INVOICE** can only be voided by a supervisor assigned to the command where the property is physically located.*

11. Print an updated version of voided **PROPERTY CLERK INVOICES** and **INVOICES** that have been returned to owner (R.T.O.) at the command and file in precinct of record, as follows:
   a. **PROPERTY CLERK INVOICES** will be maintained in designated files in **INVOICE** number order with photocopy of claimant's identification, and/or related documents (i.e., District Attorney's Release, etc.) if any, attached
   b. All other copies may be discarded.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*If a pre-printed serial numbered **PROPERTY CLERK INVOICE** or **PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE (PD571-147)**, prepared prior to the implementation of FORMS Property or the Property and Evidence Tracking System, is to be voided, mark the **INVOICE** "VOIDED" and file the **INVOICE** at the command. The property listed on the "VOIDED" pre-printed serial numbered **INVOICE** will then be invoiced utilizing FORMS Property.*

*Commanding officer concerned will investigate circumstances of missing **PROPERTY CLERK INVOICES** and take appropriate action.*

When an investigation is being conducted, property invoiced pertaining to the case will not be released to a claimant without authorization of investigating officer.

ADDITIONAL DATA (continued)

Stamped or perforated currency will never be returned to a claimant or deposited in the Property Clerk's account in any bank under any circumstances. This currency will be forwarded to the Property Clerk who will arrange for reimbursement of the claimant.

Each July, the operations coordinator will ensure that the previous calendar year's filed ***PROPERTY CLERK INVOICES*** *are placed in a box, labeled to identify contents, and forwarded to the Property Clerk's warehouse where they will be maintained for the remainder of the retention period (six years).*

RELATED PROCEDURES

Desk Appearance Ticket – General Procedures (P.G. 208-27)
Invoicing Property - General Procedure (P.G. 218-01)

FORMS AND REPORTS

PROPERTY CLERK INVOICE (PD521-141)

NYPD

PURPOSE To forward invoiced property to Property Clerk.

PROCEDURE When property is to be delivered to Property Clerk.

PROPERTY DELIVERED TO PROPERTY CLERK BY COMMAND MESSENGER:

DESK OFFICER

1. Use Finest Online Records Management System (FORMS) Property to create a to create a **PROPERTY TRANSFER REPORT (PD521-1412)**.
   a. Assign a member of the service to be the command messenger.

COMMAND MESSENGER

2. Compare **PROPERTY CLERK INVOICES (PD521-141)** against property for completeness and accuracy.
3. Digitally sign **PROPERTY TRANSFER REPORT** if no discrepancies.

IF DISCREPANCIES EXIST:

COMMAND MESSENGER

4. Notify desk officer if any item listed on the **PROPERTY CLERK INVOICES** is missing.

DESK OFFICER

5. Conduct immediate investigation and notify commanding officer/duty captain and Internal Affairs Bureau (IAB) Command Center when any item listed on **PROPERTY CLERK INVOICE** is missing.
6. Ensure IAB Log Number is entered in the "Remarks" section of the **PROPERTY CLERK INVOICE**.

IF DISCREPANCIES NO LONGER EXIST OR HAVE BEEN CORRECTED:

COMMAND MESSENGER

7. Deliver property to appropriate Property Clerk storage facility.

MEMBER OF THE SERVICE, PROPERTY CLERK SECTION

8. Compare property delivered against **PROPERTY TRANSFER REPORT** and **INVOICE** and, if accurate, confirm acceptance of property in FORMS Property.
9. Notify immediate supervisor, Property Clerk Division integrity control officer and Internal Affairs Bureau, if any item listed on **PROPERTY CLERK INVOICES** or **PROPERTY TRANSFER REPORT** is missing.
10. Ensure IAB Log Number is entered in the "Remarks" section of the **PROPERTY CLERK INVOICE** using FORMS Property, when IAB has been notified of any discrepancy.
11. Select appropriate rejection reason in the FORMS Property and return property to forwarding command with command messenger, if applicable.
12. Approve receipt of delivery utilizing username and password under **PROPERTY TRANSFER REPORT**, if property is accepted.

COMMAND MESSENGER

13. Return property to desk officer, if applicable.

DESK OFFICER

14. Accept transfer of rejected property using FORMS Property.
15. Have necessary corrections made for any returned property.
    a. Have investigation conducted, if appropriate.

INTEGRITY CONTROL OFFICER

16. Verify that all property not forwarded to the Property Clerk or Police Laboratory is accounted for and adequately secured at command.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*If there are additional items which were not originally listed on a **PROPERTY CLERK INVOICE**, the additional items will be invoiced separately and cross-referenced to the original related **INVOICE** utilizing the related invoice function in FORMS Property.*

*It is important to note that the member of the service assigned and listed on a **PROPERTY TRANSFER REPORT** as the command messenger within FORMS Property, must be the member of the service who transfers and delivers the property to the Property Clerk Division.*

PURPOSE To determine the disposition of prisoners (i.e., pled guilty at arraignment, case dismissed at arraignment, District Attorney's Office declined to prosecute case, etc.) and to allow for the processing and/or disposing of property invoiced as arrest evidence.

SCOPE This procedure applies to all uniformed members who invoiced evidence that is related to or seized in connection with an arrest.

PROCEDURE Whenever evidence is to be invoiced in connection with an arrest:

INVOICING MEMBER OF THE SERVICE

1. Prepare **PROPERTY CLERK INVOICE (PD521-141)** using Finest Online Records Management System (FORMS) Property with particular attention being given to the following captions:
   a. Age of prisoner
   b. Prisoner's date of birth
   c. **COMPLAINT REPORT (PD313-152)** number(s)
   d. Charge/offense under investigation
   e. Prisoner's arrest number
   f. Arrest number for additional prisoner(s).
2. Enter **PROPERTY CLERK INVOICE (PD521-141)** number in appropriate caption on the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**.
3. Ensure that ALL related **INVOICES** are properly documented on the **PROPERTY CLERK INVOICE**.
4. Prepare **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)**, using FORMS Property, if necessary.
   a. Enter the names, precinct of arrest, and ages of ALL prisoners whose arrest is based upon the seizure of property invoiced on the **PROPERTY CLERK INVOICE**.

DESK OFFICER

5. Verify and ensure that ALL captions on the **PROPERTY CLERK INVOICE**, **REQUEST FOR LABORATORY EXAMINATION REPORT** and **ON-LINE BOOKING SYSTEM ARREST WORKSHEET** have been accurately completed, including arrest and **INVOICE** numbers, where appropriate.
6. Ensure that ALL related **PROPERTY CLERK INVOICES**, with arrest numbers entered, are delivered to the Police Laboratory, Firearms Analysis Section or Property Clerk Division at the same time.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

Members of the service should be aware that it is extremely important that all defendant information be listed on the ***REQUEST FOR LABORATORY EXAMINATION REPORT****. If all defendants are not identified, it could be possible that the invoiced arrest evidence, (i.e., firearms, controlled substances, etc.) could be destroyed before the accomplices/facilitators and other co-defendants are tried. This will result in the accomplices/facilitators criminal charges being dismissed.*

NYPD

Section: Property - General		Procedure No: 218-06
TEMPORARY REMOVAL OF INVOICED PROPERTY FROM THE COMMAND		
DATE EFFECTIVE: 05/20/24	LAST REVISION: R.O. 31	PAGE: 1 of 1

PURPOSE To account for invoiced property which is temporarily removed from the command by a uniformed member of the service.

PROCEDURE When it is necessary for a uniformed member of the service to temporarily remove invoiced property from the command to court or other authorized agency:

UNIFORMED MEMBER OF THE SERVICE

1. Request property from the desk officer.
   a. Give reason for removal.

DESK OFFICER

2. Verify identity of uniformed member of the service by inspecting **IDENTIFICATION CARD (PD416-091)**, if assigned to another command.
3. Have **PROPERTY TRANSFER REPORT (PD521-1412)** prepared using Finest Online Records Management System (FORMS) Property.
4. Have the requesting officer digitally sign **PROPERTY TRANSFER REPORT** and capture fingerprint utilizing the digital signature device.
5. Digitally sign **PROPERTY TRANSFER REPORT**.
6. Print **PROPERTY TRANSFER REPORT** and deliver it along with the property to uniformed member of the service.

UNIFORMED MEMBER OF THE SERVICE

7. Obtain receipt if property is retained by court or other authorized agency.
   a. Make digital **Activity Log** entry.
8. Deliver property or receipt to desk officer.

DESK OFFICER

9. Make entry in Command Log listing identity of member of the service delivering property or receipt and **INVOICE** number.
10. Forward receipt to the Property Clerk Borough Office for entry into FORMS Property.

WHEN PROPERTY IS RETURNED TO COMMAND:

DESK OFFICER

11. Check property against **INVOICE** using FORMS Property.
12. Perform "Intake" function in FORMS Property.
13. Ensure property is properly stored and location is entered into FORMS Property.

ADDITIONAL DATA

LEGAL CONSIDERATIONS

All official requests for property should be accompanied by a subpoena from the requesting agency, if other than the New York City Police Department, assistant district attorneys and assistant corporation counsels. (See P.G. 211-15, "Processing Subpoenas for Police Department Records and for Testimony by Members of the Service.")

PATROL GUIDE

Section: Property - General		Procedure No: 218-11
USE OF BIOHAZARD LABELS		
DATE EFFECTIVE: 05/20/24	LAST REVISION: R.O. 31	PAGE: 1 of 1

PURPOSE To provide methods of identifying regulated waste coming into police custody.

DEFINITION REGULATED WASTE - means liquid or semi-liquid blood or other potentially infectious materials: contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

PROCEDURE When required to transport or store property or evidence that has the potential to be an infectious material (e.g., regulated waste).

UNIFORMED MEMBER OF THE SERVICE

1. Follow normal invoicing procedures.
2. Request Biohazard Label(s) from desk officer.
   a. Biohazard Labels are a fluorescent orange in color with the word "Biohazard" written on the label's face.
3. Affix label as close as feasible to the item or container by using string, wire, adhesive or other method that prevents loss or unintentional removal.
4. Use one label for each item or container in same case.

DESK OFFICER

5. Request additional Biohazard Labels from Quartermaster Section when needed.

PURPOSE To safeguard vehicles in police custody at the stationhouse.

PROCEDURE When necessary to store a vehicle in police custody at the command:

COMMAND CLERK

1. Create **PROPERTY CLERK INVOICE (PD521-141)** using Finest Online Records Management System (FORMS) Property application.

RECOVERING MEMBER

2. Park vehicle in a secure location near command and ensure vehicle is immobilized without causing damage to the vehicle by:
   a. Removing rotor or coil wire and attaching to printout of **PROPERTY CLERK INVOICE**,
   b. Physically blocking the vehicle into place with another vehicle or stationary structures in the parking area,
   c. Utilizing wheel boots, or
   d. Attempting to locate at least one of the following: starter (ignition) relay or fuse, or fuel pump relay or fuse.
      (1) Photograph location of the relay or fuse in order to assist with its re-installation,
      (2) Remove corresponding relay or fuse, and
      (3) Attach photograph and relay or fuse, as appropriate to the **PROPERTY CLERK INVOICE**.
         (a) Ensure relay or fuse is properly secured to prevent loss of item.

NOTE *Members of the service should not disconnect the battery due to the potential risk of damaging some vehicles. Fuse boxes will often have layouts on the cover or inside of the fuse panel showing the location of individual fuses. Fuse boxes will often be under the hood, in the trunk, or within the dash area of most vehicles. Any questions or request for assistance can be directed to the Auto Crime Unit between the hours of 0800 and 2300 hours.*

3. Prepare form **WARNING NOTICE - VEHICLE IN POLICE CUSTODY (PD571-1211)** and attach to <u>outside</u> of windshield, only after fingerprint processing is completed, if applicable.
4. Ensure vehicle is locked.

DESK OFFICER

5. Digitally sign **PROPERTY CLERK INVOICE**, verifying accuracy and completeness.
6. Inform relieving desk officer of location of vehicle.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

A vehicle may be safeguarded at the command for forty-eight hours when not required as evidence or not the subject of forfeiture proceedings. A vehicle not released to the owner or his/her representative within forty-eight hours will be removed to the appropriate Property Clerk storage facility.

NYPD

PURPOSE To protect property, ensure against unwarranted claims of theft, and protect uniformed members of the service and others against dangerous instrumentalities.

PROCEDURE Whenever any property comes into the custody of this Department an inventory search will be conducted as follows:

IF THE CONTENTS TO BE INVENTORIED ARE IN AN AUTOMOBILE

UNIFORMED MEMBER OF THE SERVICE

1. Search the interior of the vehicle thoroughly.
   a. This search should include any area that may contain valuables including, but not limited to:
      (1) Glove compartment
      (2) Console
      (3) Map pockets in or on doors and rear or side of seats
      (4) Areas under the seats and in and around the seat stuffing and springs
      (5) Under the floor mats
      (6) Under and behind the dashboard
      (7) Inside the ashtrays
      (8) In the air vents where accessible
      (9) Under the hood
      (10) Trunk.
2. Force open trunk, glove compartment, etc. only if it can be done with minimal damage, unless:
   a. Reasonably suspect that the item contains weapons, explosives, hazardous materials or contraband
   b. The contents are in plain view
   c. The contents can be inferred from the outward appearance of the container (e.g., gun cases, toolboxes [which may contain burglar's tools] etc.)
   d. Consent of the owner to break open the locked item.
      (1) Ask for consent in a manner that elicits a clear "yes" or "no" response.
      (2) Follow up by explicitly saying, *I can only conduct this inventory, if you consent.*
      (3) Inform owner that significant damage may occur.
      (4) Specifically ask the person, *Do you understand?*
      (5) If inventory is conducted, offer the person a **RIGHT TO KNOW BUSINESS CARD (PD142-012)** or **RIGHT TO KNOW BUSINESS CARD – GENERAL (PD142-013)**, as appropriate.
      (6) If owner does not consent to inventory, you cannot inventory unless a search warrant is obtained.

UNIFORMED MEMBER OF THE SERVICE (continued)

3. Remove all valuables from the vehicle and invoice on a separate **PROPERTY CLERK INVOICE (PD521-141)**.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

Any closed container may be opened and its contents inventoried. If any of the above items listed in step "1" are locked, the uniformed member of the service concerned should make every attempt to obtain the keys from the driver, owner, or passenger.

Property of little value that is left inside the vehicle (e.g., old clothes, cassette tapes, and vehicle parts, etc.) should within reason, be listed in the uniformed member's digital ***Activity Log*** *and cross referenced to the invoice number covering any valuables removed.*

Property that is not inventoried from an automobile but is possessed or under the control of an arrested individual, may be inventoried and all items found therein may be invoiced as prisoner's property. If a locked container such as a brief case or safe is inventoried, it should not be forced open if to do so would cause more than minimal damage, unless the circumstances described in step "2", subdivisions "a", "b", "c", or "d" are present.

PURPOSE To process and dispose of vehicles stolen and recovered within New York City.

PROCEDURE Upon recovery of stolen vehicle wanted on New York City alarm:

RECOVERING MEMBER OF THE SERVICE

1. Obtain all relevant information from NYSPIN System.
2. Enter information in digital **Activity Log**.
3. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.
4. Request patrol supervisor to respond to scene.

PATROL SUPERVISOR

5. Verify accuracy and completeness of **WORKSHEET**.

COMMAND CLERK

6. Enter **WORKSHEET** into the Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.

RECOVERING MEMBER OF THE SERVICE

7. Digitally sign **INVOICE** verifying accuracy and completeness.

PATROL SUPERVISOR

8. Digitally sign **INVOICE** verifying accuracy and completeness.

RECOVERING MEMBER OF THE SERVICE

9. Notify registered owner of vehicle as soon as possible after the vehicle is recovered.
   a. If telephone number of registered owner is available make at least one attempt at a telephone notification.
   b. Enter in the Telephone Record:
      (1) The date and time of such an attempt
      (2) The invoice number from the **PROPERTY CLERK INVOICE** that the recovered vehicle is listed on
      (3) Name of person contacted if notification attempt is successful.
   c. If final insurance settlement was received:
      (1) Enter name of insurance company on **INVOICE**, in box captioned, "Lien Holder or True Owner"
      (2) Notify insurance company if claim settled.
   d. Advise insurance carrier or registered owner (if claim not settled):
      (1) Recovered vehicle may be reclaimed at the tow operator's storage facility or the Property Clerk's Auto Pound upon proof of ownership and payment of authorized fees
      (2) Address and telephone number of storage facility or Pound.

RECOVERING MEMBER OF THE SERVICE (continued)

10. Prepare **ROTATION TOW-OWNER NOTIFICATION (PD571-1210)** when the register owner or insurance carrier did not recover the vehicle regardless if a telephone notification has already been made.
11. Notify Precinct Detective Unit/Detective Squad concerned if arrest involved or vehicle was used in commission of a crime.
12. Prepare **Omniform Complaint Revision** and enter the following in "Details" section:
    a. Parts and accessories removed from vehicle
    b. Condition of vehicle and ignition at time of recovery
    c. If vehicle keys were recovered
    d. If vehicle was damaged by fire
    e. Name of detective squad member notified, if vehicle used in commission of crime or further investigation is necessary
    f. Other information pertinent to the vehicle theft.
13. Have alarm cancelled via FINEST System once owner takes possession of vehicle or after vehicle has been removed to Property Clerk facility or Rotation Tow storage facility.
14. Attach copy of NYSPIN acknowledgement of cancelled alarm to:
    a. **PROPERTY CLERK INVOICE**
    b. **Omniform Complaint Revision**.

DETECTIVE SQUAD MEMBER

15. Prepare additional entries in Enterprise Case Management System (ECMS), indicating further developments.

DESK OFFICER

16. Review **Omniform Complaint Revision**.
    a. Sign name.
17. Verify that alarm is cancelled and owner notified.
    a. If cancellation does not appear in NYSPIN System or transmitted cancellation contains a discrepancy, have cancellation corrected utilizing FINEST System.
18. Release vehicle to owner AFTER cancellation of alarm.
    a. Have vehicle removed to Property Clerk's facility when owner unable to remove vehicle or cannot be immediately contacted.
19. Forward finalized copy of **Omniform Complaint Revision** to commanding officer concerned, if recovering member is assigned to a specialized unit.

COMMANDING OFFICER, SPECIALIZED UNIT

20. Review **Omniform Complaint Revision** to ensure alarm has been cancelled and owner notified.

DESK OFFICER

21. Verify owners have been notified while conducting physical inventory of vehicles.

DESK OFFICER (continued)

22. Ensure that owner of vehicle is notified, if such notification was not previously made.
23. Determine if patterns of theft and/or dumping exist:
    a. Initiate appropriate action if such trends are apparent.

NYPD

PURPOSE To record and notify agencies concerned of the recovery of a vehicle in New York City reported stolen outside New York City.

PROCEDURE Upon recovery within New York City of any vehicle stolen outside the City:

RECOVERING MEMBER OF THE SERVICE

1. Prepare **PROPERTY CLERK INVOICE (PD521-141)**.
2. Notify Inter-City Correspondence Unit for notification to originating police agency to cancel alarm and inform owner of recovery.
   a. Advise of arrest in connection with recovery, if applicable.
   b. Make entry in "Remarks" section of the **INVOICE** in Finest Online Records Management System (FORMS) Property.
3. Notify detective squad concerned, if arrest involved or vehicle was used in commission of a crime.

DESK OFFICER

4. Release vehicle to owner or ensure that vehicle is delivered to Property Clerk storage facility.
5. Ensure photocopy of **PROPERTY CLERK INVOICE** is forwarded to Patrol Borough Pattern Identification Module by next business day.
6. Determine if patterns of theft and/or dumping exits.
   a. Initiate appropriate action if such trends are apparent.

EVIDENCE/ PROPERTY CONTROL SPECIALIST

7. Photocopy and forward **PROPERTY CLERK INVOICE** prepared for recovered stolen vehicles to Patrol Borough Pattern Identification Module by next business day.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*An **Omniform Complaint Revision** will not be generated for the recovery of a vehicle stolen outside of New York City.*

VEHICLE STOLEN WITHIN NEW YORK CITY AND RECOVERED OUTSIDE NEW YORK CITY OR BY PORT AUTHORITY POLICE

PURPOSE To notify the registered owner and provide for cancellation of an alarm on a vehicle recorded as stolen within New York City and recovered outside the City or by the Port Authority Police on Port Authority property.

PROCEDURE When notified that a vehicle stolen within New York City has been recovered outside the City or on a Port Authority facility:

STOLEN PROPERTY INQUIRY UNIT

1. Transmit message through FINEST System to the precinct of record where alarm originated upon notification from outside agency that a vehicle stolen within New York City was recovered.

DESK OFFICER, PRECINCT OF RECORD

2. Ensure that alarm for vehicle is cancelled.
3. Ensure a copy of NYSPIN acknowledgement is attached to **Omniform Complaint Revision**, when prepared.
4. Notify registered owner of vehicle's recovery and location as soon as possible.
   a. If telephone number of registered owner is available make at least one attempt at a telephone notification.
   b. Enter in the Telephone Record:
      (1) The date and time of such an attempt
      (2) Name of person contacted if notification attempt is successful.
5. Comply with step "4" if vehicle is stolen within New York City and is recovered by the Port Authority, and in addition:
   a. Enter the invoice number from the **PROPERTY CLERK INVOICE (PD521-141)** that the recovered vehicle is listed on in the Telephone Record
   b. If final insurance settlement was received:
      (1) Enter name of insurance company on **INVOICE**, in box captioned, "Lien Holder or True Owner."
      (2) Notify insurance company if claim settled.
   c. Advise insurance carrier or registered owner (if claim not settled):
      (1) Of the address and telephone number of the Port Authority storage facility or Pound.
6. Notify the Stolen Property Inquiry Unit that the FINEST Message has been received concerning recovery of vehicle.
   a. Provide identity of member making notification to registered owner.

STOLEN PROPERTY INQUIRY UNIT

7. Make record of acknowledgement of FINEST Message by precinct of record and identity of member of the service making notification to owner.

COMMAND CLERK, PRECINCT OF RECORD

8. Prepare **Omniform Complaint Revision** and under "Details" enter:
   a. Name of detective notified, if arrest was made, or if vehicle was used in the commission of a crime, AND
   b. Identity of member of the service who notified registered owner.

DESK OFFICER, PRECINCT OF RECORD

9. Review **Omniform Complaint Revision** to ensure that alarm had been cancelled and owner has been notified.
10. Sign off on the electronically generated **Omniform Complaint Revision** as per Department guidelines.

STOLEN PROPERTY INQUIRY UNIT

11. Forward an acknowledgement of cancellation of alarm to the recovering agency and to the precinct of record.

NYPD
POLICE DEPARTMENT NEW YORK CITY OF

PURPOSE To expeditiously release stolen recovered vehicles where an arrest is made and the vehicle was not used in conjunction with any other crime.

SCOPE Whenever an arrest is made for Grand Larceny Auto, Criminal Possession of Stolen Vehicle or Unauthorized Use of a Motor Vehicle and the stolen vehicle was not used in conjunction with any crime or criminal transaction, other than the theft or unauthorized use of the motor vehicle, the arresting officer will take a set of evidence photographs of the motor vehicle for the District Attorney/ Corporation Counsel and every defendant arrested. THE VEHICLE MAY THEN BE RELEASED TO THE OWNER/REPRESENTATIVE AT THE STATIONHOUSE WITHOUT A RELEASE FROM THE DISTRICT ATTORNEY/CORPORATION COUNSEL. All photographs will be delivered to the District Attorney/Corporation Counsel and maintained by that office.

PROCEDURE Where an arrest is made for a recovered stolen vehicle and the vehicle qualifies:

ARRESTING OFFICER

1. Comply with *Patrol Guide 208-03, "Arrest - General."*
2. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.
3. Take one set of evidence digital photographs.
   a. The set of evidence digital photographs must include:
      (1) Vehicle identification number (VIN)
      (2) Registration sticker on windshield
      (3) License plates
      (4) Each side of vehicle, including vent windows, door locks and handles
      (5) Front and back of vehicle
      (6) Interior of vehicle, including ignition lock, seat to floor clearance, center console, radio receptacle and dashboard area
      (7) Motor
      (8) Any other interior or exterior surfaces showing any and all damage to the vehicle.
4. Upload all photographs to **PROPERTY CLERK INVOICE (PD521-141)** while completing the "Vehicle Inspection" in Finest Online Records Management System (FORMS) Property.
5. Print and deliver the **PHOTO RELEASE DOCUMENT (PD582-171)**, along with required paperwork, to District Attorney/Corporation Counsel.
   a. Include a notation of delivery of photographs on **ARREST CHECKLIST (PD244-041)**.
   b. Have District Attorney receipt for delivery of **PHOTO RELEASE DOCUMENT** by signing digital **Activity Log**.
   c. In juvenile arrests, **PHOTO RELEASE DOCUMENT** will be included with the arrest paper work forwarded to the Corporation Counsel.

ARRESTING OFFICER (continued)

6. Notify owner/representative that vehicle can be released at the stationhouse.
   a. A release from the District Attorney/Corporation Counsel is no longer required in these cases.
7. Cancel alarm and release vehicle, when owner/representative arrives at stationhouse.

PRIOR TO RELEASE OF VEHICLE

DESK OFFICER

8. Review all necessary paperwork for accuracy and completeness.
9. Ascertain that alarm has been cancelled.
10. Ensure that all required photographs have been taken and that notation has been made on **ARREST CHECKLIST** that **PHOTO RELEASE DOCUMENT** is part of the arrest package being delivered to the District Attorney or is included in the arrest package forwarded to the Corporation Counsel.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

The member of the service taking the photographs of the vehicle will take the minimum number of photographs necessary to show all items listed in step "3". In those cases where an arrest involves an adult and a juvenile, a set of photographs must be taken for the District Attorney and the Corporation Counsel.

Vehicles unable to be driven to the command will be placed in the Rotation Tow Program. Photographs must be taken either at the scene or the arresting officer will direct the tow driver to remove the vehicle to the command for photographs prior to its removal to the tow facility. Operable vehicles will remain at the command for forty-eight hours pending the arrival of the owner/representative. If the vehicle remains unclaimed, it will then be placed in the Rotation Tow Program and kept at the tow facility for thirty days prior to its removal to the pound.

In the event any questions arise regarding the release of the stolen vehicle, direct that photographs be taken and do not release the stolen vehicle until determination is made by the Legal Bureau.

PURPOSE To invoice and properly classify vehicles/property coming into police custody as arrest evidence, investigatory evidence, for forfeiture proceedings or to determine true owner.

PROCEDURE When property/vehicles are taken into police custody:

UNIFORMED MEMBER OF THE SERVICE

1. Prepare **PROPERTY CLERK INVOICE (PD521-141)** utilizing Finest Online Records Management System (FORMS) Property.
2. Select the correct property category on the **PROPERTY CLERK INVOICE**:
   a. ARREST EVIDENCE
   b. INVESTIGATORY EVIDENCE
   c. DNA ARREST EVIDENCE
   d. DNA INVESTIGATORY EVIDENCE
   e. FORFEITURE
   f. DECEDENT'S PROPERTY
   g. FOUND PROPERTY
   h. SAFEKEEPING
   i. PEDDLER PROPERTY
   j. OTHER.
3. Select the correct property category on the **PROPERTY CLERK INVOICE** if vehicle/boat:
   a. ROTATION TOW
   b. ARREST EVIDENCE
   c. INVESTIGATION
   d. FORFEITURE
   e. PHOTO RELEASE
   f. SAFEKEEPING
   g. DETERMINE TRUE OWNER.
4. Have alarm cancelled via FINEST System, where necessary.
   a. Attach copy of NYSPIN acknowledgement to **PROPERTY CLERK INVOICE** and/or **Omniform Complaint Revision**, as appropriate.
5. Prepare a **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-172)** utilizing FORMS Property, if required.
6. Include **PROPERTY CLERK INVOICE**, if prepared in arrest cases, to arrest package.

VEHICLES/PROPERTY HELD AS INVESTIGATORY EVIDENCE

DESK OFFICER /DETECTIVE BUREAU SUPERVISOR

7. Direct that property be seized and invoiced as investigatory evidence when a criminal investigation is required and no arrest has been made.

DESK OFFICER /DETECTIVE BUREAU SUPERVISOR (continued)

8. Direct that vehicles may also be seized and invoiced as investigatory evidence when:
   a. Crime Scene Unit examination of vehicle is requested
   b. Collision Investigation Squad must conduct an investigation at scene of a vehicle collision
   c. Investigation of vehicle by any unit other than the Property Clerk is required.
9. Ensure investigations as outlined above are conducted and concluded at command concerned.
   a. Ensure vehicle is removed to appropriate Property Clerk Auto Pound if further investigation is required.

VEHICLES SEIZED AS ARREST EVIDENCE

DESK OFFICER /DETECTIVE BUREAU SUPERVISOR

10. Direct that vehicles must be seized and invoiced as arrest evidence when arrests are made for:
    a. Larceny of vehicle
       (1) Charge will be Grand Larceny Auto unless owner/complainant or other evidence indicates auto (as defined in Section 125 VTL) is valued at $100 or less, or if motorcycle (as defined in Section 123 VTL) is valued at $1,000 or less.
    b. Unauthorized use of a vehicle
    c. Criminal possession of stolen property (vehicle involved)
    d. Possession of vehicle with an altered V.I.N.
    e. Leaving scene of collision - serious injury and likely or critical injury
    f. Assault or homicide - vehicle used as weapon
    g. Illegal Registration - Motorist arrested for Operating an Unregistered Vehicle, Vehicle and Traffic Law Section 401 (1)(a).

ARRESTING OFFICER

11. Notify desk officer immediately when arrest number is obtained and include arrest number on the **PROPERTY CLERK INVOICE**.

VEHICLES SEIZED FOR FORFEITURE

DESK OFFICER /DETECTIVE BUREAU SUPERVISOR

12. Direct that vehicles may be seized and invoiced to determine if forfeiture proceedings will be commenced when vehicle is used to transport:
    a. Controlled Substances - Felony, Article 220, Penal Law
    b. Gambling Records - Sections 225.20 and 415, Penal Law
    c. Untaxed Cigarettes - Felony, Section 481, subdivision 2, State Tax Law and Section 11-1317, Administrative Code
    d. Equipment used in promoting pornography - Article 410, Penal Law
    e. Equipment used in unauthorized recording of sound – Section 420.05, Penal Law
    f. Illegally possessed firearms/rifles/shotguns - Section 265, Penal Law.

NOTE *In all cases, whether a vehicle is seized as arrest evidence or for forfeiture, a **VEHICLE SEIZURE FORM (PD571-1218)** must be completed and served on the arrestee at the command of arrest processing, as indicated in P.G. 218-48, "Vehicle Seizure at Time of Arrest."*

OCCUPIED VEHICLES HELD TO DETERMINE TRUE OWNER

DESK OFFICER /DETECTIVE BUREAU SUPERVISOR

13. Direct an occupied vehicle be taken into custody if true owner cannot be determined and immediate arrest is not warranted.
14. Have **PROPERTY CLERK INVOICE** prepared and ensure property category "Determine True Owner" is selected.
    a. A **COMPLAINT REPORT (PD313-152)** is not necessary when invoicing a vehicle to "Determine True Owner." The investigation will be conducted by Property Clerk personnel.
15. Have vehicle delivered to appropriate Property Clerk Auto Pound for processing by Property Clerk personnel.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

When a member of the service conducts a computer check of an occupied vehicle and the response reads ILLEGAL REGISTRATION, the New York State Department of Motor Vehicles has determined that the vehicle was improperly registered to someone who was the victim of a fraud and the victim never owned the vehicle nor gave anyone permission to register the vehicle in the victim's name. Accordingly, when a uniformed member of the service encounters a motorist during a vehicle stop whose registration comes up on the computer as ILLEGAL REGISTRATION, then this motorist will be arrested and charged with Vehicle and Traffic Law Section 401(1)(a), Operating an Unregistered Vehicle. An immediate investigation should simultaneously be undertaken to determine if probable cause exists that the motorist or any other person has committed the crimes of Criminal Impersonation 2nd degree P.L. 190.25(1), Forgery 2nd degree, P.L. 170.10(2), Offering a False Instrument for Filing 2nd degree P.L. 175.30, or any robbery or larceny charge, if appropriate. If Penal Law arrests are to be made, the vehicle will be taken into custody as arrest evidence; if only a Vehicle and Traffic Law arrest is to be made, the vehicle will be taken into custody to determine its true owner.

*Whenever an arrest is effected involving a vehicle for a charge OTHER THAN those enumerated in step "10" above, the arresting officer will consult with his supervisor to determine whether the vehicle should be seized. The supervisor will communicate with an Assistant District Attorney and request an opinion to determine if the vehicle should be seized as arrest evidence. If an Assistant District Attorney is not available, the vehicle will be invoiced and secured at the stationhouse. However, no category of property will be checked, pending a determination by the Assistant District Attorney. If the Assistant District Attorney advises that the vehicle is not required as evidence, it will be released to the registered owner or his representative. If the owner cannot be located, the vehicle will be sent to the Property Clerk Auto Pound for safekeeping. If it is determined that the vehicle is to be held as evidence, the name and telephone number of the Assistant District Attorney who made the recommendation MUST be entered in the appropriate captions listed immediately above the "Remarks" section on the **PROPERTY CLERK INVOICE**.*

ADDITIONAL DATA (continued)

If a vehicle is to be safeguarded at the Property Clerk Auto Pound, the following documents will be forwarded with the vehicle:

a. ***PROPERTY CLERK INVOICE***
b. *FINEST Printout - NYSPIN acknowledgement*
c. *VIN Printout (including registered owner's zip code)*
d. *Copy of* ***COMPLAINT REPORT****, if prepared, or notation on invoice of previously prepared* ***COMPLAINT REPORT*** *number and precinct of record, when vehicle is categorized as Investigatory Evidence, DNA Investigatory Evidence, Arrest Evidence, DNA Arrest Evidence, or Forfeiture.*

INVOICING COIN/BILL OPERATED MACHINES OR DEVICES

Whenever coin/bill operated machines, including slot machines, are invoiced as evidence in arrest or investigation cases, the invoicing officer will remove all currency under the supervision of a ranking officer. Separate invoices will be prepared for currency and machines. Each will be cross-referenced. Under the caption "Remarks" on the ***INVOICE****, enter a statement indicating the machine was opened and the amount of currency removed. Every effort will be made to locate a key or other device used to open the machines prior to their delivery to the Property Clerk. When force must be used to gain access to cash boxes, Emergency Service Unit may be requested. Emergency Service Unit personnel will break locks to obtain currency contained within the machines while taking care to avoid destroying their mechanisms.*

PURPOSE To remove a vehicle in police custody to a Property Clerk storage facility.

PROCEDURE When necessary to remove a vehicle to a Property Clerk storage facility:

DESK OFFICER

1. Ensure **PROPERTY TRANSFER REPORT (PD521-1412)** is prepared using Finest Online Records Management System (FORMS) Property.

VEHICLE ABLE TO BE DRIVEN:

DESK OFFICER

2. Assign uniformed member of the service to deliver vehicle and "Property Clerk" copy of **PROPERTY CLERK INVOICE (PD521-141)** to Property Clerk's storage facility.

ASSIGNED MEMBER

3. Check entries on **PROPERTY CLERK INVOICE** against current condition and equipment of vehicle.
4. Conduct a vehicle inspection, using the "Vehicle Inspection" function in FORMS Property, to record all discrepancies.
5. Report discrepancies to desk officer.
6. Prepare **COMPLAINT REPORT WORKSHEET (PD313-152A)** for missing equipment not originally noted on **PROPERTY CLERK INVOICE** and deliver to desk officer.
7. Digitally sign **PROPERTY TRANSFER REPORT**.

DESK OFFICER

8. Digitally sign **PROPERTY TRANSFER REPORT**.

ASSIGNED MEMBER

9. Deliver vehicle to storage facility.

VEHICLE UNABLE TO BE DRIVEN:

DESK OFFICER

10. Notify Fleet Services Division, Department Tow.

DEPARTMENT TOW TRUCK OPERATOR

11. Pick up vehicle and proceed to command to obtain related **PROPERTY CLERK INVOICE**.

DESK OFFICER

12. Assign member of service to check entries on **PROPERTY CLERK INVOICE** against condition and equipment of vehicle and prepare **PROPERTY TRANSFER REPORT**.

ASSIGNED MEMBER

13. Conduct a vehicle inspection using the "Vehicle Inspection" function in FORMS Property to record all discrepancies.
14. Report discrepancies to desk officer.
15. Prepare **COMPLAINT REPORT WORKSHEET** for missing equipment not originally on **PROPERTY CLERK INVOICE** and deliver to desk officer.
16. Enter identity of tow truck operator on **PROPERTY TRANSFER REPORT**.

DEPARTMENT TOW TRUCK OPERATOR

17. Digitally sign **PROPERTY TRANSFER REPORT**.

DESK OFFICER

18. Digitally sign **PROPERTY TRANSFER REPORT**.

DEPARTMENT TOW TRUCK OPERATOR

19. Deliver vehicle and corresponding **PROPERTY CLERK INVOICE** set to Property Clerk storage facility.

NYPD

PURPOSE To process non-evidence stolen or apparently abandoned vehicles, including motorcycles, recovered within New York City.

DEFINITIONS APPARENTLY ABANDONED VEHICLE - An unoccupied vehicle abandoned as defined in Section 1224, Vehicle and Traffic Law OR an unoccupied vehicle observed under circumstances indicating it may have been stolen, but for which no alarm has been transmitted.

DOUBLE TOW - Situation requiring use of additional tow truck to assist in an UNUSUAL recovery (e.g., vehicle on an embankment, overturned, wedged in a building, etc.). The uniformed member must select either "yes" or "no" under caption, "Double Towing Involved" when generating a **PROPERTY CLERK INVOICE (PD521-141)** using Finest Online Records Management System (FORMS) Property. When "Double Tow" is authorized, the uniformed member must enter his/her tax number in the appropriate field. A "Double Tow" is NOT AUTHORIZED solely because a recovered vehicle has no wheels. (Tow operators are required to possess equipment for towing vehicles with damaged/missing wheels.)

PROCEDURE When a uniformed member of the service recovers an unoccupied stolen or apparently abandoned vehicle.

UNIFORMED MEMBER OF THE SERVICE

1. Determine if vehicle qualifies for Rotation Tow.
   a. A vehicle IS NOT qualified for removal under Rotation Tow if:
      (1) An arrest is made in conjunction with the recovery EXCEPT where an arrest is made and the vehicle qualifies for release after photographs are taken
      (2) Required as evidence OR being held for investigation
      (3) Used in commission of a crime
      (4) Vehicle may be the subject of forfeiture proceedings
      (5) Derelict guidelines are listed on inside back cover of **ROTATION TOWING LOG (PD571-1412)**
      (6) Vehicle is a large truck or limited-use motorcycle (moped)
      (7) Owner is on scene and recovers own vehicle prior to discovery by this Department
      (8) Vehicle must be safeguarded due to the inability of the owner/driver to remove to a safe place (e.g., prisoner, aided, collision, etc.)
2. Ascertain V.I.N. of vehicle.
   a. If missing or illegible, attempt to locate alternate V.I.N.
      (1) Request assistance of another member of command trained in vehicle identification or services of Auto Crime Unit, if necessary.

UNIFORMED MEMBER OF THE SERVICE (continued)

3. Obtain relevant information from New York State Police Information System Network (NYSPIN) via FINEST System.
4. Prepare **ROTATION TOW IDENTIFICATION STICKER (PD571-090)**.
   a. Affix **STICKER** to glass (window or windshield) facing street side.
5. Enter vehicle information in digital **Activity Log**.
6. Provide desk officer with all relevant information on recovered vehicle for notification to participating tow operator.
7. Prepare the following documents:
   a. **PROPERTY CLERK INVOICE**
      (1) Select "Rotation Tow" as the Property Category
      (2) Select either "yes" or "no" under captioned "Double Towing Involved", and if "Double Tow" is authorized, enter tax number of authorizing officer in appropriate field. (Tax number must be entered if "Double Tow" is authorized)
      (3) Enter under REMARKS "Deliver to Property Clerk Auto Pound WITHIN 48 HOURS for confidential V.I.N. check," if V.I.N. is not obtained or ownership cannot be determined from a legible V.I.N. (A vehicle in this category WILL NOT BE RETURNED TO OWNER by the tow operator; it MUST BE DELIVERED to the Property Clerk Auto Pound.)
   b. **Omniform Complaint Revision**, ONLY if previously reported stolen WITHIN NEW YORK CITY
   c. **COMPLAINT REPORT (PD313-152)**, if investigation reveals that vehicle has been stolen WITHIN NEW YORK CITY, BUT THE THEFT HAS NOT BEEN REPORTED.
8. Obtain a FINEST printout for vehicles with legible V.I.N. numbers and attach it to the "Property Clerk Copy" of **PROPERTY CLERK INVOICE** indicating:
   a. Check of registration plate and V.I.N.
   b. Listing of registered owner and insurance code
   c. NYSPIN and NCIC checks.

DESK OFFICER

9. Notify next participating tow operator in rotation sequence IMMEDIATELY after receiving all pertinent information from member who recovered vehicle.
   a. If vehicle is recovered on a limited access highway, ONLY THE TOW OPERATOR HAVING EXCLUSIVE FRANCHISE FOR SERVICE ON SUCH HIGHWAY MAY TOW THE VEHICLE. (A franchise tow operator who is also an authorized rotation tow operator will not be charged a turn in the rotation sequence for a limited access highway removal.)
10. Determine if tow operator is available for assignment PRIOR TO furnishing information concerning the recovered vehicle.
    a. Tow operators DO NOT have the option of deciding whether they are available AFTER being informed of the type and condition of the vehicle to be towed.

DESK OFFICER (continued)

11. Prepare **REPORT OF VIOLATION (PD672-151)** and forward to Department of Consumer and Worker Protection whenever a tow operator refuses assignment AFTER BEING INFORMED of type and condition of vehicle to be towed.
12. Notify next tow operator in the rotation sequence whenever a tow operator is NOT AVAILABLE FOR ANY REASON.
13. Enter each completed or attempted notification to tow operator in **ROTATION TOWING LOG**.
    a. Busy signal, no answer, refusal and reason therefore, entered in "Remarks" column.
14. Notify next tow operator in rotation sequence when assigned tow operator fails to tow the vehicle within a reasonable period of time (e.g., half an hour, but may be longer depending on conditions).
    a. Advise tow operator to notify the desk officer immediately when vehicle has arrived at storage facility.
    b. Prepare and forward **REPORT OF VIOLATION** to Department of Consumer and Worker Protection indicating assigned tow operator's failure to meet performance standards.
15. Make entry under Remarks in **ROTATION TOWING LOG** when two or more vehicles are recovered at one incident by the SAME tow operator. (Such removal counts as one turn in the rotation sequence).
16. Select the name of authorized rotation tow company when preparing the **PROPERTY CLERK INVOICE**.

UPON NOTIFICATION FROM TOW OPERATOR THAT VEHICLE HAS BEEN DELIVERED TO TOW OPERATOR'S STORAGE FACILITY

DESK OFFICER

17. Advise tow operator:
    a. To immediately deliver **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE (PD571-154)** to precinct of record for each vehicle towed
    b. Vehicle may be delivered to the Property Clerk Auto Pound on any weekday commencing on the eighth day and ending on the thirtieth day
    c. Vehicles remaining unclaimed commencing on the eighth day MUST BE DELIVERED to the Auto Pound any weekday, by the tow operator, by the thirtieth day
    d. Insurance carrier representatives seeking release of vehicles must present a signed, notarized "Receipt for Release of Vehicle" on insurance company letterhead when picking up vehicles.
18. Have alarm canceled, if required.
    a. Enter cancellation on **PROPERTY CLERK INVOICE** and **Omniform Complaint Revision**, if prepared.
19. Confirm cancellation of alarm by ensuring a standard inquiry is made to NYSPIN via FINEST System by plate or V.I.N. number, at least one to two hours AFTER the original request was transmitted.

DESK OFFICER (continued)

a. Correct any discrepancies immediately by modifying alarm transmission or cancellation via FINEST System.

20. Notify registered owner of vehicle as soon as possible after the recovered vehicle has been delivered to tow operator.
    a. If telephone number of registered owner is available make at least one attempt at a telephone notification.
    b. Enter in the Telephone Record:
        (1) The date and time of such an attempt
        (2) The invoice number from the **PROPERTY CLERK INVOICE** that the recovered vehicle is listed on
        (3) Name of person contacted if notification attempt is successful.
    c. If final insurance settlement was received:
        (1) Enter name of insurance company on **INVOICE**, in the field captioned, "Lien Holder"
        (2) Notify insurance company if claim settled.
    d. Advise insurance carrier or registered owner (if claim not settled):
        (1) That recovered vehicle may be reclaimed at the tow operator's storage facility or the Property Clerk Auto Pound upon proof of ownership and payment of authorized fees
        (2) Of the address and telephone number of storage facility or Pound.
21. Have **ROTATION TOW-OWNER NOTIFICATION** prepared.
    a. Ensure that in all cases where the registered owner or insurance carrier did not recover the vehicle, that they are notified in writing utilizing the **ROTATION TOW-OWNER NOTIFICATION**, even if a telephone notification was already made.
    b. Print "Prisoner/Finder/Owner Copy" of **PROPERTY CLERK INVOICE**.
22. Make appropriate entries in **ROTATION TOWING LOG**.
23. Distribute **ROTATION TOW - OWNER NOTIFICATION** as follows:
    a. Original copy of the **ROTATION TOW - OWNER NOTIFICATION** and an "Prisoner/Finder/Owner" copy of **PROPERTY CLERK INVOICE** to owner via U.S. mail
        (1) Envelope addressed to owner will include precinct return address on upper left corner and **PROPERTY CLERK INVOICE** number on lower left corner.
    b. Attach duplicate copy to the **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** (when received) and place in the Rotation Towing thirty-day file maintained at the precinct.

UPON RECEIPT OF THE **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** FROM THE TOW OPERATOR:

DESK OFFICER

24. Verify accuracy of information entered on **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** with information on **PROPERTY CLERK INVOICE**.
    a. Enter data from inspection on **PROPERTY CLERK INVOICE** to "Pct. Qty." captions on **ROTATION TOW OPERATOR'S**

DESK OFFICER (continued)

MOTOR VEHICLE INVOICE (shaded areas)

b. Indicate discrepancies, if any in the "Remarks" section of the **PROPERTY CLERK INVOICE**, utilizing the update invoice function of FORMS Property

c. Prepare **COMPLAINT REPORT**, if appropriate, and indicate serial number in the "Remarks" section of the **PROPERTY CLERK INVOICE**, using the update invoice function of FORMS Property.

25. Verify that alarm, if any, was cancelled, that owner was notified, and **ROTATION TOW-OWNER NOTIFICATION** was sent.
    a. If cancellation does not appear in NYSPIN System or transmitted cancellation contains a discrepancy, have cancellation corrected utilizing FINEST System.

26. Distribute **PROPERTY CLERK INVOICE** when V.I.N. has been obtained and ownership of vehicle has been determined, as follows:
    a. One copy of "Property Clerk Copy" to Rotation Towing 30-Day File, with **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** and copy of **ROTATION TOW-OWNER NOTIFICATION** attached thereto.
    b. "Invoicing Officer" copy to recovering officer.
    c. One copy of each "Rotation Tow", "Prisoner/Finder/Owner" to tow operator.

27. Ensure the following is done if V.I.N. has NOT been obtained or ownership has NOT been determined:
    a. Ensure that statement "Deliver to Auto Pound WITHIN FORTY-EIGHT HOURS for confidential V.I.N. check" has been entered in the "Remarks" section of the **PROPERTY CLERK INVOICE**
    b. Direct tow operator to deliver vehicle and ALL copies of **PROPERTY CLERK INVOICE** to Property Clerk Auto Pound within forty-eight hours of completion of towing assignment
    c. Retain **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** in Rotation Towing thirty-day file for entry of vehicle storage number pending receipt of **NOTICE OF VEHICLE DELIVERY (PD571-128)** from Auto Pound.

28. Advise tow operator to distribute copies of **PROPERTY CLERK INVOICE** upon release of vehicle to registered owner/authorized representative/insurance carrier as follows:
    a. "Prisoner/Finder/Owner" - to owner/authorized representative/ insurance carrier
    b. "Rotation Tow" - deliver to precinct of recovery.

UPON RECEIPT OF ROTATION TOW COPY OF **PROPERTY CLERK INVOICE** AT PRECINCT, INDICATING RELEASE OF VEHICLE BY TOW OPERATOR TO OWNER/AUTHORIZED REPRESENTATIVE/INSURANCE CARRIER.

DESK OFFICER (continued)

29. Ensure that **PROPERTY CLERK INVOICE** ("Rotation Tow" copy) is properly receipted and storage fees are indicated.
    a. A written authorization from the registered owner of the vehicle or copy of the insurance carrier's notarized "Receipt for Release of Vehicle" attached to "Rotation Tow" copy of **PROPERTY CLERK INVOICE** will suffice as receipt for release of vehicle.
30. Attach "Rotation Tow" copy of **PROPERTY CLERK INVOICE** to "Property Clerk" copy of **PROPERTY CLERK INVOICE** from Rotation Towing thirty-day file and maintain in separate designated file in **PROPERTY CLERK INVOICE** number order with related documents, i.e., District Attorney's Release, etc., if any, attached.
31. File **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** in command.

EVIDENCE/ PROPERTY CONTROL SPECIALIST

32. Retrieve "Rotation Tow" copy of **PROPERTY CLERK INVOICE** and perform the "Return to Owner from Rotation Tow (RTO From RoTow)" function using FORMS Property.

UPON NOTIFICATION FROM TOW OPERATOR THAT VEHICLE IS BEING REMOVED TO PROPERTY CLERK'S AUTO POUND.

DESK OFFICER

33. Inform the tow operator that in no event shall any towing company charge the Police Department for storage charges incurred after the tenth day of storage.
    a. Retain **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE**, pending receipt of **NOTICE OF VEHICLE DELIVERY** from the Property Clerk's Auto Pound.
34. Direct tow operator to deliver all copies of **PROPERTY CLERK INVOICE**, with vehicle, to Property Clerk's Auto Pound.
    a. Enter vehicle disposition, by documenting the name of the Department auto pound the motor vehicle/motorcycle was delivered to, in the "Remarks" column of the **ROTATION TOWING LOG**.

UNIFORMED MEMBER OF THE SERVICE ASSIGNED TO AUTO POUND

35. Perform intake using FORMS Property.
    a. Print **PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT (PD521-172)** and issue to tow operator as receipt.
36. Prepare **NOTICE OF VEHICLE DELIVERY** and forward IMMEDIATELY to the desk officer, precinct of recovery.

DESK OFFICER

37. Enter vehicle storage number on **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** upon receipt of **NOTICE OF VEHICLE DELIVERY**.
38. File **ROTATION TOW OPERATOR'S MOTOR VEHICLE INVOICE** in command.

COMMANDING OFFICER/ DESIGNEE

39. Inspect daily:
    a. **ROTATION TOWING LOG** entries for previous twenty-four hours to ensure completeness and accuracy.
    b. Rotation Towing thirty-day file to:
        (1) Determine status of all **INVOICES**.
        (2) Ensure no vehicle is being held more than thirty days.
40. Enter date, time of inspection and signature in "Remarks" column of **ROTATION TOWING LOG** and include remedial action taken, if any.
41. Ensure compliance with the following:
    a. Complaints concerning license violations and administrative matters, including overcharges by tow operators, are reported to the Department of Consumer and Worker Protection on **REPORT OF VIOLATION**.
    b. Complaints alleging thefts or other unlawful acts by towing company personnel are recorded on **COMPLAINT REPORT** and investigated.
        (1) Duplicated copies of **COMPLAINT REPORT** must by forwarded to the Department of Consumer and Worker Protection for informational purposes only.
    c. Participating tow operators are permitted to view the **ROTATION TOWING LOGS** of precincts within their assigned zone(s) to verify rotational sequence.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

An OWNER WILL NOT BE NOTIFIED NOR WILL AN ALARM BE CANCELLED on the recovered vehicle until the tow operator has advised that the vehicle has been removed to storage facility.

*If the envelope with the **ROTATION TOW - OWNER NOTIFICATION** and attached copy of the **PROPERTY CLERK INVOICE** is returned by the Postal Service as non-deliverable, attach the unopened envelope to the "Property Clerk Copy" of the **PROPERTY CLERK INVOICE**. A notation will then be made on the duplicate **ROTATION TOW-OWNER NOTIFICATION** that the original was returned undelivered.*

Rotation tow operators will deliver motor vehicles and motorcycles to a designated Department auto pound. Motorcycles are stored and can be reclaimed at a designated Department auto pound. When motor vehicles are delivered to a Department auto pound, the auto pound will immediately notify an authorized third party storage facility to remove and store the motor vehicles. Claimants must initially pay, at the auto pound concerned, the NYPD Rotation Tow and storage fees, in addition to third party transfer and storage fees, to reclaim a motor vehicle/motorcycle, or to obtain a release authorization pass, PRIOR to reclaiming a motor vehicle from the third party storage facility. If a vehicle/motorcycle remains unclaimed after fifteen days, from its delivery date to a Department auto pound, the vehicle/motorcycle will be disposed of according to law.

Department of Sanitation personnel affix a numbered sticker with red lettering and red border to the outside rear of vehicles deemed eligible for Rotation Towing. Therefore, upon notification from the Department of Sanitation of the location of a vehicle eligible for Rotation Towing, the member of the service receiving the notification will immediately notify the desk

ADDITIONAL DATA (continued)

officer of the following:

a. Time and date of notification
b. Identity of Sanitation Department member making notification
c. Location and description of vehicle (year and make)
d. Sanitation Department sticker number.

The above information will be entered in the appropriate columns of the ***ROTATION TOWING LOG****.*

The desk officer will direct a uniformed member of the service to respond to the vehicle location and make a visual inspection of the vehicle to ensure it qualifies for Rotation Towing in accordance with established criteria set forth on the rear inside cover of the ***ROTATION TOWING LOG****. Neither the Department of Sanitation notification nor the affixing of a Department of Sanitation numbered sticker on a vehicle confers automatic Rotation Towing eligibility. FINAL DETERMINATION must be made by a uniformed member based upon visual inspection of the vehicle concerned.*

Uniformed members conducting visual inspections of vehicles reported by the Department of Sanitation as eligible for inclusion in Rotation Towing will be guided by the following:

CATEGORY	***CLASSIFICATION***	***PROCEDURE***
Stolen/abandoned (with or without registration plates)	***Other than derelict***	***Include in Rotation Towing and affix ROTATION TOW IDENTIFICATION STICKER***
Stolen/abandoned (with or without registration plates)	***Derelict***	***Notify Department of Sanitation that vehicle does not qualify for Rotation Towing and must be removed under the Derelict Auto Program; a notation concerning this notification will be made in "Remarks" column of the Rotation Towing Log. Remove plates from vehicle, if appropriate, prior to notification and comply with applicable provisions of P.G. 214-29, "Derelict Vehicles Bearing Registration Plates."***

Enforcement officers from the following agencies may utilize this Department's Rotation Towing Program and perform steps "1" through "9" of the foregoing procedure whenever they recover stolen and/or apparently abandoned vehicles in areas under their respective jurisdictions within the confines of New York City:

- *New York City Parks Department*
- *Seagate PD (60th Precinct)*

Administrative Code Section 20-519 (a) (3) states that all participants in the "Rotation Tow" program shall maintain a business premises that is under the exclusive control of

ADDITIONAL DATA (continued)

the participant, is not used by any other towing company and is the premises listed on such participant's license to engage in towing. Such premises shall consist of a location that is open to the public, where towing company personnel are employed, calls requesting towing service are received and tow operators are dispatched, and where all records required by this subchapter or any rules promulgated hereunder are maintained.

The following violations of Department of Consumer and Worker Protection regulations will be entered under "Additional Information" on ***REPORT OF VIOLATION****:*

a. UNJUSTIFIABLE REFUSAL to accept a towing assignment:
  (1) Violation - Article XII subdivision F (ROTOW)

b. REPEATED UNJUSTIFIABLE REFUSALS to accept towing assignments:
  (1) Violation - Article XII subdivision L (ROTOW)
    (List times and dates of such refusals)

NYPD

PURPOSE To safeguard boats coming into police custody.

PROCEDURE Upon taking a boat into police custody:

UNIFORMED MEMBER OF THE SERVICE

1. Ascertain if stolen by utilizing mobile digital computer or FINEST System.
   a. Obtain relevant information.
2. Notify desk officer, precinct of occurrence of:
   a. Description of boat
   b. Circumstances leading to custody
   c. Other pertinent information.
3. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** for boat.
4. Prepare a separate **PROPERTY CLERK INVOICE WORKSHEET** for evidence or other property that is <u>not</u> part of boat equipment and deliver items to precinct of record.
5. Request patrol supervisor to respond to scene.

PATROL SUPERVISOR

6. Verify accuracy and completeness of **PROPERTY CLERK INVOICE WORKSHEET(S)** by signing rank, name and shield number.

COMMAND CLERK

7. Enter **PROPERTY CLERK INVOICE WORKSHEET(S)** into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE(S) (PD521-141)**.

UNIFORMED MEMBER OF THE SERVICE

8. Digitally sign **PROPERTY CLERK INVOICE(S)** verifying accuracy and completeness.

PATROL SUPERVISOR

9. Digitally sign **PROPERTY CLERK INVOICE(S)** verifying accuracy and completeness.

DESK OFFICER

10. Notify owner, if known, and Harbor Unit for removal of boat to storage facility.
11. Create a **PROPERTY TRANSFER REPORT (PD521-1412)** using FORMS Property.

UNIFORMED MEMBER OF THE SERVICE

12. Digitally sign **PROPERTY TRANSFER REPORT** if no discrepancies.
13. Deliver **PROPERTY CLERK INVOICE**, **PROPERTY TRANSFER REPORT** and FORMS Property Label to responding Harbor Unit Member.

RESPONDING HARBOR UNIT

14. Affix FORMS Property Label to boat and verify entries on **PROPERTY CLERK INVOICE** and **PROPERTY TRANSFER REPORT**.
15. Deliver boat with **PROPERTY CLERK INVOICE** to storage facility.
16. Conduct intake of **PROPERTY CLERK INVOICE** in FORMS Property.
17. Notify desk officer, invoicing command, of **PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT (PD521-172)** confirmation number.

UNIFORMED MEMBER OF THE SERVICE

18. Enter information concerning boat and disposition in digital **Activity Log**.

RESPONDING HARBOR UNIT

19. Enter Harbor Unit Storage Number on all related records.
20. Forward copy of **PROPERTY CLERK INVOICE** to Property Clerk Inventory Unit.
21. Identify and notify owner of boat, if not already been done.
22. Cancel alarm, if applicable.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

An alarm will NOT be cancelled until boat is actually at storage facility or receipted for by owner.

*When a boat is found adrift by Harbor Unit personnel, the member assigned to Harbor Unit will prepare the **PROPERTY CLERK INVOICE** and notify the desk officer, precinct of record.*

When a boat is found on a street, contact Department tow for removal. Do not contact Rotation Tow.

PURPOSE To ensure that all firearms and firearm-related evidence coming into possession of the Department is properly marked, packaged, sealed, and invoiced in order to maintain a continuous chain of custody.

DEFINITIONS FIREARM - The Department's definition of a firearm includes:

a. Any rifle, shotgun, pistol, revolver, derringer, machine gun, etc., with or without a rifled bore
b. Any starter's pistol, zip gun, air gun, CO2 hand/long gun, etc
c. Any type of homemade gun (e.g., modified, converted, etc.)
d. Any type of simulated firearm such as a toy gun, imitation pistol, etc
e. Any type of firearm which is not detectable by a metal detector when grips, stocks, and magazines are removed
f. Any type of firearm, or part thereof, that is untraceable (i.e., ghost gun)
g. Any type of firearm, or part thereof, that is created using a three-dimensional printer.
h. Any other weapon not otherwise defined in this section containing any component that provides a housing structure designed to expel a projectile by action of explosive, including firearms that have been modified with a stabilizing or arm brace.

CARTRIDGE - Live ammunition. A cartridge consists of a bullet (projectile), and a shell casing together as one unit. Cartridge(s) will be distinguished based upon the location from which the cartridge was recovered:

a. Cartridge removed from the chamber of a firearm.
b. Remaining cartridge(s) removed from a firearm other than the cartridge removed from the chamber (i.e., removed from magazine or removed from cylinder).
c. Cartridge(s) NOT removed from a firearm but seized in connection with the recovery of a firearm from a person, object, or location AND there is no need to establish a crime scene (for example: cartridge(s) seized from a person's clothing in connection with an arrest where a firearm is recovered; OR, cartridge(s) seized from a home during an investigation where a firearm is recovered AND there is no need to establish a crime scene because all of the perpetrators are identified).
d. Cartridge(s) NOT removed from a firearm but recovered from a crime scene where a firearm may or may not have been recovered (for example: cartridge(s) found lying in the street after a shooting; OR, cartridge(s) found lying on the floor in an apartment or automobile after a robbery).

DEFINITIONS (continued)

FIRED BULLET - That part of a cartridge which has been fired though the barrel of a firearm (usually lead, metal-jacketed lead or coated lead). A fired bullet may break into pieces of lead, coated lead, metal jacketing, metal jacketing attached to lead, etc.

SHELL CASING - Metal casing part of the cartridge remaining in or ejecting from a firearm after the fired bullet leaves the firearm's barrel.

PROPERLY "MARKING" FIREARMS AND FIREARM-RELATED EVIDENCE - Members of the service will utilize a scribe or other sharp writing instrument to scratch their initials and a unique consecutive number on each firearm and each item of firearm-related evidence. For example, if at a crime scene 1 fired bullet and 3 shell casings and a semiautomatic pistol with 1 cartridge in the chamber and 4 cartridges in the magazine are recovered; then the firearm would be numbered 1, the magazine numbered 2, the cartridge in the chamber numbered 3 and the cartridges in the magazine would be numbered 4 through 7, the fired bullet would be numbered 8 and the 3 shell casings would be numbered 9 through 11. It does not matter what particular number a firearm or item of firearm-related evidence is assigned provided the same number is not used more than once. Therefore, in the above example, it also would be proper to have the fired bullet numbered 1, the 3 shell casings numbered 2 through 4, the firearm numbered 5, the magazine numbered 6, the cartridge in the chamber numbered 7 and the 4 cartridges in the magazine numbered 8 through 11.

PROPERLY "SEALING" A CONTAINER - In order to properly seal a container (other than NYPD Plastic Security Envelope), a member of the service must:

a. Fasten the container securely with EVIDENCE TAPE in a manner to prevent loss/contamination of the evidence and to ensure that if the container is opened there would be obvious damage to the container and/or evidence tape AND sign name legibly across the border between the evidence tape and the container.

b. An NYPD Plastic Security Envelope has adhesive on the envelope flap and does not have to be fastened with evidence tape. Seal Plastic Security Envelope by removing paper strip exposing the pre-applied adhesive and fold the top of envelope over aligning blue circles. Sign name, tax number, command and date on pre-printed line with denoted captions.

SCOPE

Firearms/firearms-related evidence requiring laboratory analysis are items invoiced in connection with criminal arrests, arrest or investigation of juvenile delinquency, active criminal investigations, found firearms, or officer involved shootings. Firearms/firearms-related evidence not requiring laboratory analysis are firearms invoiced for safekeeping or in connection with violation offenses (e.g., air-guns and/or pellet guns related to a violation arrest or invoiced as found property). Additionally, found revolvers not associated with an arrest or criminal investigation will not require laboratory analysis. Additionally, firearms that are surrendered at "Cash for Guns" programs do not require laboratory analysis.

PROCEDURE Whenever a firearm as defined above, and/or firearm-related evidence comes into the possession of a member of the service, in addition to other required actions:

UNIFORMED MEMBER OF THE SERVICE

1. DO NOT touch, move or disturb any firearm and/or firearm-related evidence that may become part of a crime scene except when absolutely necessary, e.g., large crowd gathering, rendering aid to a victim, etc.
2. Unload cartridge(s) from cylinder, chamber, and/or magazine of a firearm.
   a. To prevent possible destruction of fingerprints or other forensic evidence, DO NOT handle unnecessarily.
   b. If a firearm is unfamiliar or it appears to be difficult to unload, safeguard in original condition and notify desk officer.
3. Mark, package and seal the cartridge removed from the chamber of the firearm.
   a. Mark the bullet portion of the cartridge; do not mark the metal shell casing portion. Do not mark the cartridge if it is too small/deformed.
   b. Package and seal in a container/envelope. Write initials, unique consecutive number and "Cartridge Removed From Chamber" on the container and include the serial number of the firearm/lead seal.
4. Mark, package and seal ALL cartridges removed from the firearm other than the cartridge removed from the chamber.
   a. Mark the bullet portion of the cartridge(s); do not mark the metal shell casing portion. If the cartridge is too small/deformed to mark, package each cartridge that cannot be marked in a separate container/envelope, seal it, write initials and unique consecutive number on the container and package in conformance with step 4b.
   b. Package and seal ALL cartridges removed from firearm other than the cartridge removed from the chamber in one (1) evidence container/envelope. Write "Cartridge(s) Removed From Firearm" on container and include the serial number of the firearm/lead seal.
5. Mark, package and seal ALL cartridge(s) NOT removed from a firearm but seized in connection with the recovery of a firearm from a person and/or location AND there is no need to establish a crime scene.
   a. Mark the bullet portion of the cartridge(s); do not mark the metal shell casing portion. If the cartridge is too small/deformed to mark, package each cartridge that cannot be marked in a separate container/envelope, seal it, write initials and unique consecutive number on the container and package in conformance with step "5b" or "5c", as applicable.
   b. DO NOT package cartridges removed from a person in the same container/envelope as cartridges removed from a location. All cartridges removed from the same person will be packaged in one container/envelope and cartridges removed from different persons will be packaged in separate containers/envelopes. Write the name and date of birth of the person from whose clothing the cartridge(s) were recovered and the words "Cartridge(s) Removed

UNIFORMED MEMBER OF THE SERVICE (continued)

From Clothing" on EACH separate container and include the serial number of the firearm/lead seal.

c. DO NOT package cartridges removed from a location in the same container/envelope as cartridges removed from a person. All cartridges that were seized from the same location will be packaged in one container/envelope and cartridges removed from different locations will be packaged in separate containers/envelopes. Identify the location from which the cartridge(s) were recovered on EACH separate container and include the serial number of the firearm/lead seal.

d. Package entire box or boxes, if one or more boxes containing cartridges are seized in connection with the recovery of a firearm and there is no need to establish a crime scene, in an appropriate container and seal. Write initials and unique consecutive number on the outside of the container. It is not necessary to individually mark the bullet portion of each cartridge in the box.

6. Mark, package and seal ALL cartridges that were NOT removed from a firearm BUT were recovered from a crime scene where a firearm may or may not have been recovered.

a. Mark the bullet portion of ALL of the cartridges. DO NOT mark or place any scratches on the metal shell casing portion of the cartridges. If a cartridge is too small/deformed to mark, write initials and unique consecutive number on the container/envelope in which the cartridge is packaged.

b. Package and seal each individual cartridge in a separate container/envelope. NEVER place two or more individual cartridges in the same container/envelope.

7. Mark, package and seal ALL fired bullets recovered from a crime scene.

a. Mark the bottom/base of ALL of the fired bullets. DO NOT mark or place any scratches on or near the sides of the fired bullets. If a fired bullet is too small/deformed to mark, write initials and unique consecutive number on the container/envelope in which the fired bullet is packaged.

b. Package and seal each individual fired bullet in a separate container/envelope. NEVER place two or more individual fired bullets in the same container/envelope.

8. Mark, package and seal ALL shell casing(s) recovered from a crime scene.

a. Mark the inside of ALL of the shell casings. DO NOT mark or place any scratches on the exterior or bottom of the shell casings. If a shell casing is too small/deformed to mark, write initials and unique consecutive number on the container/envelope in which the shell casing is packaged.

b. Package and seal each individual shell casing in a separate container/envelope. NEVER place two or more individual shell casings in the same container/envelope.

UNIFORMED MEMBER OF THE SERVICE (continued)

9. Mark initials and unique consecutive number on recovered firearm(s).
   a. Affix a separate lead seal on EACH firearm without a distinguishable serial number.
10. Mark initials and unique consecutive number on magazine removed from firearm.
11. Mark initials and unique consecutive number on ALL silencers seized.
12. Mark initials and unique consecutive number on ALL other types of firearm-related evidence that is not affixed to a firearm.
13. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** for recovered firearm(s) and firearm-related evidence.
   a. List the firearm as item #1 on line 1 of the **WORKSHEET** and describe by listing the make, firearm type and serial number (e.g., Colt revolver serial number 1234, Mossberg shotgun serial number 4567, etc.).
      (1) Firearm type will be: pistol, revolver, derringer, shotgun, rifle, air/CO_2 pistol, air/CO_2 rifle, untraceable, three-dimensional printed or ""other." Examples of the firearm type "other" would include toy gun, starter's pistol, imitation pistol, black powder gun, etc.
      (2) If there is no serial number or the serial number is defaced, write "no/defaced serial number" (e.g., Glock pistol no/defaced serial number, Crossman air/CO_2 pistol no/defaced serial number, etc.).
   b. List the magazine removed from the firearm, if any, as the next item on the **WORKSHEET**.
   c. List the cartridge removed from the chamber of the firearm as the next item on the **WORKSHEET** and describe the caliber, e.g., ".38 caliber cartridge removed from the chamber of the firearm."
      (1) Describe the caliber of the cartridge removed from the chamber of the firearm as "unknown" if the caliber can not be determined.
   d. List ALL cartridges removed from the firearm that are the <u>same</u> "<u>caliber</u>" as a separate ITEM on a separate line on the **WORKSHEET**; and, give all cartridges removed from the firearm that are the same caliber the same ITEM number, and describe the caliber. For example, if five cartridges removed from a firearm are removed from the magazine of the firearm, and three are .380 caliber cartridges and two are 9mm caliber cartridges, then list the three .380 caliber cartridges as a separate item on a separate line on the **WORKSHEET** and give them a separate ITEM number and describe them as ".380 caliber cartridges removed from the firearm"; <u>and</u>, list the two 9mm caliber cartridges as the next item on a separate line on the **WORKSHEET** and give them a separate ITEM number and describe them a "9mm caliber cartridges removed from the firearm."

UNIFORMED MEMBER OF THE SERVICE (continued)

(1) Describe the caliber of one or more of the cartridges removed from the firearm as "unknown" if the caliber can not be determined.

e. Silencer, whether or not affixed to a firearm, will be listed separately as the next item of the **WORKSHEET**. If more than one silencer is recovered, each silencer will be listed as a separate item on the **WORKSHEET** and will be separately described. State on the **WORKSHEET** whether the silencer was affixed to the firearm and if not, identify the person or location from where it was recovered.

f. Each firearm accessory that is affixed to the firearm (scope, laser, sling, etc.) OR, that is not affixed to the firearm **but** is necessary to make the firearm operable, will be listed separately as the next item(s) on the **WORKSHEET** and will be separately described.

g. List any additional firearm(s), associated magazine(s), cartridge(s), silencer(s), appropriate accessories, etc., as the next item(s) of the **WORKSHEET** in accordance with the procedures and sequence contained in Steps "13a" through "13f", as applicable.

h. List ALL cartridges NOT removed from the firearm but seized in connection with the recovery of a firearm from a particular person and there is no need to establish a crime scene as ONLY one item on the next line of the **WORKSHEET**, irrespective of the total number of cartridges recovered from that person. Under "Quantity," list the TOTAL number of cartridge(s) NOT removed from the firearm but seized from a particular person. Describe as "cartridge(s) NOT removed from the firearm and identify the person."

(1) If cartridges were seized from more than one person, list the cartridges seized from different persons on separate lines on the **WORKSHEET** and identify that person. Use only one line of the **WORKSHEET** for each specific person from whom the cartridges were seized, irrespective of the total number of cartridges that were seized from that person.

i. List ALL cartridges NOT removed from a firearm but seized in connection with the recovery of a firearm from a particular location and there is no need to establish a crime scene as ONLY one item on the next line of the **WORKSHEET**, irrespective of the total number of cartridges recovered from a particular location. Under "Quantity," list the total number of cartridge(s) NOT removed from the firearm but seized from a particular location. Describe as "cartridge(s) NOT removed from the firearm" and identify the location, e.g., briefcase, closet, trunk of auto, etc.

(1) If cartridges were seized from more than one location, list the cartridges seized from different locations on separate lines of the **WORKSHEET** and describe the location. Use only one line of the **WORKSHEET** for each specific location from where cartridges were seized, irrespective of

UNIFORMED MEMBER OF THE SERVICE (continued)

the total number of cartridges that were seized from that particular location.

j. List ALL shell casings recovered from a crime scene that are the same "caliber" as a separate ITEM on a separate line on the **WORKSHEET**; and, give all shell casings recovered from a crime scene that are the same caliber the same ITEM number and describe the caliber of the shell casings. For example, if seven shell casings are recovered from a crime scene, and three are .380 caliber shell casings and four are 9mm caliber shell casings, then list the three .380 caliber shell casings as a separate item on a separate line on the **WORKSHEET** and give them a separate ITEM number and describe them as ".380 caliber shell casings recovered from crime scene"; and, list the four 9mm caliber shell casings as the next item on a separate line on the **WORKSHEET** and give them a separate ITEM number and describe them as "9mm caliber shell casings recovered from crime scene."

(1) Describe the caliber of one or more of the shell casings recovered from a crime scene as "unknown" if the caliber can not be determined.

k. List ALL fired bullets recovered from a crime scene as only one item on the next line of the **WORKSHEET**, irrespective of the total number of fired bullets recovered. Under "Quantity," list the TOTAL number of fired bullets. Describe the evidence as "fired bullets recovered from crime scene."

l. List ALL cartridges NOT removed from a firearm that are recovered from a crime scene that are the same "caliber" as a separate ITEM on a separate line on the **WORKSHEET**; and, give all cartridges NOT removed from a firearm that are recovered from a crime scene that are the same caliber the same ITEM number and describe the caliber of the cartridges. For example, if seven cartridges NOT removed from a firearm are recovered from a crime scene, and three are .380 caliber cartridges and four are 9mm caliber cartridges, then list the three .380 caliber cartridges as a separate item on a separate line on the **WORKSHEET** and give them a separate ITEM number and describe them as ".380 caliber cartridges NOT removed from a firearm that are recovered from crime scene"; and, list the four 9mm caliber cartridges as the next item on a separate line on the **WORKSHEET** and give them a separate ITEM number and describe them as "9mm caliber cartridges NOT removed from a firearm that are recovered from crime scene."

(1) Describe the caliber of one or more of the cartridges NOT removed from a firearm that are recovered from a crime scene as "unknown" if the caliber can not be determined.

14. Place firearm and all other firearm-related evidence that is listed on the same **WORKSHEET** into one Plastic Security Envelope and properly

MODIFIED

UNIFORMED MEMBER OF THE SERVICE (continued)

seal in presence of desk officer.

a. If firearm and firearm-related evidence will not fit into one Plastic Security Envelope:

(1) Place the firearm and all other firearm-related evidence that are invoiced on the same **WORKSHEET** into the one appropriate sized bag/container. If possible, DO NOT use more than one bag/container.

(2) Properly seal the bag/container.

(3) Write command and invoice number on the outside of the bag/container. If more than one bag/container is used, write command, invoice number and corresponding item numbers on the outside of EACH bag/container. Mark EACH bag/container as "Bag 1 of _____," "Bag 2 of _____," etc.

b. DO NOT place evidence listed on two different INVOICES into the same Plastic Security Envelope or the same bag/container. All property must be properly tagged, packaged or sealed, and clearly identified by INVOICE number and barcode. Ensure that every bag/security envelope or item that cannot fit in a bag/security envelope has a Finest Online Records Management System (FORMS) Property barcode label or Property Clerk seal attached to the bag/property.

15. When a firearm with a distinguishable serial number is seized, query NYSPIN/NCIC by utilizing the FINEST system.

16. Do not cancel alarm for firearms(s).

a. Recovering command will not cancel alarm for firearms. CANCELLATION WILL BE MADE ONLY BY STOLEN PROPERTY INQUIRY UNIT.

17. Prepare an OMNIFORM computer generated copy of the **COMPLAINT REPORT (PD313-152)** <u>from the precinct of recovery</u>. This applies for all firearms as described in the "Definitions," e.g., zip, air/CO2, imitation, etc.

18. Prepare **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)** utilizing FORMS Property, if firearm(s) and/or firearms-related evidence requires laboratory analysis.

19. Deliver firearm(s) and firearm-related evidence to the desk officer, command of occurrence.

COMMAND CLERK

20. Generate **PROPERTY CLERK INVOICE (PD521-141)** and **REQUEST FOR LABORATORY EXAMINATION REPORT** (if prepared) from **WORKSHEET** utilizing FORMS Property.

DESK OFFICER

21. Verify that:

a. Firearm is unloaded. If the firearm is unfamiliar or appears to be difficult to unload, safeguard in original condition and notify ESU to respond and unload the firearm and render it safe

b. Firearm(s) and firearm-related evidence are properly marked, packaged and sealed

DESK OFFICER (continued)

c. **INVOICE(S)** and forms were properly prepared
d. Required notifications have been made.

22. Enter a notation in the "Remarks" section of the **INVOICE** that the corresponding firearm(s) have been unloaded/rendered safe.
23. Review OMNIFORM computer generated copy of **COMPLAINT REPORT** with particular attention to the following captions:
    a. Address/Location of Occurrence - Be specific regarding address, street, apartment number, borough, zip code, etc.
    b. Perpetrator Section - Be specific regarding height, weight, ethnicity, date of birth, age, sex, address, street, apartment number, zip code, etc.
    c. Evidence Section - Must indicate firearms and invoice number.
    d. Weapon Section - Describes the firearm as per all of the captions.
24. Utilize FORMS Property to create a **PROPERTY TRANSFER REPORT (PD521-1412)**.
25. Attach the following to the invoiced firearms/firearm-related evidence:
    a. Two copies of **PROPERTY CLERK INVOICE**
    b. Copy of OMNIFORM computer generated **COMPLAINT REPORT**.
    c. Copy of **REQUEST FOR LABORATORY EXAMINATION REPORT** (if prepared).
    d. Copy of FINEST printout.
26. Forward invoiced firearms and/or firearm-related evidence requiring laboratory analysis to the Police Laboratory in the appropriate manner. When necessary, make arrangements to have firearms and/or firearm-related evidence expeditiously delivered to the Police Laboratory.
    a. Ensure that all invoiced firearms and/or firearm-related evidence in the command property locker that must be examined by the Police Laboratory, Firearms Analysis Section, are delivered to the patrol borough office by 0100 hours daily.
    b. Exigent circumstances must exist AND the desk officer MUST obtain permission from the precinct commanding officer/duty captain in order to delay beyond 0100 hours or cancel delivery to the patrol borough office of the invoiced firearms/firearm-related evidence that must be examined by the Firearms Analysis Section.
27. Forward invoiced firearms and firearm-related evidence not requiring laboratory analysis to Property Clerk Division, according to the Property Clerk Division borough office/warehouse delivery schedule.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*Members should be aware that firearm accessories (e.g., holster, sling, gun case, etc.), that are not affixed to the firearm AND are not needed to make the firearm operable, will not be listed on the same **INVOICE** as the firearm(s) and firearm-related evidence. Instead, the accessories will be listed on a separate **WORKSHEET** and will be delivered direct to the Property Clerk Division. If there is more than one accessory, invoice all of the accessories on one **INVOICE** if possible, and list each accessory as a separate item on the*

ADDITIONAL DATA (continued)

WORKSHEET.
*Members are reminded that a **PROPERTY CLERK INVOICE** will not exceed twenty line items if the **INVOICE** is being sent or has the potential to be sent to the Police Laboratory for laboratory analysis.*

FIREARMS INVOICED FOR SAFEKEEPING
*Certain firearms coming into possession of members of the service, which are categorized for "Safekeeping", should be listed on one **INVOICE** and must be delivered DIRECT to the Property Clerk Division.*

Firearms within this category are:
a. Property of retired, resigned, dismissed, suspended, sick or hospitalized uniformed members of the service.
b. Lawfully possessed property of a deceased person.
c. Obtained from a licensed dealer when license is revoked, suspended or expired.
d. Lawfully possessed and removed by court order, order of protection, etc.
e. Obtained from permit holder during renewal, expiration or cancellation of permit.

*If any of the above described firearms were obtained under circumstances that indicate a valid reason for examination, ONLY the firearms that require examination will be forwarded to the Firearms Analysis Section. All of the firearms that require examination will be listed on one **INVOICE**, if possible. The reason for the examination will be specifically explained on the **REQUEST FOR LABORATORY EXAMINATION REPORT**.*

DO NOT invoice firearms that are being delivered to the Firearms Analysis Section on the same INVOICE as the firearms that are being delivered DIRECT to the ion.*Property Clerk Division.*

DNA EVIDENCE
If firearms and/or firearms-related evidence also have bloodstains, DNA, serology, saliva, body fluids, tissue, or any other biological evidence thereon, they will be processed according to the following guidelines:
a. DO NOT package DNA evidence if it is wet; it must be air-dried before it is packaged.
b. DO NOT package biological evidence requiring examination/analysis in a plastic security envelope or any other type of plastic bag/container. Package and properly seal EACH individual item of DNA evidence requiring examination/analysis in a separate paper bag/container. Affix an orange Biohazard label to each paper bag/container.
(1) Write command and invoice number on the outside of each bag/container. If more than one bag/container is used, also write corresponding item number on the outside of each bag/container and mark each bag/container as "Bag 1 of X," "Bag 2 of X," etc.
c. Do not mark firearms and/or firearm-related evidence if to do so would contaminate, alter, damage, etc., the DNA evidence thereon. Instead, properly mark each separate firearm and firearm-related evidence container that contains DNA in the following manner:
(1) Legibly print your name in BLOCK letters.
(2) Legibly print the unique consecutive number that will be used to identify

ADDITIONAL DATA (continued)

the item of DNA evidence that will be packaged therein.

(3) If applicable, legibly print the Crime Scene Unit run number.

(4) Legibly print an accurate description of the item of DNA evidence being placed in the container.

(5) If a Biological Evidence Bag is utilized, ensure there is an entry in each caption on each Biological Evidence Bag.

FIREARMS TRACES

All firearms that are delivered to the Firearms Analysis Section (FAS) are automatically traced by the Bureau of Alcohol Tobacco and Firearms (BATF), unless there is a specific request/directive that a firearm(s) trace not be conducted. The results of the automatic firearm(s) trace are not communicated/forwarded to the invoicing member. Consequently, in a routine situation, an investigator who must obtain trace information regarding a firearm should request the firearm trace information from the BATF Regional Crime Gun Center approximately two weeks after the date that the firearm(s) was delivered to FAS. Requests to trace specific firearm(s) are NOT made to the Firearms Analysis Section.

During the course of an investigation, search/seizure, arrest, etc., if there is an urgent/immediate need to trace a firearm(s), the request to trace the firearm(s) should be made DIRECT to a supervisor assigned to the Joint Firearms Task Force (JFTF). If a JFTF supervisor cannot be contacted, contact the JFTF supervisor through the Detective Bureau Wheel.

*In certain situations, an investigating officer may not want a firearm to be automatically traced by BATF because it might jeopardize an investigation or endanger someone. For example, the firearm may have been purchased by an undercover officer and the investigation is ongoing. In order to prevent an automatic firearm trace from occurring, enter "*** DO NOT TRACE***" in capital letters in the "Remarks" sections of both the* ***INVOICE*** *and the* ***REQUEST FOR LABORATORY EXAMINATION REPORT****.*

At any point during the investigation, when deemed appropriate by the unit commanding officer, a request to trace one or more specific firearms, previously identified as "DO NOT TRACE," can be made by telephone DIRECT to BATF, Regional Crime Gun Center.

PURPOSE To record and process found property.

SCOPE Found property valued at ten dollars or more is required to be reported to, and deposited with, the police. However, members of the service coming into possession of found property within the New York City subway system that meet certain requirements, other than United States currency, contraband or property requiring further investigation, will deliver such property to the nearest NYC Transit Station Agent for forwarding to the NYC Transit Lost Property Office.

In addition, property found in yellow medallion taxis only, will be taken by either the taxi driver or an individual specified by the taxi garage, to one of the eight commands designated as the repository for such property:

PBMS	017 PRECINCT	PBBN	094 PRECINCT
PBMN	CENTRAL PARK PCT	PBQS	107 PRECINCT
PBBX	043 PRECINCT	PBQN	115 PRECINCT
PBBS	076 PRECINCT	PBSI	120 PRECINCT

PROCEDURE Upon coming into possession of found property:

UNIFORMED MEMBER OF THE SERVICE

1. Issue receipt to person delivering property, if other than a member of the service.
   a. Provide person delivering property to command with the appropriate copy of **PROPERTY CLERK INVOICE (PD521-141)** as a receipt.
   b. Provide person delivering property to member on patrol with **ACKNOWLEDGMENT OF FOUND PROPERTY (PD542-012)**, including a description of property, and signature of receiving member as a receipt.
2. Deliver found property within the New York City subway system, if other than United States currency, contraband or property requiring further investigation, to the nearest NYC Transit Station Agent for forwarding to the NYC Transit Lost Property Office.
   a. Direct or escort a person delivering found property to the nearest NYC Transit Station Agent, whenever possible.
   b. Secure a receipt from the NYC Transit Station Agent, detailing a description of the property, and give it to the person finding the property or retain receipt, if personally delivering property to NYC Transit Station Agent.
   c. Accept custody of property if it is too large to be accepted by the NYC Transit Station Agent through the revenue booth's telephone aperture.
3. Enter facts in digital **Activity Log**.
4. Notify patrol supervisor and expeditiously invoice property at command.

UNIFORMED MEMBER OF THE SERVICE (continued)

5. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**, as appropriate.
6. Deliver property and **WORKSHEET** to desk officer.

COMMAND CLERK

7. Enter reporting member's **WORKSHEET** including circumstances of the found property from the "Remarks" section, into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.

UNIFORMED MEMBER OF THE SERVICE

8. Digitally sign **INVOICE** verifying accuracy and completeness.

DESK OFFICER

9. Digitally sign **INVOICE** verifying accuracy and completeness.
10. Make Command Log entry indicating presence of member of the service with property and **INVOICE** number.
    a. Enter time and name of occupant or person in charge of premises who was notified of police custody of property, if property was delivered to command by other than occupant or person in charge of premises where property was found.
11. Have **REPORT OF UNCLAIMED PROPERTY (PD542-122)** prepared and forwarded as indicated on form.

<u>IF PROPERTY IS RETURNED TO OWNER AT COMMAND:</u>

DESK OFFICER

12. Require the claimant to produce valid identification, preferably photo identification. (See *P.G. 208-27, "Desk Appearance Ticket – General Procedure"* for examples of satisfactory forms of valid identification).
13. Check property/vehicle against **PROPERTY CLERK INVOICE**.
14. Request claimant examine security lead seal and/or plastic security envelope and check against number entered on **INVOICE** (if seal or envelope is used), prior to breaking seal or opening envelope.
15. Complete the "Release/Disposition – Return to Owner" function using FORMS Property.
    a. Have claimant sign utilizing the digital signature capture device.
16. Approve delivery of property/vehicle utilizing username and password.
17. Release property/vehicle to claimant.
18. Forward "Property Clerk" copy of **INVOICE** and photocopy of claimant's identification to the appropriate Property Clerk facility.
19. Destroy all copies of **REPORT OF UNCLAIMED PROPERTY**, if property was claimed prior to the distribution and forwarding of the **REPORT OF UNCLAIMED PROPERTY**.
    a. Forward first copy of **REPORT OF UNCLAIMED PROPERTY**, with disposition entered thereon, to the Stolen Property Inquiry Unit, if property is returned to owner after original **REPORT OF UNCLAIMED PROPERTY** has been forwarded.

PURPOSE To provide a Department record of disposition of such property.

PROCEDURE When notified by an interstate transportation company, airline, bank or safe deposit company that they have found and will safeguard property at their facility:

DESK OFFICER

1. Direct command clerk to prepare two copies of **REPORT OF UNCLAIMED PROPERTY (PD542-122)**.
   a. Indicate where property is being held under "Remarks".

COMMAND CLERK

2. Forward original to Stolen Property Inquiry Unit.
3. File copy.
4. Forward file copy marked "Returned" to Stolen Property Inquiry Unit when notice is received from company concerned that property has been returned to owner.

COMMANDING OFFICER

5. Direct investigation be conducted if notice of return to owner is not received within sixty days and the property has not been delivered to command.

PURPOSE To safeguard property of a deceased person who lived alone or with other than a relative or competent person, or who dies at other than his/her residence.

DEFINITION CO-OCCUPANT – For the purpose of this procedure, a person who has been residing, on a permanent basis, in the same premises with the deceased. A uniformed member of the service can determine if a person is a co-occupant rather than a visitor or guest by:

a. Examining documents, (e.g. licenses, credit cards, mail, etc.,) of the co-occupant that reflects that address is permanent residence.
b. Questioning other residents or neighbors who can verify that co-occupant resides thereat.
c. Examining closets, bureaus, etc., to ascertain if co-occupant has clothing and/or other possessions in the premises.
d. Examining rent receipts or similar documentation that the co-occupant produces that may establish residence.
e. Giving consideration to any other relevant factors that may establish that the co-occupant does, in fact, reside in premises.

PROCEDURE When a person is pronounced dead and it is necessary to search the body and premises to establish positive identification and safeguard property of the deceased.

UNIFORMED MEMBER OF THE SERVICE

1. Request patrol supervisor to respond and await arrival prior to conducting search of body and/or premises.

PATROL SUPERVISOR

2. Confer with Medical Examiner or assistant Medical Examiner prior to directing member to search body for valuables and documents concerning identity.
   a. Search at scene when practical; otherwise without delay and in all cases before being released by this Department
      (1) Any uniformed member of the service may search a dead human body
   b. Have Harbor Unit member who removed a body from the navigable waters, search body and deliver property to a precinct member
   c. Have member search the body of and the immediate vicinity of the deceased for any prescription medication, if the Medical Examiner directs that the deceased be transported to the Office of the Chief Medical Examiner for further examination.
3. Obtain at least one responsible civilian to witness search, when possible.
4. Ensure that identity of witness is recorded in member's digital **Activity Log**.
5. Supervise complete search of body.

PATROL SUPERVISOR (continued)

6. Have all property (e.g., currency, jewelry, papers or documents, prescription medication, etc.) removed from the body, except clothing actually worn.
7. Have clothing or other property required as evidence processed on separate **PROPERTY CLERK INVOICE (PD521-141**).

NOTE

If the Medical Examiner directs that the deceased be transported to the Office of the Chief Medical Examiner for further examination, any prescription medication found on the body or in the immediate vicinity of the deceased will be invoiced on a separate ***PROPERTY CLERK INVOICE****, whether or not the prescription medication is invoiced as evidence.*

8. Direct member conducting search at residence of deceased to examine and take custody of personal papers which may assist in positive identification. In addition, take custody of:
   a. Cash and jewelry
   b. Valuables which are readily removable
   c. Licenses, social security card and other documents of identification
   d. Wills, codicils, cemetery deeds, insurance policies, bank books, stock and bond certificates, other assets and safe deposit keys
   e. Any prescription medication found on the body or in the immediate vicinity of the deceased, if the deceased is to be transported to the Office of the Chief Medical Examiner for further examination
      (1) If the deceased lived alone, any medication not in a prescription container (e.g., daily pill box, etc.) should be invoiced
   f. Any medication not in a prescription container that a co-occupant cannot prove ownership of
   g. Other important property/documents.
9. Assign uniformed member to safeguard and remain with the body at all times inside the premises, if applicable, until body is removed by the Office of the Medical Examiner and certify accuracy of reporting officer's digital **Activity Log** entries by signing rank and name.
10. Enter pertinent facts in digital **Activity Log.**

UNIFORMED MEMBER CONCERNED

11. Enter details in digital **Activity Log**, including complete list of property removed.
12. Deliver following items to desk officer:
    a. All property
    b. Key to premises (including key to police lock if one was used)
    c. **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** containing itemized list of property, including key to premises.
       (1) Note on **WORKSHEET** if key to premises was given to a member of the service to guard body, if applicable.

DESK OFFICER

13. Check property against **PROPERTY CLERK INVOICE WORKSHEET**.
14. Ascertain that key to premises is itemized on the **WORKSHEET**.
    a. Indicate why, if not entered.
    b. Ensure key to premises given to member of the service is delivered to Property Clerk Division with other property of deceased, if applicable.
15. Make Command Log entry of circumstances concerning property.
16. Instruct member of the service to enter **WORKSHEET** into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE**.
17. Give "Invoicing Officer" copy of **INVOICE** to member delivering property to stationhouse.
18. Forward property of deceased with "Property Clerk" copy of **INVOICE** to appropriate Property Clerk facility without delay.
19. Request Operations Unit to notify the Public Administrator concerned that:
    a. Deceased has no known next of kin, OR
    b. Next of kin cannot be notified.
20. Have **SEAL FOR DOOR OF D.O.A. PREMISES (PD517-120)** prepared.
    a. DO NOT seal door if it is determined that a co-occupant resided in the premises with the deceased.
21. Direct that **SEAL FOR DOOR OF D.O.A. PREMISES** be pasted across door and doorjamb of premises after body is removed, if appropriate.

MEMBER SAFEGUARDING BODY/ PREMISES

22. Remain with body until it is removed by morgue personnel or authorized undertaker.
23. Obtain receipt on **IDENTIFICATION TAG (PD317-091)**.
24. Secure premises when leaving and paste **SEAL FOR DOOR OF D.O.A. PREMISES** across door and door jamb, if appropriate.
25. Deliver key for premises and receipt for body to desk officer.

DESK OFFICER

26. Permit person to enter premises to obtain clothing to bury the deceased, if the deceased lived alone and the door has been sealed.
    a. Direct a uniformed member to accompany person and replace the **SEAL FOR DOOR OF D.O.A. PREMISES** with a new seal.

<u>PROPERTY NOT YET FORWARDED TO THE PROPERTY CLERK DIVISION AND REPRESENTATIVE OF THE PUBLIC ADMINISTRATOR IS PRESENT.</u>

DESK OFFICER

27. Request representative of the Public Administrator to produce valid identification.
    a. Photocopy identification.
28. Check property/vehicle against **PROPERTY CLERK INVOICE**.
29. Request claimant examine security lead seal and/or Plastic Security Envelope and check against number entered on **INVOICE** (if seal or envelope is used), prior to breaking seal or opening envelope.

DESK OFFICER (continued)

30. Complete the "Release/Disposition – Return to Owner" function using Forms Property.
    a. Have claimant sign utilizing the digital signature capture device.
31. Approve delivery of property/vehicle utilizing username and password.
32. Issue property, print and give "Prisoner/Finder/Owner" copy of **INVOICE** to representative of the Public Administrator.
33. Forward "Property Clerk" copy of **INVOICE** and photocopy of the Public Administrator identification to appropriate Property Clerk facility.
34. Refer person seeking release of decedent's property to Surrogate's Court of county where deceased lived and give such persons **PROPERTY CLERK INVOICE** number and location and telephone number of the borough office of the Property Clerk Division.
    a. Inform person that if deceased was not a resident of New York State, the Surrogate's Court of the county in which the property is located has jurisdiction over the release of the descendant's property.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*When an aided person is pronounced dead at a hospital, the assigned member will witness the search of the deceased by hospital authorities, record property removed in digital **Activity Log** and sign hospital property record as witness.*

If there are multiple dead human bodies as a result of a mass casualty attack (e.g. active shooter), do not search the bodies for identification.

Section: Property - General		Procedure No: 218-29
INVOICING PROPERTY REMOVED FROM PAROLEE		
DATE EFFECTIVE: 05/20/24	LAST REVISION: R.O. 31	PAGE: 1 of 1

PURPOSE To invoice and safeguard property removed from a parolee by an officer of New York State Department of Corrections and Community Supervision (DOCCS) in non-arrest situations.

PROCEDURE When an officer of the New York State Department of Corrections and Community Supervision (DOCCS) delivers property removed from a parolee in non-arrest situations:

DESK OFFICER

1. Ascertain if property was obtained within the confines of the precinct.
   a. Direct parole officer to deliver property to the precinct concerned, if property was obtained within another precinct.
2. Have the parole officer prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.
3. Direct a member of the service to enter parole officer's **WORKSHEET** into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.
4. Comply with *P.G. 218-01, "Invoicing Property – General Procedure."*
5. Print and give "Invoicing Officer" copy of **PROPERTY CLERK INVOICE** to the parole officer.

PURPOSE To ensure that persons from whose possession property has been taken by the Department are afforded ample notice as to the necessary steps to reclaim property or to circumstances under which the property may not be returned.

DEFINITION CONTRABAND - Means property, the mere possession of which is prohibited under federal, state or local law. Property shall not be deemed to be contraband merely because it may be suspected or is believed to be unlawfully obtained, stolen, or the proceeds or instrumentality of a crime.

PROCEDURE When non-contraband property is removed from the person or possession of any individual, and taken into police custody for any reason:

INVOICING MEMBER

1. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** for items removed.
   a. DO NOT enter complainant information on **WORKSHEET**.
2. Inform the person that he or she may examine the **WORKSHEET** for accuracy as to the property listed.
3. Complete **WORKSHEET** by entering the complainant information after person has examined **WORKSHEET** for accuracy.
4. Inform the person that he or she is entitled to a copy of **PROPERTY CLERK INVOICE (PD521-141)**.
   a. Ask person if he or she will accept copy of **INVOICE**.
   b. Make appropriate selection for acceptance or refusal while entering **WORKSHEET** into Finest Online Records Management System (FORMS) Property.
5. Inform the person that if additional property was taken or if the property was erroneously invoiced, this fact may be indicated in the "Remarks" section of the **PROPERTY CLERK INVOICE**.
6. Indicate in the "Remarks" section of the **PROPERTY CLERK INVOICE** concurrence or disagreement with the person's statement as it relates to the itemized list of property.
7. Give the "Prisoner/Finder/Owner" copy of the **PROPERTY CLERK INVOICE** to the person regardless of whether the property has been denominated "Arrest Evidence" or otherwise, and regardless of whether it relates to an arrest occurring prior to, simultaneous with, or subsequent to the taking of the property.
8. Provide the person with a copy of the Department form, entitled **NOTICE TO PERSONS FROM WHOM PROPERTY HAS BEEN REMOVED BY THE POLICE DEPARTMENT (PD521-124)**, in addition to the "Prisoner/Finder/Owner" copy of the **PROPERTY CLERK INVOICE**.
9. Provide the person with **VEHICLE SEIZURE FORM (PD571-1218)** if a vehicle is involved.

DESK OFFICER

10. Ensure that the invoicing officer has complied with the above provisions.
11. Make a Command Log entry specifying that the person received the "Prisoner/Finder/Owner" copy of **PROPERTY CLERK INVOICE**, copy of **NOTICE TO PERSONS FROM WHOM PROPERTY HAS BEEN REMOVED BY THE POLICE DEPARTMENT** and, if applicable, copy of **VEHICLE SEIZURE FORM**.
    a. Indicate in Command Log if any documents were refused, specifying the circumstances of refusal.

NOTE

*The "Prisoner/Finder/Owner" copy of **PROPERTY CLERK INVOICE(S)** prepared for any property (other than contraband) removed from an arrestee MUST be given to the arrestee prior to transporting to court section.*

12. Offer a copy of the **NOTICE TO PERSONS FROM WHOM PROPERTY HAS BEEN REMOVED BY THE POLICE DEPARTMENT** to any person requesting information about property in the possession (or possibly in the possession) of the Property Clerk.

PROPERTY CLERK DIVISION MEMBER

13. Offer a copy of the **NOTICE TO PERSONS FROM WHOM PROPERTY HAS BEEN REMOVED BY THE POLICE DEPARTMENT** to any person appearing at a Property Clerk Division facility requesting information about property in the possession (or possibly in the possession) of the Property Clerk.

ADDITIONAL DATA

LEGAL CONSIDERATIONS

*These provisions are the result of statute and court order. Noncompliance with this procedure could be in conflict with the law or place the Department in contempt of court. Additionally, failure to serve **VEHICLE SEIZURE FORM** may result in the inability to prosecute forfeiture cases.*

POLICE DEPARTMENT CITY OF NEW YORK

PURPOSE To process and safeguard computer related evidence coming into the custody of this Department.

DEFINITIONS CENTRAL PROCESSING UNIT (CPU) - A box shaped unit that houses the computer's internal hard drive, memory and central processor, commonly referred to as the "brains" of the computer. The CPU processes all of the work done by the computer, and usually is the terminus for all associated cables. The CPU generally has a numeric descriptor (i.e., 386, 486, Pentium, etc.), which represents the computing power of the unit.

MONITOR - The television type instrument on which the operations and output of the computer are displayed.

KEYBOARD - An input device resembling a typewriter.

MOUSE - A pointing device, which is also used to control the actions of the computer. It is connected to the CPU by way of a cable, and because of its shape and "tail," is commonly referred to as a "mouse."

PRINTER - Another output device that will print, similar to a typewriter, pages from the CPU. Many different types of printers exist, including dot matrix, ink-jet, and laser printers.

PERIPHERALS - There are other types of devices, which can be connected to a computer, for example, scanners, tape drives, modems, speakers, sound cards, etc. In addition, there are other types of electronic equipment that can store valuable evidentiary information. These include personal digital assistants, pocket organizers, and lap top computers.

SCOPE The Computer Crimes Squad will provide technical assistance in properly securing computer evidence, conducting computer forensic examinations and preparing warrants. The Computer Crimes Squad will make a determination as to whether a response to the scene is required, based on the totality of circumstances presented in each case.

PROCEDURE Whenever a uniformed member of the service seizes, or expects to seize, evidence consisting of a computer used to commit a crime, or the computer is suspected of being a device that stores evidence.

UNIFORMED MEMBER OF THE SERVICE

1. Notify the Computer Crimes Squad between 0600 and 2000 hours, Monday through Friday.
   a. At all other times, contact the Office of the Chief of Detectives.

UNIFORMED MEMBER OF THE SERVICE (continued)

2. Collect all relevant evidence.
3. Properly mark all computer evidence.
   a. Affix identifiable mark to hardware (i.e., monitor, CPUs, printers, etc.).
   b. Label items to indicate which peripherals were connected together (i.e., Monitor 1, CPU 1, Keyboard 1), and tag all wires indicating which peripheral they were attached to and their terminus.
   c. Count and package similar floppy disks (i.e., 3.5", 5.25", tapes, etc.) in paper envelopes and have them itemized on **PROPERTY CLERK INVOICE (PD521-141)**. However, do not remove any floppy disks, compact disks, or any other such items from computer's disk drives. These items will be secured in the drives by affixing a strip of masking tape across the drive's opening. The invoicing officer will initial the masking tape. The "Remarks" section of the **INVOICE** will contain a statement concerning the presence or absence of a disk in any of the computer's drives.
      (1) Plastic Security Envelopes should NOT be used to package floppy disks because they can cause a discharge of static electricity, which can destroy data on the disk. In addition, DO NOT write on floppy disks using ballpoint pens because doing so can result in the destruction of data. Utilize labels or felt tip markers.
4. Invoice computers, floppy disks and related peripherals, which are to be delivered to the Computer Crimes Squad for examination, separately from other property being invoiced.
   a. Non-computer items are to be processed in conformance with existing Department guidelines.
5. Deliver "Property Clerk" copy of **INVOICE** with computer evidence to the Computer Crimes Squad.
   a. Distribute remaining copies of **INVOICE** as per instructions in Finest Online Records Management System (FORMS) Property.
6. Attach copy of search warrant to **INVOICES** being delivered to the Computer Crimes Squad, if applicable.
7. Prepare **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)** using FORMS Property.
   a. Complete all captions, and include under "Remarks:"
      (1) A clear description of incident
      (2) What crime is alleged
      (3) Where the evidence was seized from
      (4) What part the computer played in the offense charged
      (5) What type of information is being sought from the Computer Crimes Squad relative to the forensic examination of evidence.
8. Sign **REQUEST FOR LABORATORY EXAMINATION REPORT** by utilizing user name and password, and insert a "CITU" Forensic Laboratory Number utilizing the "Update" function in FORMS Property.

   a. Type "Delivered to the Computer Crimes Squad" under caption

UNIFORMED MEMBER OF THE SERVICE (continued)

"Laboratory Use Only".

b. File one copy with completed forensic report and file one copy with property.

9. Create a **PROPERTY TRANSFER REPORT (PD521-1412)** in FORMS Property.

10. Present **PROPERTY TRANSFER REPORT** when delivering computer evidence to the Computer Crimes Squad.

MEMBER ASSIGNED/ COMPUTER CRIMES SQUAD

11. Compare property delivered against **PROPERTY TRANSFER REPORT** and **INVOICE** and, if accurate confirm acceptance of property in FORMS Property.

12. Forward copy of forensic report to submitting officer, upon completion of forensic examination.

13. Arrange for the delivery of property to the Property Clerk upon completion of the forensic examination, utilizing the **PROPERTY TRANSFER REPORT**.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

Members of the service will not search any hard drives, floppy disks, CD-ROMS or other data storage devices. These items will be examined only by members assigned to the Computer Crimes Squad. Members of the service should be aware that searching directories, or perusing the computer's hard drive, may inadvertently alter or destroy important evidence.

The computer, recovered at a crime scene, may be a valuable source of evidence. To protect the evidence, and to ensure that the information retrieved from the computer can be introduced in court, the following guidelines must be followed:

- *Safeguard the computer's evidence; do not touch the keyboard, or search the hard drive, or execute any of the programs at the scene.*
- *If a modem or other telecommunications device is attached to the computer, unplug the telephone cord from the wall jack immediately to prevent access to the computer and possible destruction of evidence.*
- *If you must power the system off, do not use the on/off switch. Unplug the computer from the wall outlet only. Prior to removing the plug from the outlet, photograph the monitor screen.*
- *When transporting, be aware that data, stored on computers and floppy disks, is extremely sensitive and can be easily damaged. Package these items carefully to avoid inadvertent damage.*
- *Do not write on floppy disks with ballpoint pens. Use labels or felt tip markers.*
- *Do not place floppy disks in plastic security envelopes. This could cause a discharge of static electricity and damage the data on the disk*
- *Keep disks and peripherals away from extreme heat and/or changes in temperature.*

ADDITIONAL DATA (continued)

- *Do not transport computer evidence in department vehicle trunks which are equipped with radio transceivers.*
- *Do not expose computer evidence to any device that emits a magnetic field (i.e., portable radios, car radio, speakers, etc.).*
- *Members of service with questions concerning the seizing, packaging or transporting of computer related evidence may contact the Computer Crimes Squad from 0600 to 2000 hours, Monday through Friday or the Office of the Chief of Detectives.*

NYPD

PURPOSE To process alcohol seized as evidence in Alcohol Beverage Control (ABC) Law violations.

PROCEDURE When alcohol is seized as evidence in ABC Law violations:

UNIFORMED MEMBER OF THE SERVICE

1. Take photograph of entire seizure at time and place of occurrence.
2. Deliver alcohol seized to precinct of occurrence.
3. Mark on the rear of photograph taken of seizure using a rubber stamp, if available:
   a. Date, place of seizure, and precinct of occurrence
   b. Defendant's name and arrest number
   c. **PROPERTY CLERK INVOICE** number and number(s) of any related **PROPERTY CLERK INVOICES**
   d. Identity and signature of member who took photograph.
4. Select a representative sample from the seizure, preferably a sealed bottle, for analysis.
   a. Only one sample is required regardless of the quantity of bottles, etc., seized.
5. Prepare **PROPERTY CLERK INVOICE WORKSHEET** and **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)** for sample(s) to be analyzed.
   a. List photograph of seizure as an "Item" on **WORKSHEET** that lists representative sample(s).
6. Prepare a separate **PROPERTY CLERK INVOICE WORKSHEET** for the remainder of the seizure and make a notation on **WORKSHEET** to read: "Delivered for Destruction."
   a. Cross-reference both **WORKSHEETS** prepared.

DESK OFFICER

7. Review **PROPERTY CLERK INVOICE WORKSHEET(S)** prepared to ensure accuracy of seizure.
   a. Ensure photograph has been properly marked as per step "3."
8. Direct the entering of the **PROPERTY CLERK INVOICE WORKSHEET** and **REQUEST FOR LABORATORY EXAMINATION REPORT** (if prepared) into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.
9. Attach two copies of **PROPERTY CLERK INVOICE** and two copies of **REQUEST FOR LABORATORY EXAMINATION REPORT** to evidence and place in command property locker.
10. Make arrangements for the delivery of evidence to the borough Property Clerk Office.

WHEN NOTIFIED THAT CHEMICAL ANALYSIS IS REQUIRED FOR COURT:

UNIFORMED MEMBER OF THE SERVICE

11. Notify the desk officer, command of occurrence, immediately and provide the following information:
    a. **PROPERTY CLERK INVOICE** number
    b. Date of seizure
    c. Date of next court appearance.

DESK OFFICER

12. Immediately notify the Police Laboratory that a chemical analysis is required.
    a. Enter identity of person notified in the Telephone Record.

COMMANDING OFFICER, POLICE LABORATORY

13. Direct messenger to pickup alcohol evidence at the borough Property Clerk Office concerned.
14. Have evidence analyzed and a **POLICE LABORATORY ANALYSIS REPORT (PD521-151)** prepared and delivered to court concerned.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

The Deputy Commissioner, Legal Matters has authorized members of the Property Clerk Division to destroy seized alcoholic beverages prior to final dispositions of related criminal actions. However, to satisfy legal requirements, uniformed members of the service must retain a representative sample of each seizure in addition to taking a photograph of all seized alcoholic beverages at time and place of occurrence.

Alcohol seized as evidence WILL ONLY be forwarded to the Police Laboratory for chemical analysis when required for court presentation.

The Police Laboratory requires a minimum of three days to analyze alcohol and prepare a report.

This procedure does not apply to:

a. Alcoholic beverages seized from peddlers within the purview of the Office of Administrative Trials and Hearings - comply with provisions of P.G. 209-12, "Personal Service of Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH) - General Procedure - Non-CJRA Offenses."

b. Sale of Alcoholic Beverages During Prohibited Hours - i.e., actual alcoholic drink served - comply with P.G. 209-16, "Service of a Summons - Special Procedures."

*Members are reminded that a **PROPERTY CLERK INVOICE** will not exceed twenty line items if the **INVOICE** is being sent or has the potential to be sent to the Police Laboratory for laboratory analysis.*

PURPOSE To ensure that sexual offense evidence collection kits and other sexual offense evidence are properly forwarded to the Evidence Unit of the Office of the Chief Medical Examiner or the Property Clerk for processing.

DEFINITIONS SEXUAL OFFENSE - for the purpose of this procedure, a sexual offense will be one of the following New York State Penal Law crimes:

a. Rape
b. Aggravated Sexual Abuse
c. Sexual Abuse
d. Sexual Misconduct.

SEXUAL OFFENSE EVIDENCE COLLECTION KIT - a kit used by physicians in hospitals to gather evidence from a victim of a sex offense. The kit is used to standardize the collection and processing of evidence in sex crime cases. The kit contains slides, swabs, test tubes and envelopes to collect evidence.

DRUG FACILITATED SEXUAL ASSAULT BLOOD AND URINE SPECIMEN COLLECTION KIT – a kit used to gather evidence from a victim of a sex offense when it is suspected that the victim was drugged. The kit is composed of two gray-topped blood tubes and a urine container for the collection of specimens.

SEXUAL OFFENSE EVIDENCE - (not including the sexual offense evidence collection kit or drug facilitated sexual assault blood and urine specimen collection kit) is defined for this procedure as being bloodstains, serology, body fluids and/or other biological evidence (e.g., clothing, bedding, undergarments, etc.) to be analyzed for the purpose of obtaining a DNA profile.

PROCEDURE Upon arrival at the scene of a reported sexual offense:

UNIFORMED MEMBER OF THE SERVICE

1. Remove victim to the appropriate hospital as per existing Department procedures.
2. Take possession of the Sexual Offense Evidence Collection Kit and/or the Drug Facilitated Sexual Assault Blood and Urine Specimen Collection Kit, if used, and all other sexual offense evidence (e.g., clothing, undergarments, etc.) upon completion of medical examination by attending medical personnel.
   a. Take possession of any other evidence-gathering container used by hospital personnel, if a Sexual Offense Evidence Collection Kit is unavailable. Process the evidence-gathering container in accordance with this procedure.

UNIFORMED MEMBER OF THE SERVICE (continued)

3. Ensure that attending physician's and complainant's names are entered in the appropriate caption on the top of the Sexual Offense Evidence Collection Kit, and sign for evidence in the appropriate caption.
   a. When the Sexual Offense Evidence Collection Kit is sealed by hospital personnel, THE SEAL SHALL NOT BE BROKEN by a member of this Department EXCEPT authorized personnel.
4. Remove evidence to the precinct of occurrence and prepare **COMPLAINT REPORT WORKSHEET (PD313-152A)** and **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.

DESK OFFICER

5. Direct the preparation of **PROPERTY CLERK INVOICE(S) (PD521-141)** using Finest Online Records Management System (FORMS) Property provided.
   a. An individual **PROPERTY CLERK INVOICE** will be prepared for the Sexual Offense Evidence Collection Kit and a separate **PROPERTY CLERK INVOICE** will be prepared for any other sexual offense evidence.
6. Direct the preparation of a **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)** using FORMS Property.
7. Direct the preparation of a **COMPLAINT REPORT (PD313-152)**.
8. Ensure that the **INVOICE** and **COMPLAINT REPORT** numbers, and arrest numbers, if any, are entered on the cover of the Sexual Offense Evidence Collection Kit.
9. Direct the delivery of the Sexual Offense Evidence Collection Kit(s), and a copy of the **COMPLAINT REPORT**, to the Police Laboratory.
10. Direct the delivery of other sexual offense evidence, EXCEPT FIREARMS, **IMMEDIATELY** to the Property Clerk, if a Sexual Offense Evidence Collection Kit or evidence gathering container was used at the hospital AND there is other sexual offense evidence.
11. Direct the delivery of other sexual offense evidence, EXCEPT FIREARMS, and a copy of the **COMPLAINT REPORT**, to the Police Laboratory, in all sexual offense cases, if no Sexual Offense Evidence Collection Kit or evidence gathering container was used at the hospital.
12. Comply with *P.G. 218-49, "Immediate Delivery of DNA Evidence to the Police Laboratory and the Office of Chief Medical Examiner"* when Sexual Offense Evidence Collection Kits(s) or any other sexual offense evidence is associated with a "high priority" case.
13. Follow procedures outlined in *P.G. 218-23, "Processing Firearms and Firearm-Related Evidence,"* if the other sexual offense evidence is a firearm.

ASSIGNED INVESTIGATOR

14. Immediately notify the NYPD OCME Liaison Unit of all unfounded cases.

DRAFT

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

There is no medical or legal reason for a uniformed member of the service, male or female, to be present in the examining room during the medical examination or evidence collection procedure. Maintenance of the chain of custody of the evidence during the examination is the sole responsibility of attending medical personnel.

If the sexual offense occurred within the previous seventy-two hours, a Sexual Offense Evidence Collection Kit should be used. Not all hospitals may use Sexual Offense Evidence Collection Kits. In such cases, take possession of any other evidence gathering container used and process in accordance with this procedure.

A Drug Facilitated Sexual Assault Blood and Urine Specimen Collection Kit will be utilized for the collection of blood and urine when it is suspected that the victim of a sexual assault was drugged. This kit is separate from the Sexual Offense Evidence Collection Kit. The kit is composed of two gray-topped blood tubes and a urine container for the collection of specimens, and must be vouchered, on a separate ***PROPERTY CLERK INVOICE****, with a separate* ***REQUEST FOR LABORATORY EXAMINATION REPORT*** *(for toxicology). If a UMOS suspects a drug facilitated sexual assault based on victim or witness statements or other evidence, inform hospital personnel and request that a kit be used. Hospital personnel will collect the blood and urine for the kit when it is suspected that it is drug facilitated, within 96 hours of when the victim last remembers having a drink. The blood and urine collected in these kits will degenerate after 24 hours, so immediate delivery to the Police Laboratory and the Office of the Chief Medical Examiner, Evidence Unit is imperative.*

Members will ensure a copy of the ***COMPLAINT REPORT*** *is sent to the Police Laboratory with a Sexual Offense Evidence Collection Kit or any other sexual offense evidence. The Police Laboratory will not accept a Sexual Offense Evidence Collection Kit or any other sexual offense evidence without a copy of the* ***COMPLAINT REPORT****.*

Members are reminded that a ***PROPERTY CLERK INVOICE*** *will not exceed twenty line items if the* ***INVOICE*** *is being sent or has the potential to be sent to the Police Laboratory for laboratory analysis.*

PURPOSE To safeguard and return property belonging to the Division of the Lottery.

DEFINITION PROPERTY OF THE DIVISION OF LOTTERY - includes tickets, deposit boxes, licenses and lottery proceeds.

PROCEDURE Upon obtaining property belonging to the Division of the Lottery:

UNIFORMED MEMBER OF THE SERVICE

1. Enter facts in digital **Activity Log**.
2. Deliver property to desk officer.

DESK OFFICER

3. Notify New York State Tax Office of recovery.
   a. Notify New York State Tax Office at 0900 hours the next business day, if property is recovered during off-business hours.
4. Ensure property is invoiced for "Safekeeping" as per *P.G. 218-01, "Invoicing Property - General Procedure."*
5. Safeguard property in command until property is picked up by a Division of the Lottery representative.
   a. DO NOT forward property to Property Clerk Division.
6. Verify identity of Division of the Lottery representative claiming property.
7. Complete the "Release/Disposition – Return to Owner" function using Finest Online Records Management System (FORMS) Property.
   a. Have a claimant sign utilizing the digital signature capture device.
8. Deliver property and "Prisoner/Finder/Owner" copy of **INVOICE** to representative.

COMMAND CLERK

9. Forward "Property Clerk" copy of **INVOICE** and photocopy of Division of Lottery representative's identification to the appropriate Property Clerk facility.

PURPOSE To record, process and safeguard currency required as evidence.

DEFINITION NUMISMATIC/SENTIMENTAL VALUE - includes all gold coins, all U.S. silver coins bearing date of 1964 or prior and extremely old bills. In addition, when determining numismatic/sentimental value, members should be guided by the circumstances under which the currency was found (e.g., location, type of packaging, special markings, encased in frames or books, etc.). If doubt exists, such currency will be deemed to have numismatic/sentimental value. Currency with numismatic/sentimental value will not be deposited in a bank.

PROCEDURE When currency required as evidence is seized:

UNIFORMED MEMBER OF THE SERVICE

1. Inform desk officer of details.
2. Count currency in presence of desk officer.

DESK OFFICER

3. Ensure currency is marked with evidence stamp labeled, "Evidence - Notify N.Y.C. Police Department Property Clerk Division" except for the following:
   a. Currency with numismatic or sentimental value
   b. Currency that must remain unaltered (treated with dye, fluorescent powder, or marked)
   c. Foreign currency
   d. Blood stained currency.

UNIFORMED MEMBER OF THE SERVICE

4. Perform the following under the supervision of the desk officer:
   a. Stamp and initial face of each bill as directed by desk officer
   b. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.
      (1) If currency is marked with evidence stamp, list each denomination as separate item and indicate quantity of each denomination
      (2) List each denomination of UNSTAMPED bills and respective serial number as separate item and indicate quantity of each item
      (3) Verify amount listed on **PROPERTY CLERK INVOICE WORKSHEET**, insert currency in serially numbered/bar-coded Plastic Security Envelope and seal.
5. Enter facts in digital **Activity Log**.
6. Deliver currency and **PROPERTY CLERK INVOICE WORKSHEET** to desk officer.

DESK OFFICER

7. Check accuracy of **PROPERTY CLERK INVOICE WORKSHEET**.
8. Ensure **PROPERTY CLERK INVOICE WORKSHEET** is entered into Finest Online Records Management System (FORMS) Property to generate **PROPERTY CLERK INVOICE (PD521-141)**.
9. Digitally sign **PROPERTY CLERK INVOICE** verifying accuracy and completeness.
10. Have "Invoicing Officer" copy of **PROPERTY CLERK INVOICE** printed and deliver to invoicing officer as receipt.
11. Safeguard currency pending delivery to Property Clerk.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

If the currency being invoiced is not stamped by arresting/assigned officer, the name and rank of officer stamping bills will be entered under the "Remarks" section.

Currency will be perforated ONLY by Property Clerk personnel at Property Clerk facilities.

Stamped or perforated currency will NEVER be returned to a claimant or deposited in the Property Clerk's account in any bank under any circumstances. This currency will be forwarded to the Property Clerk, who will arrange for reimbursement of the claimant.

In instances when currency is to be delivered to the Police Laboratory, the currency should be placed in a manila envelope and sealed in a normal manner. In addition, the invoicing officer will sign name, shield number, command and date across seal.

Mutilated currency (marked with fluorescent powder, treated with dye, blood stained, etc.) will be placed in a plastic security envelope marked "MUTILATED CURRENCY – CONTAINS STAINED MATERIAL – USE CARE IN HANDLING." Such currency will be forwarded to the Property Clerk for redemption.

a. Should there be a need for laboratory analysis, then the currency should be placed in a manila envelope, sealed in a normal manner and marked "MUTILATED CURRENCY – CONTAINS STAINED MATERIAL – USE CARE IN HANDLING." In addition, the invoicing officer will sign name, shield number, command and date across seal.

PURPOSE To process currency not required as evidence.

DEFINITION NUMISMATIC/SENTIMENTAL VALUE - includes all gold coins, all U.S. silver coins bearing date of 1964 or prior and extremely old bills. In addition, when determining numismatic/sentimental value, members should be guided by the circumstances under which the currency was found (e.g., location, type of packaging, special markings, encased in frames or books, etc.). If doubt exists, such currency will be deemed to have numismatic/sentimental value. Currency with numismatic/sentimental value will not be deposited in a bank.

PROCEDURE When non-evidence currency (e.g., property of DOA or found property), that does not have numismatic/sentimental value, comes into the possession of a uniformed member of the service:

UNIFORMED MEMBER OF THE SERVICE

1. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**, as appropriate.
2. Make entry in digital **Activity Log**.
3. Deliver **PROPERTY CLERK INVOICE WORKSHEET** and currency to desk officer.

DESK OFFICER

4. Verify accuracy and completeness of **PROPERTY CLERK INVOICE WORKSHEET**.
5. Ensure **PROPERTY CLERK INVOICE WORKSHEET** is entered into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.
   a. Enter **PROPERTY CLERK INVOICE** number and plastic deposit bag serial number on all copies of deposit slip.
6. Prepare and sign deposit slip.
7. Direct invoicing officer to place currency into plastic deposit bag.
   a. Currency and last copy of deposit slip will be placed into larger pocket of deposit bag.
   b. Remaining parts of deposit slip will be placed into smaller pocket of deposit bag.
8. Remove protective strip, exposing the adhesive, and seal the plastic deposit bag.
9. Remove detachable receipt on the flap of the deposit bag, listing the deposit bag's pre-printed serial number and attach it to the **PROPERTY CLERK INVOICE**.
10. Place copy of **PROPERTY CLERK INVOICE** in a separate folder to be maintained at desk, if no other property is involved.
11. Have **PROPERTY TRANSFER REPORT (PD521-1412)** prepared using FORMS Property.

COMMAND MESSENGER

12. Prepare **PROPERTY TRANSFER REPORT**, using FORMS Property and digitally sign **REPORT**.

DESK OFFICER

13. Digitally sign **PROPERTY TRANSFER REPORT** verifying accuracy and completeness.
14. Direct command messenger, accompanied by another uniformed member of the service or Evidence/Property Control Specialist, to deliver deposit bag to local Department authorized bank and utilize the night deposit vault, at all times.
    a. Direct both members to examine chute to ensure deposit bag(s) has dropped.
    b. Direct uniformed member(s) of the service to make appropriate digital **Activity Log** entries.
15. Make entry in Command Log, including:
    a. **PROPERTY CLERK INVOICE** serial number
    b. Serial number(s) of plastic deposit bag(s)
    c. Total amount to be deposited
    d. Rank, names and shield numbers of those uniformed members of the service delivering currency to night depository, and name of Evidence/Property Control Specialist (if appropriate).
16. Ensure that a uniformed member of the service performing duty with the second platoon is assigned to retrieve deposit slip on the next business day.

UNIFORMED MEMBER ASSIGNED

17. Retrieve deposit slip(s) and record receipt of deposit slip(s) and **PROPERTY CLERK INVOICE** number(s) in digital **Activity Log**.
18. Present receipted deposit slip(s) to desk officer.

DESK OFFICER

19. Attach two copies of receipted deposit slips to Property Clerk copy of **PROPERTY CLERK INVOICE**.
20. Enter in Command Log:
    a. Return of receipted deposit slips
    b. **INVOICE** serial number.
21. Retain "Property Clerk" copy of **PROPERTY CLERK INVOICE**, with deposit slips attached, for delivery to appropriate Property Clerk borough office.
22. Conduct "Deposit Slip Confirmation" using FORMS Property to verify the amount listed on the **PROPERTY CLERK INVOICE** matches the amount deposited by the local Department authorized bank.
    a. If there is a discrepancy between the amount listed on the **PROPERTY CLERK INVOICE** and amount listed on local Department authorized bank deposit slip, ascertain reason for discrepancy as noted by bank and enter correct amount(s) in the corresponding section.
23. Notify Internal Affairs Bureau Command Center, if deposit slip discrepancy is due to a possible act of misconduct.
    a. Make Command Log entry regarding notification (e.g., IAB log number, **INVOICE** number, etc.)

PROCESSING NON-EVIDENCE CURRENCY WITH POSSIBLE NUMISMATIC/ SENTIMENTAL VALUE

UNIFORMED MEMBER OF THE SERVICE

24. Comply with *P.G. 218-01, "Invoicing Property – General Procedure"* when invoicing non-evidence currency with possible numismatic/sentimental value.
25. Indicate on **PROPERTY CLERK INVOICE** under "Remarks" possible numismatic/sentimental value.
    a. Itemize coins by quantity.
    b. DO NOT enter any monetary value in "Cash Value" column.
26. Place currency in serially numbered plastic security envelope and comply with pertinent provisions of *P.G. 218-10, "Using Security Lead Seals or Plastic Security Envelopes."*

DESK OFFICER

27. Ensure currency with numismatic/sentimental value is delivered to the Property Clerk as per *P.G. 218-03, "Delivery of Property Other Than Vehicle/Boat to Property Clerk."*
    a. DO NOT deposit currency with numismatic/sentimental value into bank.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

In the event of seizures of large amounts of currency by any command citywide, which contains more than two thousand bills, a notification to the Property Clerk Division will be made for special counting and deposit procedures.

All deposits into Department authorized banks are made on a "subject to count" basis. Should the authorized bank discover a discrepancy, the bank will notify the Commanding Officer, Property Clerk Division. Upon such notification, the Property Clerk Division Accounting Unit will notify the Internal Affairs Bureau.

PURPOSE To safely handle red dye marked currency or intact "exploding" currency packets.

PROCEDURE When currency marked with a red dye must be handled or an intact "exploding" currency packet is found:

UPON LOCATING AN INTACT PACKET OF CURRENCY

UNIFORMED MEMBER OF THE SERVICE

1. DO NOT handle the packet.
2. Evacuate the immediate area.
3. Request the patrol supervisor, Emergency Services Unit and Bomb Squad to respond.

HANDLING OF RED DYE MARKED CURRENCY

UNIFORMED MEMBER OF THE SERVICE

4. Wear disposable gloves.
5. Work in a ventilated area.
6. Wash hands thoroughly after handling currency.
7. Indicate clearly on **PROPERTY CLERK INVOICE (PD521-141)** and Plastic Security Envelope that currency may be contaminated with CS Tear Gas.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

Members of the service responding to a bank robbery, or discovering a packet of banded currency thereafter, should consult with bank employees to determine if an "exploding" money packet was passed.

Do not open property envelopes containing contaminated currency unless absolutely necessary. Sealed plastic envelopes prevent dissipation of contaminated residue. Therefore, follow safety precautions if the envelope must be opened, even after long periods of time have elapsed.

Exploding currency packets release tear gas, which may result in contamination of persons and clothing to varying degrees. Since tear gas adheres to clothing, persons exposed to the gas may contaminate others in their proximity. Therefore, all persons exposed to the gas should be isolated from public contact, if possible, and afforded necessary treatment, including medical evaluation, when indicated.

FIRST AID PROCEDURES FOR EXPOSURE

SKIN
Remove the affected persons from the contaminated area to an open, upwind position. Remain calm and restrict activity. Major discomfort should disappear in fifteen to thirty minutes.

ADDITIONAL DATA (continued)

If stinging or burning sensation on moist skin areas occurs, sit and remain quiet to reduce sweating. Expose affected areas to the air. In cases of gross contamination:

a. Remove all contaminated clothing immediately
b. Irrigate affected areas with copious amounts of water (at least two liters)
c. Wash with soap and water to remove all residue
d. Washable clothing may be laundered with soap and water
e. Non-washable clothing may be air dried for a two-day period.

EYES
If there is burning sensation of the eyes, heavy flow of tears, or involuntary closing of eyes, keep eyes open, facing wind. DO NOT rub eyes. Tearing helps clear the eyes. If necessary, wash out eyes with cold water. Tears can be blotted away.

INHALATION
If a burning sensation or irritation of the nose occurs, breathe normally. Blow nose to remove discharge. Nasal decongestants should help if discomfort is severe. Breathing difficulties (burning sensations, chest tightness) are often accompanied by a feeling of panic. In this event, the affected person (s) should be made to relax and kept calm. Talk reassuringly to the person(s) to prevent panic. If discomfort persists or other symptoms occur, the affected person should be removed to the hospital for medical evaluation.

PURPOSE To expeditiously process seized U.S. currency and/or negotiable instruments valued at one thousand dollars or more which may be forfeitable.

DEFINITIONS FORFEITABLE - For the purpose of this procedure, forfeitable property consists of those assets for which probable cause exists, including that:

a. Such property was used to facilitate a crime, or
b. Such property represents the proceeds or substituted proceeds of a crime.

NEGOTIABLE INSTRUMENT - A cash equivalent such as money orders, traveler's checks, bank checks, etc.

SUBSTITUTED PROCEEDS OF A CRIME - Items of property that have been received in exchange for the actual proceeds of a crime. For example, if currency obtained in exchange for illegal drugs is subsequently used to purchase an automobile, the currency is the proceeds of a crime, and the automobile is the substituted proceeds of a crime.

PROCEDURE When a uniformed member of the service seizes U.S. currency and/or negotiable instruments valued at one thousand dollars or more that are deemed forfeitable:

UNIFORMED MEMBER OF THE SERVICE

1. Notify the Asset Forfeiture Unit, twenty-four hours a day seven days a week, and request a Forfeiture Log Number(s) for U.S. currency and/or negotiable instruments valued at one thousand dollars or more that are deemed forfeitable.
   a. Comply with normal invoicing procedures if an Asset Forfeiture Unit investigator determines that the seized property is not forfeitable.
2. Prepare a separate **PROPERTY CLERK INVOICE WORKSHEET (PD 521-141A)** for only U.S. currency and/or negotiable instruments earmarked for forfeiture.
   a. DO NOT include any other property on **WORKSHEET**.
3. Select "FORFEITURE" as property category.
4. Do not categorize this property as arrest evidence, unless it is an element of a criminal charge being lodged against a defendant.
5. Include the Forfeiture Log Number and an indication that this is property being "Held For Forfeiture," in the "Remarks" section of the **PROPERTY CLERK INVOICE WORKSHEET**.
   a. Include a statement in the "Remarks" section briefly explaining the circumstances under which currency and/or negotiable instruments were seized. The statement should clearly demonstrate how such property was used to facilitate a crime and the specific location where such property was seized.
6. Make entry in digital **Activity Log**.

UNIFORMED MEMBER OF THE SERVICE (continued)

7. DO NOT "Evidence" stamp U.S. currency/negotiable instruments earmarked for forfeiture.
8. Deliver **PROPERTY CLERK INVOICE WORKSHEET** and currency/negotiable instrument to desk officer.

DESK OFFICER

9. Verify accuracy and completeness of **PROPERTY CLERK INVOICE WORKSHEET**.
10. Have **PROPERTY CLERK INVOICE WORKSHEET** entered into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.
11. Ensure a digital photograph is taken of currency seized pursuant to a search warrant, if applicable, before it is bagged and deposited in the bank.
    a. Upload photograph to the **PROPERTY CLERK INVOICE** as a related document utilizing FORMS Property.

UNIFORMED MEMBER OF THE SERVICE

12. Digitally sign **PROPERTY CLERK INVOICE** verifying accuracy and completeness.

DESK OFFICER

13. Digitally sign **PROPERTY CLERK INVOICE** verifying accuracy and completeness.
14. Prepare and sign deposit slip.
15. Direct invoicing officer to place currency/negotiable instruments into Plastic Security Envelopes.
16. Place copy of **PROPERTY CLERK INVOICE** in separate folder to be maintained at desk, if no other property is involved.
17. Have **PROPERTY TRANSFER REPORT (PD521-1412)** prepared utilizing FORMS Property.

COMMAND MESSENGER

18. Prepare **PROPERTY TRANSFER REPORT** utilizing FORMS Property and digitally sign **REPORT**.

DESK OFFICER

19. Digitally sign **PROPERTY TRANSFER REPORT** verifying accuracy and completeness.
20. Direct command messenger, accompanied by another uniformed member of the service, to deliver currency in deposit bag to local Department authorized bank and utilize the night deposit vault, at all times.
    a. Direct both uniformed members to examine chute to ensure deposit bag (s) has dropped.
    b. Direct both uniformed members of the service to make appropriate digital **Activity Log** entries.
21. Direct command messenger to forward negotiable instruments to Borough Property Clerk's Office.
22. Make entry in Command Log, including:
    a. **PROPERTY CLERK INVOICE** serial number.

DESK OFFICER (continued)

b. Serial number(s) of Plastic Security Envelope(s).
c. Total amount invoiced.
d. Rank, names and shield numbers of both uniformed members of the service delivering currency to night depository.
e. Forfeiture Log number.

23. Ensure that a uniformed member of the service performing duty with the second platoon is assigned to retrieve deposit slip on the next business day.

UNIFORMED MEMBER OF THE SERVICE

24. Retrieve deposit slip(s) and record receipt of deposit **PROPERTY CLERK INVOICE** number(s) in digital **Activity Log**.
25. Present receipted deposit slip(s) to desk officer.

DESK OFFICER

26. Attach two copies of receipted deposit slips to **PROPERTY CLERK INVOICE**.
27. Enter in Command Log:
    a. Return of receipted deposit slip.
    b. **PROPERTY CLERK INVOICE** serial number.
28. Retain **PROPERTY CLERK INVOICE** with deposit slips attached for delivery to Borough Property Clerk's Office.

EVIDENCE/ PROPERTY CONTROL SPECIALIST/ DESIGNATED UNIFORMED MEMBER OF THE SERVICE

29. Conduct "Deposit Slip Confirmation" utilizing FORMS Property to verify the amount listed on **PROPERTY CLERK INVOICE** matches the amount deposited by local Department authorized bank.
    a. If there is a discrepancy between the amount listed on the **PROPERTY CLERK INVOICE** and amount local Department authorized bank listed on deposit slip:
        (1) Ascertain reason for discrepancy as noted by bank and enter correct amount(s) in the corresponding section.
        (2) Notify desk officer regarding reason for discrepancy and list notification in the "Remarks" section.

DESK OFFICER

30. Notify Internal Affairs Bureau Command Center, if deposit slip discrepancy is due to a possible act of misconduct.
    a. Make Command Log entry regarding notification (e.g., IAB log number, **INVOICE** number, etc.).

ASSET FORFEITURE UNIT

31. Determine whether seized assets are appropriate subject of forfeiture proceedings, and if so, assign log number, conduct follow-up investigation and initiate tracking procedures.
32. Confer with District Attorney's Office, Civil Enforcement Unit, and any other agencies involved.
33. In federal cases, request appropriate federal agency to adopt within thirty days, or request the District Attorney to forward a completed State Forfeiture Release Form to the Asset Forfeiture Unit for processing.
34. Authorize the release of currency/negotiable instruments from the Property Clerk in forfeiture cases.

COMMANDING OFFICER, ASSET FORFEITURE UNIT

35. Direct and coordinate the post seizure investigative efforts of the Department.

PROPERTY CLERK

36. Process **PROPERTY CLERK INVOICE** and currency/negotiable instruments.
37. Issue a check within three business days for seized currency being processed for Federal or State Forfeiture upon written request of the Asset Forfeiture Unit.
38. Process only those requests for the release of assets for federal, state and local forfeiture that have been approved by the Asset Forfeiture Unit.

ASSET FORFEITURE UNIT

39. Prepare related paperwork and forward check to appropriate agency, in federal forfeiture cases.
40. Prepare an accounting of investigative expenses incurred and a request for the sharing in state forfeiture cases.
    a. Forward with a check to the appropriate District Attorney.
41. Assist and forward related paperwork to the Civil Enforcement Unit, in local forfeiture cases.
42. Negotiate an equitable sharing agreement with other participants, in federal cases.
43. Prepare and process **Application for Transfer of Federally Forfeited Property [DAG71]** in Federal forfeiture cases.
44. Monitor and track all federal and state forfeiture actions throughout the entire process.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

Seizures of currency/negotiable instruments valued at less than one thousand dollars do not require a notification to the Asset Forfeiture Unit and no Forfeiture Log number will be issued. In these instances, the currency/negotiable instruments will be processed in accordance with this procedure.

In the event of seizures of large amounts of currency which contain more than two thousand bills, the Property Clerk Division should be contacted at for special counting and deposit procedures.

Search Warrant Cases

In all instances, items seized pursuant to a New York State search warrant will be inventoried for return to the court issuing the warrant. All such property will be processed in accordance with this procedure. This property will not be released for forfeiture proceedings by the Property Clerk without the authorization of the Commanding Officer, Asset Forfeiture Unit and a release by the prosecutor, a turnover order issued by a judge or a seizure warrant from a federal court.

ADDITIONAL DATA (continued)

Transfer Prohibited

This procedure constitutes the Department's sole directive regarding the disposition of currency and/or negotiable instruments destined for forfeiture. In no instance will assets be transferred to a New York City Police Department unit or outside law enforcement agency for forfeiture processing without the written permission of the Commanding Officer, Asset Forfeiture Unit.

Uniformed members of the service assigned to a formal Joint Federal Task Force will notify the Asset Forfeiture Unit of all currency/negotiable instrument seizures and process the seizure under the protocol established under their "Memorandum of Understanding."

NYPD

PURPOSE To remove property from an unlicensed food/general vendor(s) or from a licensed general vendor(s) peddling in violation of law.

DEFINITIONS

GENERAL VENDOR - Person who peddles, sells, leases, or offers for sale or lease at retail, goods or services, other than food, in a public area.

FOOD VENDOR - Person, who peddles, sells or offers food for sale at retail in any public place.

PUSHCART - Any wheeled vehicle or device used by a vendor in a public place, which can be moved with or without a motor and does not require registration by Department of Motor Vehicles.

STAND - A movable, portable, or collapsible structure, device or other contrivance other than a pushcart used to display or store any merchandise, food or article required while acting as a vendor.

EXIGENT CIRCUMSTANCES – For the purpose of this procedure, any situation which may endanger public safety or obstruct the free flow of traffic, either pedestrian or vehicular, (e.g., fire, emergency, heavy traffic, street excavation, parade, etc.).

SEIZURE OF PROPERTY – Removal of a street vendor's property pending forfeiture action against the vendor by the City's Law Department. In those circumstances, the property may not be returned to the vendor without written authorization of the City's Law Department or Commanding Officer, Legal Bureau.

REMOVAL OF PROPERTY – Confiscation of a street vendor's property. The property may be returned to the vendor at the command under certain circumstances, even if the Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH) has not been adjudicated at the time the vendor seeks return of his/her property.

PROPERTY CLERK DIVISION SEAL - Non-releasable, barcoded, pre-numbered security seal used to provide increased security for street vendor's property, which is seized and placed in large plastic bags to be invoiced.

PROCEDURE When a uniformed member of the service observes a general or food vendor who is unlicensed or operating in violation of the General/Food Vendor law or regulations:

UNIFORMED MEMBER OF THE SERVICE

1. Perform the following in the presence of the peddler:
   a. Serve Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH).
   b. Place all seized property into large plastic bag(s) and tightly twist top of bag(s) closed.

UNIFORMED MEMBER OF THE SERVICE (continued)

c. Affix Property Clerk Division seal, with prongs facing inward, around top of bag by pushing tie through slot and pulling loose end taut.
   (1) Write pre-printed number of Property Clerk Division seal on summons under issuing officer's signature.

2. Deliver pushcart, stand, food/property, and necessary forms as appropriate, to command of occurrence.
3. Do not permit vendor to assist in removal of property to command or ride in Department vehicle, except in arrest situation.
4. Return vendor's (food or general) license to licensee after issuing Civil Summons Returnable to OATH.
5. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.
6. Mark **PROPERTY CLERK INVOICE WORKSHEET** "Removed/ Safeguard."
7. Enter under "Remarks" on **PROPERTY CLERK INVOICE WORKSHEET**, time of arrival at command with perishable items, type of food or goods and how packaged.
8. Make appropriate entries regarding Property Clerk Division seals utilized in **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS (PD521-061)**.
9. Notify at least one food rescue organization (e.g., City Harvest, etc.) to retrieve food at their expense, when seizure occurs in the presence of Department of Health employee or agent and they determine food meets sanitary requirements.
   a. Make digital **Activity Log** entry and include the title and name of Department of Health employee, circumstances of food seizure, and statement that food meets sanitary requirements.
      (1) Have Department of Health employee sign digital **Activity Log**.

COMMANDING OFFICER

10. Designate sufficient number of supervising members to frequently inspect perishable foods or goods so that such items may, when necessary, be condemned and disposed of.
11. Ensure perishable foods or goods are not forwarded to the Property Clerk Division.

DESK OFFICER

12. Examine sealed bag to ensure that:
    a. It is properly sealed
    b. Pre-printed, bar-coded Property Clerk Division seal number is accurately recorded on both **PROPERTY CLERK INVOICE WORKSHEET** and Civil Summons Returnable to OATH.
13. Ensure **PROPERTY CLERK INVOICE WORKSHEET** is entered into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (PD521-141)**.
    a. If two separate **PROPERTY CLERK INVOICES** are prepared, a cross-reference will be made utilizing the related invoice function in FORMS Property.

DESK OFFICER (continued)

14. Store plastic bag(s) with **PROPERTY CLERK INVOICE(S)** in property room, pending removal to the Property Clerk.
15. Ensure at least one food rescue organization is notified to retrieve seized food, as outlined in step "9."
    a. Make entry in appropriate Department record, including the name, address, and contact phone number of food rescue organization that retrieved food, if applicable.
16. Notify Property Clerk Division if large amount of property is removed from vendor.
17. Notify Department of Sanitation when expeditious disposal of spoiled food or goods is required.
18. Have three copies of a report prepared on **OFFICIAL LETTERHEAD (PD158-151)** addressed to the vendor, within twenty-four hours after perishable food or goods has been disposed of, indicating:
    a. An itemized description of property
    b. Reason for destruction or disposition
    c. Date of destruction/disposition.
19. Send copy of report to vendor through United States Mail.
20. Enter in the remarks section of the **PROPERTY CLERK INVOICE** any condemned food or goods, and date and time report was mailed to vendor.
21. Attach copy of report to command file copy of **PROPERTY CLERK INVOICE**.
22. Prepare a separate report on **OFFICIAL LETTERHEAD** and comply with steps "18" through "21," if different types of food or goods are disposed of at different times, even if delivered to the command as part of the same seizure.

WHEN EXIGENT CIRCUMSTANCES EXIST:

UNIFORMED MEMBER OF THE SERVICE

23. Notify vendor to stop all selling at the location and, within one minute, begin to move from the area.
24. Inform vendor not to return to location for at least two hours unless conditions dictate otherwise. (VENDOR MUST BE NOTIFIED OF TIME PERIOD).
25. Make digital **Activity Log** entry describing the exigency that prompted the order for the vendor to move and include:
    a. Name and license number of the vendor
    b. Description of the order conveyed
    c. Time period vendor was directed to stay away from the area.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

All peddler enforcement vehicles will be marked and all peddler enforcement personnel will perform duty in uniform, with the exception of "designated spotters," who will be permitted to perform duty in civilian clothes.

ADDITIONAL DATA (continued)

Supervisory span of control for peddler enforcement shall not exceed one supervisor for five police officers. Dedicated peddler enforcement supervisors will be present at all property seizures, when practical.

In the event that a plastic bag containing a street vendor's property breaks, a uniformed supervisor will be responsible to re-bag the property utilizing the "repack" function in Property Clerk Evidence Tracking System. Each command involved in peddler enforcement will be required to maintain a separate ***CERTIFICATION OF PROPERTY CLERK DIVISION SEALS*** *for command use. The assigned supervisor will not remove property from the damaged bag, nor will the Property Clerk Division seal be removed. Rather, the entire bag, with the Property Clerk Division seal intact, will be placed in the new bag and a new Property Clerk Division seal attached. An entry will be made in the Command Log, including seal numbers and invoice numbers involved. Additionally, a cross-reference will be made in the original Log entry of the invoice concerned.*

NYPD

PURPOSE To confiscate vehicles of unlicensed general vendor distributors and institute forfeiture proceedings.

DEFINITION DISTRIBUTOR - any person or organization engaged in the sale, consignment, or distribution of goods for sale or resale by a general vendor. This shall not include an owner of goods who personally operates a motor vehicle to transport such goods exclusively to and from a location from which the owner will personally sell such goods in compliance with all applicable laws.

PUBLIC SPACE - all publicly-owned property between the property lines on a street as such property lines are shown on the City map including but not limited to a park, plaza, roadway, shoulder, tree space, sidewalk or parking space between such property lines. It shall also include, but not be limited to, publicly owned or leased land, buildings, piers, wharfs, stadiums, and terminals.

PROCEDURE Upon observing an unlicensed general vendor distributor in a public place:

UNIFORMED MEMBER OF THE SERVICE

1. Serve Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH) for New York City Administrative Code 20-474.1 (Unlicensed General Vendor Distributor), if violator eligible.
2. Confiscate vehicle and contents for forfeiture proceedings.
3. Remove vehicle to precinct of occurrence and comply with *P.G. 218-12, "Safeguarding Vehicles in Police Custody."*
   a. Any goods contained within the vehicle shall be processed according to *P.G. 218-39, "Seizure, Removal and Disposition of Property from General and Food Vendors."*
4. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** and select "FORFEITURE" as Property Category.
5. Submit completed **PROPERTY CLERK INVOICE WORKSHEET** to desk officer for review.

DESK OFFICER

6. Have vehicle removed to Property Clerk storage facility (see *P.G. 218-20, "Delivery of Vehicle to Property Clerk")*.
7. Ensure accuracy of **PROPERTY CLERK INVOICE WORKSHEET**.
8. Ensure **PROPERTY CLERK INVOICE WORKSHEET** is entered into Finest Online Records Management System (FORMS) Property to generate a **PROPERTY CLERK INVOICE (521-141)**.
9. Prepare **PEDDLER FORFEITURE QUESTIONNAIRE (PD260-155)** upon arrival at stationhouse of individual seeking to reclaim seized property.
   a. Ensure the names and addresses of all persons involved (e.g., driver, owner of vehicle and/or representative, etc.) AND **PROPERTY CLERK INVOICE** serial number(s) are entered on **PEDDLER FORFEITURE QUESTIONNAIRE**.

DESK OFFICER (continued)

10. Have claimant sign perforated, tear-off portion of **PEDDLER FORFEITURE QUESTIONNAIRE** entitled "Peddler Property - Acknowledgment of Demand."
11. Send by FAX or forward by messenger copies of all relevant documents, including:
    a. Completed **PEDDLER FORFEITURE QUESTIONNAIRE** with signed "Peddler Property-Acknowledgment of Demand"
    b. **PROPERTY CLERK INVOICE**
    c. Civil Summons Returnable to OATH or summons
    d. **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**, if applicable
    e. Any other documents prepared within one day of the demand for the return of property to:
    Assistant Chief, Administrative Law Division
    New York City Law Department
    100 Church Street, Room 5J17
    New York, New York 10007
12. Provide claimant appearing at command with:
    a. Peddler Property - Acknowledgment of Demand (perforated, tear-off portion of original **PEDDLER FORFEITURE QUESTIONNAIRE**
    b. "Prisoner/Finder/Owner" copy of **PROPERTY CLERK INVOICE**.
13. Forward to patrol borough coordinator:
    a. ORIGINAL and one copy of **PEDDLER FORFEITURE QUESTIONNAIRE**
    b. Two copies of **PROPERTY CLERK INVOICE**, Environmental Control Board Notice of Violation and Hearing or summons and **ON LINE BOOKING SYSTEM ARREST WORKSHEET**, if applicable.

PATROL BOROUGH COORDINATOR

14. Retain copies of all forms prepared on ORIGINAL and SUBSEQUENT SERVICE, if appropriate, for precinct file.
15. Maintain record of forms received from precinct under the following captions:

DATE	SERIAL NO.	CLAIMANT'S NAME	OWNER/ REPRESENTATIVE	INVOICE NO.	SUMMONS NO.	VENDOR'S NAME

16. Assign borough serial number to each **PEDDLER FORFEITURE QUESTIONNAIRE** received.
17. Check all forms for completeness and accuracy.
    a. Return any form containing errors and/or omissions to command of origin for correction.
18. Act as a liaison with Corporation Counsel in all matters pertaining to the forfeiture program.

ADDITIONAL DATA

OPERATIONAL ISSUES

Any vehicle used by a distributor to transport goods to a general vendor must be visually identified by a sign conspicuously displayed on the side of the vehicle. The following information must be clearly and legibly displayed on such sign:

a. The licensee's name and address
b. Business telephone numbers
c. The words "General Vending Distributor"
d. Department of Consumer and Worker Protection telephone complaint number.

Persons operating a licensed General Vendor Distributor Vehicle which is either missing such a sign or if the sign is missing any of the information required as listed in "a thru d" above may be issued a Civil Summons Returnable to OATH under New York City Administrative Code Section 20-474.2(a).

The letters and numerals of such display shall not be less than one and one-half inches in height, with a width of at least one-quarter of an inch, and shall be colored black and white, whichever is most prominent against the background color. A Civil Summons Returnable to OATH under New York City Code Section 20-474.2(b) may be issued if the licensed General Vendor Distributor does not have a vehicle sign that has the proper dimensions required by law.

Signs used to identify delivery vehicles may be removable, but must be securely fastened whenever the vehicle is used to deliver or remove goods to or from a general vendor. The sign must remain securely attached throughout the time it takes to load or unload goods. A Civil Summons Returnable to OATH under New York City Code Section 20-474.2(c) may be issued to the licensed General Vendor Distributor for failure to have a sign securely fastened to their vehicle during loading and unloading of goods.

It is now the responsibility of the Corporation Counsel to serve the claimant with the summons and complaint. However, it is imperative that a copy of the completed ***PEDDLER FORFEITURE QUESTIONNAIRE****, as well as any other documents prepared in conjunction with this procedure, be forwarded to the Corporation Counsel within one day of the claimant's appearance at stationhouse to reclaim seized property.*

Any subsequent demand by an unlicensed distributor for the return of seized property will be processed according to Patrol Guide 218-41, "Unlicensed Peddler Forfeiture Program."

PURPOSE To institute forfeiture proceedings against property seized from unlicensed street vendors.

SCOPE ONLY the property of an unlicensed food or general vendor or the property of a licensed general vendor, who violates the restricted streets provision of Administrative Code Section 20-465, subdivision "l," is subject to forfeiture. Members are to confiscate only the property that the vendor had on display, as well, as any cart, table or vehicle used to display the property.

PROCEDURE Upon observing an unlicensed street vendor operating in a public place:

UNIFORMED MEMBER OF THE SERVICE

1. Comply with *P.G. 218-39, "Seizure, Removal and Disposition of Property of General and Food Vendors."*
2. Prepare **PROPERTY CLERK INVOICE (PD521-141)** using Finest Online Records Management System (FORMS) Property and select "FORFEITURE" as Property Category.

DESK OFFICER

3. Comply with *P.G. 218-39, "Seizure, Removal and Disposition of Property of General and Food Vendors."*
4. Prepare **PEDDLER FORFEITURE QUESTIONNAIRE (PD260-155)** upon arrival at command of individual seeking to reclaim seized property.
   a. Ensure the names and addresses of all persons involved, (e.g., driver, owner of vehicle and/or representative, etc.) AND **PROPERTY CLERK INVOICE** serial number(s) are entered on **PEDDLER FORFEITURE QUESTIONNAIRE**.
5. Have claimant sign perforated, tear-off portion of **PEDDLER FORFEITURE QUESTIONNAIRE** entitled, "Peddler Property-Acknowledgment of Demand."
6. Send by FAX or forward by messenger copies of all relevant documents, including:
   a. Completed **PEDDLER FORFEITURE QUESTIONNAIRE** with signed "Peddler Property-Acknowledgment of Demand"
   b. **PROPERTY CLERK INVOICE**
   c. Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH) or summons
   d. **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**, if applicable
   e. Any other documents prepared within one day of the demand for the return of property to:
      Assistant Chief, Administrative Law Division
      New York City Law Department
      100 Church Street, Room 5J17
      New York, New York 10007

DESK OFFICER (continued)

7. Provide claimant appearing at stationhouse with:
   a. Peddler Property-Acknowledgment of Demand (perforated, tear-off portion of original **PEDDLER FORFEITURE QUESTIONNAIRE**)
   b. "Prisoner/Finder/Owner" copy of **PROPERTY CLERK INVOICE**.
8. Forward to patrol borough coordinator:
   a. ORIGINAL (less tear-off portion) and one copy of **PEDDLER FORFEITURE QUESTIONNAIRE**
   b. Two copies of **PROPERTY CLERK INVOICE**, Civil Summons Returnable to OATH or summons and **ON LINE BOOKING SYSTEM ARREST WORKSHEET**, if applicable.
9. Comply with steps "4" through "8" for EACH SUBSEQUENT CLAIMANT appearing at the stationhouse to reclaim same property.
10. Retain copies of <u>all</u> forms prepared on ORIGINAL and SUBSEQUENT SERVICE, if appropriate, for command file.

PATROL BOROUGH COORDINATOR

11. Maintain record of forms received from command under the following captions:

DATE	SERIAL NO.	CLAIMANT'S NAME	OWNER/ REPRESENTATIVE	INVOICE NO.	SUMMONS NO.	VENDOR'S NAME

12. Assign borough serial number to each **PEDDLER FORFEITURE QUESTIONNAIRE**.
13. Check all forms for completeness and accuracy.
    a. Return any form containing errors and/or omissions to precinct of origin for correction.
14. Act as a liaison with Corporation Counsel in all matters pertaining to the forfeiture program.

ADDITIONAL DATA

<u>OPERATIONAL ISSUES</u>

*It is now the responsibility of the Corporation Counsel to serve the claimant with the summons and complaint. However, it is imperative that copies of the completed **PEDDLER FORFEITURE QUESTIONNAIRE**, as well as any other documents prepared in conjunction with this procedure, be forwarded to the Corporation Counsel within one day of the claimant's appearance at command to reclaim seized property.*

PURPOSE To record the distribution of Property Clerk Division seals issued to uniformed members of the service assigned to peddler enforcement duty and to ensure the integrity of returned Property Clerk Division seals.

SCOPE Uniformed members of the service below the rank of captain, assigned to peddler enforcement duty, must carry a sufficient amount of Property Clerk Division seals.

PROCEDURE When assigned to peddler enforcement duty:

UNIFORMED MEMBER OF THE SERVICE

1. Obtain Property Clerk Division seals and **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS (PD521-061)** from desk officer.
2. Examine Property Clerk Division seals to ensure that there are twenty seals, consecutively numbered.
3. Sign for Property Clerk Division seals on the **PROPERTY CLERK DIVISION SEAL DISTRIBUTION CARD (PD521-1411)**.
4. Sign and deliver completed **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS**, to immediate supervisor, after all seals have been used.

SUPERVISOR

5. Review completed **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS** and verify that all Property Clerk Division seals are accounted for.
   a. Document verification by initialing the top portion of the **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS**.

UNIFORMED MEMBER OF THE SERVICE

6. Deliver unused Property Clerk Division seals and **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS**, to the command where they were issued, when transferred or separated from the Department.
7. Notify commanding officer, without delay, when a Property Clerk Division seal is damaged or missing.

COMMANDING OFFICER/ RANKING SUPERVISOR DESIGNEE

8. Examine **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS** to verify that:
   a. All information has been recorded
   b. No discrepancies exist.
9. Take appropriate action if discrepancies are found.
10. Obtain unused or damaged peddler seals from transferred or separated members.
11. Destroy unused or damaged Property Clerk Division seals; they are not to be re-issued.

INTEGRITY CONTROL OFFICER

12. Make random inspections of **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS**.
13. Indicate inspection by entering date and initials on the reverse side of **CERTIFICATION OF PROPERTY CLERK DIVISION SEALS**.
14. Report any discrepancies to the commanding officer.

NYPD

PURPOSE To collect removal and storage fees for vehicles, carts, goods or food of a licensed food vendor.

PROCEDURE When the owner or person lawfully entitled to possession of a peddler's vehicle, cart, stand or goods appears at a Department facility to claim property:

DESK OFFICER

1. Collect removal fee as follows:
   a. Vehicle, cart, stand removed by Department vehicle - $65.00
   b. Vehicle, cart, stand not removed by Department vehicle - $20.00
   c. Goods taken into custody with vendor's vehicle, cart, stand - $10.00
   d. Goods only seized - $20.00.
2. Ensure goods/foods and vehicle, carts, stand, etc. which are stored separately are charged a separate storage fee.
3. Collect storage fee of $5.00 per day or part of day.
   a. Storage fee will not be imposed for the day the vehicle, cart, stand or goods/food are initially delivered to the command.
4. Prepare two copies of **FEE RECEIPT (PD122-017)**.
5. Mark receipt "VOID" if an error is made in its preparation.
   a. Prepare new receipt.
   b. File receipt marked "VOID" in command.
6. Give original **RECEIPT** to claimant.
7. Complete "Release/Disposition – Return to Owner" function using Finest Online Records Management System (FORMS) Property.
   a. Have claimant sign utilizing the digital signature capture device.
8. Forward fees collected for removal/storage to Audits and Accounts Unit on the next business day (except Saturdays, Sundays and civilian holidays).
   a. Fees received at commands <u>after 1600 hours</u> or on days when the Audits and Accounts Unit is closed will be safeguarded and processed the next business day.
9. File copy of **FEE RECEIPT** in command.

ADDITIONAL DATA

<u>OPERATIONAL CONSIDERATIONS</u>

A vehicle, cart, stand, or goods will not be released to an owner or his representative who alleges it was stolen and refuses to pay removal/storage charges.

The seized property of a licensed vendor will be returned upon demand and without the payment of any fee, when the vendor produces a valid vendor's license. An appropriate entry will be made in the "Remarks" section of the ***PROPERTY CLERK INVOICE****.*

ADDITIONAL DATA (continued)

Pushcarts, stands, and/or merchandise removed from an unlicensed peddler will not be returned to the claimant upon payment of removal and storage fees, but will become the subject of forfeiture proceedings per P.G. 218-41, "Unlicensed Peddler Forfeiture Program."

NYPD

PATROL GUIDE

Section: Property - General		Procedure No: 218-44
REMOVAL AND STORAGE CHARGES		
DATE EFFECTIVE: 05/20/24	LAST REVISION: R.O. 31	PAGE: 1 of 1

PURPOSE To collect and forward fees received for vehicles or boats in police custody.

DEFINITION VEHICLE OR BOAT IN POLICE CUSTODY - A motor vehicle or boat abandoned, involved in a collision or an unoccupied boat found adrift which has been taken to a Department facility. (Does not include motor vehicles or boats impounded as evidence).

PROCEDURE When the owner or person lawfully entitled to possession appears at a Department facility to claim a vehicle or boat:

DESK OFFICER OR PERSON IN CHARGE OF STORAGE FACILITY

1. Collect towing fee of $25.00 if Department tow or launch removes a vehicle or boat in police custody.
2. Collect storage fee of $5.00 per day or part of day for an abandoned vehicle or boat or a vehicle or boat involved in a collision. (No storage fee will be imposed for the day a vehicle or boat is delivered to a department facility.)
3. Charge $5.00 per day or part of day commencing three days after notice to owner by registered mail for an unoccupied boat found adrift or a stolen vehicle or boat.
4. Prepare **FEE RECEIPT (PD122-017)** in numerical sequence.
   a. Original copy to claimant.
   b. Copy to Audits and Accounts Unit.
   c. Leave third copy in **FEE RECEIPT BOOK** as command file copy.
5. Forward fees collected to Audits and Accounts Unit each day (excluding Saturdays, Sundays and holidays) with three copies of itemized report and corresponding **FEE RECEIPT** for each boat or vehicle returned to claimant.

NOTE *The New York City Administrative Code requires that fees collected be forwarded "on next business day." Fees collected at commands after 1600 hours or on days when the Audits and Accounts Unit is closed will be safeguarded and processed the next business day. The Audits and Accounts Unit is closed for business on weekends and all civilian holidays.*

ADDITIONAL DATA *DO NOT release vehicle or boat to an owner or his representative who alleges it was stolen and refuses to pay charges due.*

PURPOSE To facilitate the surrender of **Handgun Licenses** and handguns when a license is suspended, revoked or cancelled.

DEFINITION HANDGUN - For the purposes of this procedure, a handgun is defined as any pistol or revolver listed on a **Handgun License**.

PROCEDURE Upon receipt of a **HANDGUN SURRENDER NOTICE (PD641-123)**, through channels, from the License Division:

OPERATIONS COORDINATOR

1. Assign/designate a member of the service to record receipt of **HANDGUN SURRENDER NOTICE**, by serial number, in Precinct Communication Log and deliver **NOTICE**(S) to commanding officer.

COMMANDING OFFICER

2. Assign a uniformed member of the service, preferably a supervisor, to conduct a prompt investigation.
3. Ensure investigation is completed and all related forms are forwarded to the License Division, through channels, within thirty days of date **HANDGUN SURRENDER NOTICE** was received at command.

UNIFORMED MEMBER ASSIGNED

4. Respond to licensee's address and request surrender of **Handgun License** and handgun(s) indicated on **HANDGUN SURRENDER NOTICE**.
   a. Attempt to make visits at times other than during the second platoon (e.g., 4 x12's, weekends, etc.), if necessary.
   b. Contact the License Division for further direction if licensee refuses to surrender handgun(s) after **HANDGUN SURRENDER NOTICE** has been served and the licensee offers no evidence or documentation indicating that handgun(s) were legally disposed of.

COMMANDING OFFICER, LICENSE DIVISION

5. Confer with the Legal Bureau and Detective Bureau, if necessary, and advise the appropriate course of action.

UNIFORMED MEMBER ASSIGNED

6. Complete and sign three copies of **HANDGUN SURRENDER NOTICE** and distribute as follows:
   a. ORIGINAL – Precinct concerned
   b. COPY 1 – License Division
   c. COPY 2 – Receipt to licensee.
7. Prepare **PROPERTY CLERK INVOICE (PD521-141)** using Finest Online Records Management System (FORMS) Property, and process handgun(s) as per provisions of *P.G. 218-23, "Processing Firearms and Firearms and Firearm-Related Evidence,"* if handgun(s) is among items surrendered.
   a. Include the following notation under "Remarks" on **PROPERTY CLERK INVOICE**:

UNIFORMED MEMBER ASSIGNED (continued)

"HANDGUNS SHALL NOT BE RELEASED WITHOUT WRITTEN AUTHORIZATION OF THE COMMANDING OFFICER, LICENSE DIVISION."

8. Attempt to obtain new address if licensee no longer resides or is employed at address indicated on **HANDGUN SURRENDER NOTICE**.
   a. Enter new address on **HANDGUN SURRENDER NOTICE RESPONSE (PD641-123A)**.
   b. Serve **HANDGUN SURRENDER NOTICE** if new address is located within the confines of command.
      (1) If new address is not within confines of command, enter all information on **HANDGUN SURRENDER NOTICE RESPONSE** and return to License Division.
   c. Enter relevant information on **HANDGUN SURRENDER NOTICE RESPONSE** if new address cannot be obtained.
9. Prepare **COMPLAINT REPORT WORKSHEET (PD313-152A)** and refer to detective squad when:
   a. Handgun is lost or stolen and has not been previously reported as such
   b. Member suspects licensee still resides or is employed at location and is intentionally avoiding service of **HANDGUN SURRENDER NOTICE**
   c. Member believes handguns may have been used in commission of a crime.
      (1) Forward **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)** and handgun to Firearms Analysis Section for analysis with a copy of **COMPLAINT REPORT**.
10. Complete all relevant sections on **HANDGUN SURRENDER NOTICE RESPONSE**.
11. Deliver copies of the **HANDGUN SURRENDER NOTICE** and **HANDGUN SURRENDER NOTICE RESPONSE** to commanding officer.
    a. Include the following items, if obtained:
       (1) **Handgun License**
       (2) "Assigned Investigator" copy of **PROPERTY CLERK INVOICE**
       (3) Photocopy of **COMPLAINT REPORT**
       (4) Any other substantiating documentation.
12. Make complete entry of relevant facts in digital **Activity Log**.

COMMANDING OFFICER

13. Endorse **HANDGUN SURRENDER NOTICE RESPONSE**.
14. Forward copies of **HANDGUN SURRENDER NOTICE** and **HANDGUN SURRENDER NOTICE RESPONSE**, along with the following items, if obtained, to License Division:
    a. **Handgun License**
    b. Assigned Investigator copy of **PROPERTY CLERK INVOICE**
    c. Photocopy of **COMPLAINT REPORT**
    d. Any other substantiating documentation.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

A handgun licensee may legally dispose of a properly registered handgun by sale to a licensed New York State gun dealer, or to a person authorized to possess handguns, or by surrendering for safekeeping to a police agency. Such information must be entered on ***HANDGUN SURRENDER NOTICE RESPONSE****.*

In cases where the licensee is believed to have relocated outside of the City of New York, License Division personnel will notify the appropriate agency.

NYPD

PURPOSE To ensure the opportunity for a post-seizure retention hearing for those individuals from whom a vehicle is seized, or the lawful owner of such vehicle.

PROCEDURE Whenever a vehicle is taken into custody where the vehicle operator was arrested for any crime, members of the service will comply with the following procedure:

ARRESTING OFFICER

1. Prepare **PROPERTY CLERK INVOICE (PD521-141)** utilizing Finest Online Records Management System (FORMS) Property as indicated in *P.G. 218-19, "Invoicing Vehicles/Property as Arrest/Investigatory Evidence or for Forfeiture Proceedings or to Determine True Owner."*
2. Complete and print **VEHICLE SEIZURE FORM (PD571-1218)** for vehicles categorized as "Forfeiture" or "Arrest Evidence," utilizing FORMS Property.
3. Insert precinct vehicle seizure number obtained from the **COMMAND VEHICLE SEIZURE INDEX (PD571-091)** on the **VEHICLE SEIZURE FORM** in caption indicated.

DESK OFFICER

4. Verify **VEHICLE SEIZURE FORM** for completeness and accuracy, and have arresting officer sign.

ARRESTING OFFICER

5. Activate Body-Worn Camera (BWC) when serving **VEHICLE SEIZURE FORM** (i.e., when completing steps "6" and "7").
   a. Comply with *P.G. 212-123, "Use of Body-Worn Cameras,"* as necessary.
6. Have defendant/operator sign the **VEHICLE SEIZURE FORM** to acknowledge receipt.
   a. If defendant/operator refuses to sign, note refusal on form.
7. Sign **VEHICLE SEIZURE FORM** and issue a copy to the defendant/operator.
8. Upload completed **VEHICLE SEIZURE FORM** to FORMS Property.
9. Provide Assistant District Attorney preparing the criminal court complaint with a copy of completed **VEHICLE SEIZURE FORM**.

DESK OFFICER

10. Ensure that four photocopies of the **VEHICLE SEIZURE FORM** are made and distributed as follows:
    a Defendant,
    b. Assistant District Attorney,
    c. Invoicing officer, and
    d. Arresting officer.
11. Ensure completed **VEHICLE SEIZURE FORM** has been uploaded to FORMS Property.
12. Make a Command Log entry indicating the name and address of individual served, whether they refused or signed the form, and the name and shield number of the member of the service who served the form.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

For any questions, contact the Legal Bureau, Civil Enforcement Unit.

Vehicles registered or titled to third parties (e.g., defendant's parents, spouse, friends, relatives, or business entities) are generally not seized for forfeiture unless a beneficial ownership situation exists or some specific knowledge on the part of that third party owner can be proven. If evidence of this knowledge exists (such as statements or other indications of ownership by the defendant), it must be indicated in the "Remarks" section of the ***PROPERTY CLERK INVOICE****.*

A ***COMMAND VEHICLE SEIZURE INDEX*** *will be maintained in a binder at the desk of all commands that process arrests.*

DEPARTMENT POLICY

Commanding officers will ensure that compliance with the guidelines set forth in this procedure become part of the command's self-inspection program which will be monitored by the Quality Assurance Section. This self-inspection is mandatory and to be performed monthly.

PURPOSE To provide a standard procedure for the immediate delivery of DNA evidence from the invoicing precinct, PSA and transit district command direct to the Police Laboratory, and subsequently, immediately and directly to the Office of Chief Medical Examiner (OCME).

PROCEDURE When circumstances exist that require the immediate delivery of DNA evidence from the invoicing precinct, PSA and transit district command direct to the Police Laboratory, and subsequently, immediately and directly to the Office of Chief Medical Examiner (OCME):

DETECTIVE SUPERVISOR

1. Determine whether circumstances exist that require the immediate delivery of DNA evidence including Sexual Offense Evidence Collection Kits direct to the Police Laboratory, and subsequently, the immediate delivery of the DNA evidence including Sexual Offense Evidence Collection Kits from the Police Laboratory direct to the Office of Chief Medical Examiner (OCME) for expeditious analysis based upon:
   a. A conferral with the "catching/assigned" investigator; and,
   b. A conferral with the Crime Scene Unit personnel or Evidence Collection Team personnel who collected the DNA evidence, other forensic evidence and investigative evidence; and,
   c. The type of crime (e.g., pattern rape), and the nature of the perpetrator (e.g., violent rapist), and the results of the investigation (e.g., unidentified perpetrator), and other relevant circumstances.
2. Confer with Forensic Investigations Unit (FIU) OCME Liaison Unit personnel and, if available, the Detective Borough DNA Coordinator, regarding the circumstances requiring the **IMMEDIATE** delivery of the DNA evidence including Sexual Offense Evidence Collection Kits **DIRECT** to the Police Laboratory, and subsequently, the **IMMEDIATE** delivery of the DNA evidence including Sexual Offense Evidence Collection Kits from the Police Laboratory **DIRECT** to the OCME for expeditious analysis.
   a. If no FID OCME Liaison Unit personnel are available, confer with a Police Laboratory Evidence Control Supervisor.
   b. If the Detective Borough DNA Coordinator is not available, confer with the Detective Borough DNA Coordinator as soon as possible.
3. Confer with the desk officer, and:
   a. Explain the circumstances requiring the **IMMEDIATE** delivery of the DNA evidence **DIRECT** to the Police Laboratory, and subsequently, the **IMMEDIATE** delivery of the DNA evidence from the Police Laboratory **DIRECT** to the OCME Evidence Unit
   b. Request that a uniformed member of the service be directed to **IMMEDIATELY** deliver the DNA evidence **DIRECT** to the Police Laboratory, and subsequently, to **IMMEDIATELY**

DETECTIVE SUPERVISOR (continued)

deliver the DNA evidence from the Police Laboratory **DIRECT** to the OCME Evidence Unit.

4. Follow-up to ensure that the DNA evidence was **IMMEDIATELY** delivered **DIRECT** to the Police Laboratory, and subsequently, the DNA evidence was **IMMEDIATELY** delivered from the Police Laboratory **DIRECT** to the OCME Evidence Unit.

DESK OFFICER

5. Create a **PROPERTY TRANSFER REPORT (PD521-1412)** Finest Online Records Management System (FORMS) Property, ensuring all DNA evidence is appropriately entered in compliance with Department procedures.

MEMBER OF THE SERVICE DELIVERING DNA EVIDENCE

6. Review **PROPERTY TRANSFER REPORT** and digitally sign **REPORT**.

DESK OFFICER

7. Digitally sign **PROPERTY TRANSFER REPORT** verifying accuracy and completeness.
8. Make an entry in Command Log including:
   a. All **PROPERTY CLERK INVOICE (PD521-141)** numbers.
   b. Rank, name and tax number of the member of the service delivering the DNA evidence.
   c. Department vehicle number of the assigned vehicle.
9. Direct a uniformed member of the service to **IMMEDIATELY** deliver the DNA evidence **DIRECT** to the Police Laboratory, and subsequently, to **IMMEDIATELY** deliver the DNA evidence from the Police Laboratory **DIRECT** to the OCME Evidence Unit.

MEMBER OF THE SERVICE DELIVERING DNA EVIDENCE

10. **Immediately** deliver the DNA evidence **direct** to the Police Laboratory.

POLICE LABORATORY EVIDENCE CONTROL SUPERVISOR

11. Inspect the DNA evidence, and ensure:
    a. The DNA evidence is properly packaged and sealed.
    b. Each DNA evidence container / package is properly listed on an appropriate **PROPERTY CLERK INVOICE**.
    c. Each **PROPERTY CLERK INVOICE** is listed on an appropriate **PROPERTY TRANSFER REPORT**.
    d. All Department forms / reports are properly prepared.
    e. All required Department forms, reports, records, etc., are properly attached to the corresponding evidence.
    f. The DNA evidence is probative, **and** requires **immediate** delivery **direct** to the OCME Evidence Unit.

POLICE LABORATORY EVIDENCE CONTROL SUPERVISOR (continued)		g. If accurate confirm acceptance of **PROPERTY TRANSFER REPORT** in FORMS Property.
	12.	Assign an appropriate "Police Laboratory Number" to **each INVOICE**.
	13.	Print completed **PROPERTY TRANSFER REPORT**.
	14.	File the completed **PROPERTY TRANSFER REPORT** appropriately.
MEMBER OF THE SERVICE DELIVERING DNA EVIDENCE	15.	Create a **PROPERTY TRANSFER REPORT** using FORMS Property, ensuring all DNA evidence is appropriately entered.
	16.	Review **PROPERTY TRANSFER REPORT** and digitally sign **REPORT**.
POLICE LABORATORY SUPERVISOR	17.	Digitally sign **PROPERTY TRANSFER REPORT**.
	18.	Direct member of the service to **IMMEDIATELY** deliver the DNA evidence **DIRECT** to the OCME Evidence Unit.
MEMBER OF THE SERVICE DELIVERING DNA EVIDENCE	19.	**Immediately** deliver the DNA evidence **direct** to the OCME Evidence Unit.
	20.	If the OCME Evidence Unit refuses to accept one or more DNA evidence containers /packages, notify: a. A Police Laboratory Evidence Control Supervisor; **and**, b. When applicable, an appropriate Detective Supervisor.
OCME EVIDENCE UNIT PERSONNEL	21.	Perform intake using FORMS Property.
	22.	Confirm acceptance of **PROPERTY TRANSFER REPORT** in FORMS Property using user name and password.
	23.	Print five copies of the **PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT (PD521-172)** for each **PROPERTY TRANSFER REPORT** accepted. a. Provide three copies to Messenger. b. Retain two copies for OCME use.
MEMBER OF THE SERVICE DELIVERING DNA EVIDENCE	24.	Obtain three copies of the **PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT** for **each PROPERTY TRANSFER REPORT**.
	25.	Telephone the Police Laboratory Evidence Control Section, and confer with a supervisor. a. Provide the Evidence Control Section personnel with the OCME Evidence Unit "Evidence Control Number" assigned to **each INVOICE** listed on **each PROPERTY TRANSFER REPORT**.
	26.	Deliver all copies of the **PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT** to the desk officer.

DESK OFFICER

27. File two copies of **each PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT**.
28. **Immediately** deliver the copy of **each PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT direct** to an appropriate Detective Supervisor.

DETECTIVE SUPERVISOR

29. Ensure the copy of **each PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT** that lists DNA evidence is immediately placed in the appropriate case file.
30. Ensure entry is prepared in Enterprise Case Management System (ECMS) indicating:
    a. Date and time of delivery of **all** DNA evidence delivered to the OCME Evidence Unit; and,
    b. Police Laboratory "Police Laboratory Number" and OCME Evidence Unit "Evidence Control Number" for **all** DNA evidence delivered to the OCME Evidence Unit.

NYPD

PURPOSE To ensure that Suspect Evidence Collection Kits are properly collected and processed for subsequent analysis.

DEFINITIONS SUSPECT EVIDENCE COLLECTION KIT – a kit used by medical personnel in hospitals to gather probative forensic evidence from a suspect or arrestee.

PROCEDURE When a suspect/arrestee may have probative forensic evidence physically on their person or clothing:

ASSIGNED INVESTIGATOR

1. Determine if suspect/arrestee may have probative forensic evidence on his/her person or clothing.
   a. Evidence appropriate for collection includes, but is not limited to: clothing and underwear, body debris, secretions, bite marks, fingernail scrapings, chest hair, head hair, facial hair, pubic hair, buccal swabs, and swabs from oral, penile, scrotal, vaginal and anal areas
   b. When appropriate, photograph the suspect/arrestee's physical features, wounds, clothing, tattoos, distinguishing marks, etc.
2. When probative forensic evidence may be physically present on a suspect/ arrestee or his/her clothing, take measures to protect the forensic evidence from alteration, loss, cross transfer, contamination or change to existing physical state.
   a. When applicable, prevent the suspect/arrestee from washing hands, bathing or otherwise altering, losing or destroying forensic evidence on his/her person
   b. Prevent the suspect/arrestee from putting on or removing clothing.
3. Obtain a voluntary consent from the suspect/arrestee for trained hospital personnel to conduct a forensic evidence examination.
   a. Prepare **CONSENT TO SUSPECT EVIDENCE COLLECTION KIT (PD321-031)**
   b. Request **CONSENT TO SUSPECT EVIDENCE COLLECTION KIT** be signed by the suspect/arrestee
   c. If consent is not obtained, contact the Legal Bureau to determine the appropriate course of action. If necessary, the Legal Bureau will contact the District Attorney's Office to request an application for a court order.
4. Escort the suspect/arrestee to a designated hospital.
   a. DO NOT escort the suspect/arrestee to the same hospital where victim is being treated.
5. Alert the New York City Health and Hospital Corporation (HHC) hospital before bringing a suspect for a Suspect Evidence Collection Kit examination and request the Sexual Assault Response Team (SART) be alerted with an estimated arrival time.

ASSIGNED INVESTIGATOR (continued)

6. Prior to the forensic examination, confer with the trained medical personnel in a private area not in the presence of the suspect/arrestee.
   a. Inform the medical personnel of the authority to conduct the forensic examination (i.e., consent, court order)
   b. Explain the facts and circumstances of the investigation
   c. Explain the need to look for any wounds, injuries, tattoos, scars, or other unique features
   d. Describe the potential probative forensic evidence that may be on the suspect/arrestee (e.g., scratch marks, bite marks, semen, blood, etc.)
   e. Explain the need to collect specific evidence exemplars.
7. Ensure an investigator of the same sex as the suspect/arrestee remains with the suspect during the examination and evidence collection process.
8. Document any statements made by the suspect during the examination and evidence collection process.
9. DO NOT collect a separate DNA Suspect Exemplar using a NYPD DNA Exemplar Collection Kit when a suspect/arrestee provides a DNA Exemplar as part of the Suspect Evidence Collection Kit.
10. Upon completion of medical examination, take possession of the Suspect Evidence Collection Kit from trained medical personnel.
    a. Obtain copy of the completed **New York City Health and Hospitals Corporation Sexual Assault Suspect Examination (HHC2617)** prepared by the hospital personnel.
11. Transport the properly marked, packaged and sealed Suspect Evidence Collection Kit to the detective squad, precinct of occurrence.
12. Prepare **COMPLAINT REPORT (PD313-152)**, if not previously prepared.
13. Attach copy of the **COMPLAINT REPORT** to the Suspect Evidence Collection Kit.
    a. When applicable, attach a copy of the **COMPLAINT REPORT** to any related DNA evidence and/or other probative forensic and/or investigative evidence.
14. Prepare a separate **PROPERTY CLERK INVOICE (PD521-141)** using Finest Online Records Management System (FORMS) Property for each Suspect Evidence Collection Kit, and DO NOT invoice any other evidence on the **INVOICE** listing the Suspect Evidence Collection Kit.
    a. Enter "Suspect Evidence Collection Kit" in "ARTICLE" caption of **INVOICE**.
15. Prepare one or more separate **PROPERTY CLERK INVOICE(S)** for any other associated/related forensic evidence (e.g., suspect/arrestee's jacket, dungarees, etc.).
    a. Enter <u>all</u> associated/related numbers into FORMS Property.
16. Enter the **INVOICE** number, **COMPLAINT REPORT** number and arrest number(s), if any, on the cover of the Suspect Evidence Collection Kit.

DETECTIVE SUPERVISOR

17. Supervise evidence invoicing procedures.
18. Ensure required Biohazard Labels are properly utilized.
19. Review each **PROPERTY CLERK INVOICE** and each **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)** to ensure all captions are properly prepared and all required information is accurately entered thereon.
20. Digitally sign each **INVOICE** and each **REQUEST** in the supervisor's caption verifying accuracy and completeness.
21. Ensure appropriate copies of all **INVOICES** and all **REQUESTS** are placed in the investigating officer's case file.
22. Ensure entry is prepared in Enterprise Case Management System (ECMS) indicating:
    a. Date and time of receipt by the Police Laboratory of all Suspect Evidence Collection Kits
    b. Police Laboratory "Police Laboratory Number" for all Suspect Evidence Collection Kits.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

All associated/related evidence must be readily identifiable and retrievable from the Police Laboratory, Office of the Chief Medical Examiner (OCME), Property Clerk Division, etc. Members of the service must enter ALL associated/related ***PROPERTY CLERK INVOICE*** *serial numbers on the* ***PROPERTY CLERK INVOICE****. Failure to do so may result in disciplinary action.*

LEGAL CONSIDERATIONS

Neither consent nor a court order is necessary to invoice a suspect's clothing (including underwear) or document/photograph a suspect's physical features (e.g., bite marks, tattoos, etc.).

AUTHORIZED HOSPITALS TO PROCESS SUSPECT/ARRESTEES:

Manhattan
- *Harlem Hospital Center*
- *Metropolitan Hospital*

Queens
- *Queens Hospital Center*

Brooklyn
- *Kings County Hospital Center*
- *Woodhull Medical and Mental Health Hospital*
- *Coney Island Hospital*

Bronx
- *North Central Bronx*
- *Jacobi Medical Center*
- *Lincoln Medical Center*

PURPOSE To establish a standard procedure to invoice fireworks coming into custody of a uniformed member of the service.

DEFINITION FIREWORKS EVIDENCE - consists of bags, boxes and/or loose items of fireworks.

HEAVY DUTY BAG (FOR FIREWORKS) – a specific Department issued clear vinyl bag used for the collection and storage of loose fireworks.

PROCEDURE When fireworks evidence is invoiced:

INVOICING OFFICER

1. Take two sets of photographs of the fireworks evidence (one set for Assistant District Attorney and one set to be invoiced as arrest evidence, including if a summons is issued in lieu of arrest).
   a. If evidence consists of a large seizure of sealed boxes, provide overall photographs of the boxed fireworks.
      (1) Open one box, remove and display contents for photographing
      (2) Photograph displayed fireworks evidence
      (3) Repack and seal with Evidence Tape any box which has been opened.
2. Provide Assistant District Attorney with photograph(s).
   a. If a **DESK APPEARANCE TICKET** is issued, include photographs with arrest paperwork and note on **ARREST CHECKLIST (PD244-041)**.
3. Create **PROPERTY CLERK INVOICE (PD521-141)**, using Finest Online Records Management System (FORMS) Property for photographs taken as arrest evidence, including if a summons is issued in lieu of arrest.
   a. Include on **PROPERTY CLERK INVOICE** any associated paperwork (e.g., "price lists," sales receipts, bills of lading or other shipping papers of an evidentiary nature, etc.).
4. Create a separate **PROPERTY CLERK INVOICE**, using FORMS Property for fireworks evidence.
5. Ensure that all fields on each **INVOICE** prepared are completely, accurately, and precisely entered.
6. Ensure the following information is correctly entered on each **INVOICE** prepared:
   a. **COMPLAINT REPORT (PD313-152)** number
   b. **ON LINE BOOKING SYSTEM ARREST REPORT (PD244-159)** arrest number
   c. Charge/offense under investigation
   d. Indicate the unit case number in the "Remarks" section of **INVOICE**, if a seizure is related to an undercover operation utilizing "buys" to develop an ongoing investigation.

INVOICING OFFICER (continued)

7. Place all loose fireworks (i.e., any items not contained in a factory sealed cardboard box) into Department issued "Heavy Duty Bags (For Fireworks)" and close bag(s) with specific seal(s) provided.
8. Ensure bag is not overfilled to allow room for sealing.
9. Ensure items such as "party snaps," "cracker balls," "torpedoes" or any other firework that explodes upon impact are separated from other fireworks.
   a. A chain reaction could occur if these sensitive items were to explode in proximity to other fireworks.
10. Do not reopen bag(s) once they have been sealed.
11. Enter the quantity of sealed bag(s) of loose fireworks evidence in the quantity on the "Article" screen when entering the **PROPERTY CLERK INVOICE**.
    a. Select "BAG(S)" in the drop down menu under "Assorted Fireworks sealed in" and enter "Loose fireworks" in the "Additional Description" field.
    b. Do not individually count or describe various types of fireworks seized.
12. Enter the quantity of sealed bag(s) of fireworks in the quantity field on the "Article" screen when entering the **PROPERTY CLERK INVOICE**.
    a. Select "BAG(S)" in the drop down menu under "Assorted Fireworks sealed in."
    b. Do not individually count or describe various types of fireworks seized.
13. Enter the quantity of sealed box(es) of fireworks in the quantity field on the "Article" screen when entering the **PROPERTY CLERK INVOICE**
    a. Select "Box(es)" in the drop down menu under "Assorted Fireworks sealed in."
    b. Do not individually count or describe various types of fireworks seized.
14. Attach a photocopy of **PROPERTY CLERK INVOICE** to <u>each</u> sealed bag or box of fireworks evidence associated with the same arrest.
    a. In the event of a large seizure of fireworks evidence, a minimum of ten bags or boxes must have copies of the **PROPERTY CLERK INVOICE** attached.
15. Securely attach a photocopy of the **ON LINE BOOKING SYSTEM ARREST REPORT** to the **PROPERTY CLERK INVOICE** for fireworks evidence.
16. Securely attach a photocopy of any related **PROPERTY CLERK INVOICE(S)** prepared to the **PROPERTY CLERK INVOICE** for fireworks evidence.

DESK OFFICER

17. Ensure **PROPERTY CLERK INVOICE** is properly prepared for fireworks evidence.
18. Ensure a photocopy of **PROPERTY CLERK INVOICE** is attached to <u>each</u> sealed bag or box of fireworks evidence associated with the same arrest.

DESK OFFICER (continued)

a. In the event of a large seizure of fireworks evidence, a minimum of ten bags or boxes must have copies of the **PROPERTY CLERK INVOICE** attached.

19. Contact the Bomb Squad Range (Rodman's Neck) Monday through Friday, 0700 through 1500, for instructions regarding the delivery of fireworks to the Rodman's Neck facility.
    a. Contact the Bomb Squad Office at all other times or in the event Range personnel are unavailable.
20. Follow the instructions of the Bomb Squad member receiving the notification as to the time and manner in which the fireworks are to be delivered to the Rodman's Neck Bomb Squad facility (see *"ADDITIONAL DATA"* for more information on safely transporting fireworks in Department vehicles).
21. Make a Telephone Record entry of date, time and name of Bomb Squad member notified.
22. Ensure all fireworks are properly transferred to the Bomb Squad, using FORMS Property, and create a **PROPERTY TRANSFER REPORT (PD521-1412)**.
23. Make a Command Log entry regarding the delivery of fireworks evidence to the Rodman's Neck facility and include the following:
    a. List of **PROPERTY CLERK INVOICE** numbers being delivered to Rodman's Neck Bomb Squad facility
    b. Name and shield number of member(s) of the service delivering fireworks evidence
    c. Department vehicle number(s) used in transportation.
24. Ensure two copies of the **PROPERTY CLERK INVOICE** remain with the fireworks delivery.
    a. Delivering member will receive the **PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT (PD521-172)**, with assigned Bomb Squad case number, as a receipt upon delivery of fireworks to the Rodman's Neck facility.
25. Ensure that an adequate number of Department issued "Heavy Duty Bags (For Fireworks)" are on hand for the safe packaging of loose fireworks evidence.
    a. Additional "Heavy Duty Bags (For Fireworks)" may be obtained from the Quartermaster Section as required.

MEMBER OF THE SERVICE DELIVERING FIREWORKS

26. Deliver fireworks evidence and associated **PROPERTY CLERK INVOICE(S)** to the Bomb Squad Rodman's Neck facility as directed by desk officer (see *"ADDITIONAL DATA"* for more information on safely transporting fireworks in Department vehicles).
27. Return **PROPERTY TRANSFER REPORT ACCEPTANCE DOCUMENT** and copy of **Bomb Squad Fireworks Supporting Deposition** supplied by the Bomb Squad to desk officer upon return to command.

DESK OFFICER 28. Have copies of **PROPERTY CLERK INVOICE** for fireworks evidence and **Bomb Squad Fireworks Supporting Deposition** filed in member's arrest folders upon receipt.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

All loose fireworks must be placed and sealed only in the Department issued "Heavy Duty Bags (For Fireworks)." The use of any other bag (e.g., peddler, garbage, recycling, etc.) is strictly prohibited.

Members of the service must always carefully follow all safety procedures when handling and/or transporting fireworks. The improper storage, transportation or handling of fireworks could result in serious injury or even death. Caution must be maintained throughout the entire procedure from seizure to disposal. The following precautions must be adhered to for reasons of personnel safety:

a. No smoking within fifty feet of any fireworks.
b. Handle all bags and boxes containing fireworks with care.
c. The Bomb Squad should be contacted from the scene whenever large seizures are made, whenever an unusual problem arises regarding fireworks or when any question regarding safety arises.
d. Large amounts of fireworks should not be stored in any Department facility. All fireworks are to be delivered to the Bomb Squad range facility as soon as practical, or as directed by the Bomb Squad after making the required notification as indicated in step "19" above. Small amounts of fireworks can safely be stored prior to transport by avoiding placement near any source of excessive heat such as radiators and portable heaters.
e. Items such as "party snaps," "cracker balls," "torpedoes" or any other fireworks that explode upon impact must be separated from other fireworks. A chain reaction could occur if these sensitive items were to explode in proximity to other fireworks.
f. As a general rule, no more than four bags of fireworks should be transported in an RMP. When fireworks are transported in an RMP, they should be placed in the rear seat as this is away from any source of heat or spark. Within Department passenger vans, fireworks should also be placed on the rear bench seats in accordance with the general rule of no more than four bags per seat.
g. When transporting fireworks in a Department vehicle all windows should be opened a minimum of two inches to avoid toxic fumes. Fireworks should not be placed in the trunk of a vehicle.
h. As a general rule, no more than twenty-five sealed bags or boxes of fireworks should be transported in a Department cargo van.
i. Large seizures of fireworks, including any seizure of more than twenty-five sealed bags or boxes should be transported by a closed-body truck with a separate cab and wood cargo floor. The load must also be secured to keep it from shifting during transport. Open rack or barrier trucks will not be used for transporting fireworks.
j. Prior to transporting a significant amount of fireworks, the member concerned will, in addition to other required notifications, provide a telephone notification to the New York City Fire Department through the Mayor's Citizen Service Initiative Hotline Number, "311." The Fire Department will provide appropriate fire protection apparatus to escort the shipment.

ADDITIONAL DATA (continued)

k. When a large seizure of fireworks is delivered to the Bomb Squad range after dark, no unloading of any trucks will take place due to safety considerations. The final decision to load or unload a particular vehicle rests solely with members of the Bomb Squad. Any such shipments will be maintained overnight inside the secure perimeter of the Bomb Squad range and will be emptied and available for pickup by the command concerned as soon as possible.

All members of the service are reminded that when handling and transporting fireworks, safety is the top priority.

NYPD

PATROL GUIDE

Section: Property - General		Procedure No: 218-54
PREPARATION OF REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)		
DATE EFFECTIVE: 05/20/24	LAST REVISION: R.O. 31	PAGE: 1 of 1

PURPOSE To provide guidelines for the proper preparation of a **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)** using Finest Online Records Management System (FORMS) Property.

PROCEDURE When a **REQUEST FOR LABORATORY EXAMINATION REPORT** is required to be prepared:

INVOICING OFFICER

1. Select "YES" to the question, "Is a 'Request for Laboratory Examination' required?'," when preparing a **PROPERTY CLERK INVOICE (PD521-141)**.
2. Select the type of evidence, i.e., "DNA", "Firearms/Firearms Related", "Criminalistics", or "Other".
3. Ensure all of the applicable information is selected/entered in the "DNA ELIMINATION SAMPLES" section.
4. Select and add all Analysis Exam Numbers for each item listed on the **INVOICE**.
5. Digitally sign **REQUEST FOR LABORATORY EXAMINATION REPORT** verifying accuracy and completeness.

DESK OFFICER

6. Digitally sign **REQUEST FOR LABORATORY EXAMINATION REPORT** verifying accuracy and completeness.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*A **REQUEST FOR LABORATORY EXAMINATION REPORT** must be prepared for each **INVOICE** that lists evidence that will be submitted to the laboratory for analysis.*

*The **REQUEST FOR LABORATORY EXAMINATION REPORT** can also be prepared when a **PROPERTY CLERK INVOICE** has already been completed by selecting the "REQUEST FOR LABORATORY EXAMINATION" tab.*

*Members of the service are reminded that all **REQUEST FOR LABORATORY EXAMINATION REPORTS** are to be prepared using FORMS Property. If FORMS Property is off-line prohibiting members from preparing a **REQUEST FOR LABORATORY EXAMINATION REPORT**, members will comply with guidelines set forth in P.G. 218-57, "Invoicing Property Due to Application Failure of Finest Online Records Management System (FORMS) Property."*

PURPOSE To properly record retention requests of invoiced property listed on a **PROPERTY CLERK INVOICE (PD521-141)** or a motor vehicle/boat listed on a **PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE (PD521-147)**.

PROCEDURE When property/evidence invoiced as Investigatory or DNA Investigatory and held in the custody of the Property Clerk Division is required to be retained longer than one year for property other than motor vehicle/boat or longer than fifteen days for motor vehicle/boat:

FOR PROPERTY THAT HAS BEEN INVOICED USING FINEST ONLINE RECORDS MANAGEMENT SYSTEM (FORMS) PROPERTY:

ASSIGNED INVESTIGATOR /INVOICING OFFICER

1. Prepare and submit **REQUEST FOR RETENTION (PD521-169)** using FORMS Property.
2. Perform a separate **REQUEST FOR RETENTION** for each associated **PROPERTY CLERK INVOICE.**

PROPERTY CLERK FACILITY CONCERNED

3. Review **REQUEST FOR RETENTION**.
   a. If retention request is DISAPPROVED, digitally sign **REQUEST FOR RETENTION** and provide explanation for disapproval to assigned investigator/invoicing officer.
   b. If retention request is APPROVED, digitally sign **REQUEST FOR RETENTION** and ensure property/evidence is retained, as appropriate.

FOR PROPERTY THAT HAS BEEN INVOICED PRIOR TO THE TENURE OF THE PROPERTY AND EVIDENCE TRACKING SYSTEM (PETS):

ASSIGNED INVESTIGATOR /INVOICING OFFICER

4. Prepare snap-out version of **RETENTION OF PROPERTY REQUEST (PD521-166)**.
5. Prepare a separate **RETENTION OF PROPERTY REQUEST** for each associated **PROPERTY CLERK INVOICE**

DETECTIVE BUREAU SUPERVISOR/ DESK OFFICER

6. Confer with the assigned investigator and ensure the **RETENTION OF PROPERTY REQUEST** is properly prepared.
7. Review and sign **RETENTION OF PROPERTY REQUEST**.

ASSIGNED INVESTIGATOR /INVOICING OFFICER

8. Forward **RETENTION OF PROPERTY REQUEST** as follows:
   a. WHITE and YELLOW– Property Clerk Division
   b. BLUE – Assigned Investigator
   c. GREEN – District Attorney's Office
   d. PINK – Invoicing Officer
   e. BUFF – Arresting/Assigned Officer.
9. Immediately place "BLUE – Assigned Investigator" copy of the **RETENTION OF PROPERTY REQUEST** in the case folder.

PROPERTY CLERK DIVISION MEMBER

10. Assign and record Property Clerk Division Communications number.
11. Forward "Yellow" copy of **RETENTION OF PROPERTY REQUEST** to Property Clerk storage facility.
12. File "White" copy of **RETENTION OF PROPERTY REQUEST**.

PROPERTY CLERK STORAGE FACILITY MEMBER

13. File "Yellow" copy of **RETENTION OF PROPERTY REQUEST** with the "Yellow" copy of the **PROPERTY CLERK INVOICE/PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE**.
14. Enter new retention date in remarks of ORIGINAL "White" copy of the **PROPERTY CLERK INVOICE/PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE**.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*If a **RETENTION FOR PROPERTY REQUEST** or a **REQUEST FOR RETENTION**, using FORMS Property, is not submitted within one year for property other than motor vehicle/boat or within fifteen days for a motor vehicle/boat, the Property Clerk Division will dispose of the property/vehicle except for property/motor vehicle/boat involved in homicide investigations, sexual offenses, arson/explosion, member of service involved or IAB cases. Submission of the **RETENTION FOR PROPERTY REQUEST** or **REQUEST FOR RETENTION** to the Property Clerk Division will only retain that property/motor vehicle/boat for one year. If additional retention of the property/motor vehicle/boat is necessary, a new **RETENTION FOR PROPERTY REQUEST** or **REQUEST FOR RETENTION** must be submitted for each additional one year period*

PURPOSE To properly record changes to the category of invoiced property or a motor vehicle/boat listed on a **PROPERTY CLERK INVOICE (PD521-141)** or a **PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE (PD521-147)**.

PROCEDURE When the category of invoiced property and/or motor vehicle/boat in the custody of the Property Clerk Division must be changed:

FOR PROPERTY THAT HAS BEEN INVOICED USING FINEST ONLINE RECORDS MANAGEMENT SYSTEM (FORMS) PROPERTY OR THE PROPERTY AND EVIDENCE TRACKING SYSTEM (PETS):

ASSIGNED INVESTIGATOR /INVOICING OFFICER

1. Use "Change of Category" function in FORMS Property to complete a **REQUEST FOR INVOICE CHANGE OF CATEGORY (PD521-167)** when:
   a. CASE CLOSED/ARREST - The category of invoiced property must be changed from Investigatory or DNA Investigatory to Arrest Evidence or DNA Arrest Evidence in order for the Property Clerk to retain the evidence.
   b. CASE CLOSED/NO ARREST - The category of invoiced property must be changed from Investigatory evidence or DNA Investigatory evidence to Safekeeping.
   c. All other instances requiring a change to the category of invoiced property.
2. Complete a separate **REQUEST FOR INVOICE CHANGE OF CATEGORY** for each associated **PROPERTY CLERK INVOICE**.

DESK OFFICER/ SUPERVISOR, PROPERTY CLERK FACILITY CONCERNED

3. Review and digitally sign **REQUEST FOR INVOICE CHANGE OF CATEGORY** approving or rejecting the change.

FOR PROPERTY THAT HAS BEEN INVOICED PRIOR TO THE TENURE OF THE PROPERTY AND EVIDENCE TRACKING SYSTEM (PETS:

ASSIGNED INVESTIGATOR /INVOICING OFFICER

4. Prepare snap-out version of **REQUEST FOR INVOICE CHANGE OF CATEGORY (PD521-167)** when:
   a. CASE CLOSED/ARREST - The category of invoiced property must be changed from Investigatory or DNA Investigatory to Arrest Evidence or DNA Arrest Evidence in order for the Property Clerk to retain the evidence.

ASSIGNED INVESTIGATOR /INVOICING OFFICER (continued)

(1) Include a printed "hard copy" of the **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**.

b. CASE CLOSED/NO ARREST - The category of invoiced property must be changed from Investigatory evidence or DNA Investigatory evidence to Safekeeping.

c. All other instances requiring a change to the category of invoiced property on a **PROPERTY CLERK INVOICE (PD521-141)** or a motor vehicle/boat invoiced on a **PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE (PD521-147)** previously forwarded to the Property Clerk Division.

5. Prepare a separate **REQUEST FOR INVOICE CHANGE OF CATEGORY** for each associated separate **PROPERTY CLERK INVOICE/PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE**.

DETECTIVE BUREAU SUPERVISOR/ DESK OFFICER

6. Confer with the assigned investigator and ensure the **REQUEST FOR INVOICE CHANGE OF CATEGORY** form was properly prepared and the new category is correct.

7. Review and sign **REQUEST FOR INVOICE CHANGE OF CATEGORY** form.

ASSIGNED INVESTIGATOR /INVOICING OFFICER

8. Forward **REQUEST FOR INVOICE CHANGE OF CATEGORY** as follows:
   a. WHITE and YELLOW– Property Clerk Division
   b. BLUE – Assigned Investigator
   c. GREEN – District Attorney's Office
   d. PINK – Invoicing Officer
   e. BUFF – Arresting/Assigned Officer.

9. Immediately place "BLUE – Assigned Investigator" copy of the **REQUEST FOR INVOICE CHANGE OF CATEGORY** form in the case folder.

PROPERTY CLERK DIVISION MEMBER

10. Assign/Record Property Clerk Division Communications number.

11. Forward "Yellow" copy of **REQUEST FOR INVOICE CHANGE OF CATEGORY** to storage facility.

12. File "White" copy of **REQUEST FOR INVOICE CHANGE OF CATEGORY**.

PROPERTY CLERK STORAGE FACILITY MEMBER

13. File "Yellow" copy of **REQUEST FOR INVOICE CHANGE OF CATEGORY** with the "Yellow" copy of the **PROPERTY CLERK INVOICE/PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE**.

14. Stamp **ORIGINAL** "White" copy of the **PROPERTY CLERK INVOICE/ PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE** with date and new category.

15. Determine if property/motor vehicle/boat is now eligible for disposal.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

If a change of category is requested in regards to property invoiced on the snap-out version of the ***PROPERTY CLERK INVOICE*** *or* ***PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE*** *and the property is still stored at the command, the original* ***PROPERTY CLERK INVOICE*** *or* ***PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE*** *will be voided and the property will be invoiced in the correct category using FORMS Property.*

The Property Clerk Division will dispose of invoiced property other than a vehicle that has been invoiced as Investigatory or DNA Investigatory, after one year and a vehicle after fifteen days from the date of invoice, except property/vehicles involved in homicide investigations, sexual offenses, arson/explosion investigations, members of the service or IAB cases. Members will comply with P.G. 218-55, "Retention of Invoiced Property" if retention of the property is required.

NYPD

Section: Property - General		Procedure No: 218-57
INVOICING PROPERTY DUE TO APPLICATION FAILURE OF FINEST ONLINE RECORDS MANAGEMENT SYSTEM (FORMS) PROPERTY		
DATE EFFECTIVE: 12/31/24	LAST REVISION: R.O. 78	PAGE: 1 of 2

PURPOSE To set the guidelines for invoicing property when Finest Online Records Management System (FORMS) Property becomes inoperable due to system outage, extended maintenance or other unforeseen circumstance that will not allow members of the service access to the system.

PROCEDURE When FORMS Property becomes inoperable:

DESK OFFICER/ SUPERVISOR CONCERNED

1. Have invoicing officer immediately notify the Information Technology Bureau (ITB) Service Desk, if FORMS Property becomes inoperable at anytime.
2. Ascertain from the ITB Service Desk when problem is not correctable, if problem is limited to the command or borough/citywide, and the anticipated period of time FORMS Property will be inoperable.
3. Make a command log entry consisting of the ITB Service Desk member notified, the applicable Service Desk ticket number, and the anticipated duration of the FORMS Property outage.

IF FORMS PROPERTY WILL BE INOPERABLE FOR SIX HOURS OR LESS

DESK OFFICER/ SUPERVISOR CONCERNED

4. Have **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** prepared, and have **WORKSHEET** entered into FORMS Property when it becomes operational.

IF FORMS PROPERTY WILL BE INOPERABLE FOR MORE THAN SIX HOURS AND PROBLEM IS ISOLATED TO COMMAND OF INVOICE ONLY

DESK OFFICER/ SUPERVISOR CONCERNED

5. Instruct invoicing member to remove property to adjoining command and invoice property in compliance with current Department procedures.
6. Make Command Log entry indicating:
   a. Invoicing officer
   b. List of all property that is being removed
   c. Command to which property is being removed.
7. Inspect **PROPERTY CLERK INVOICE (PD521-141)** ensuring all property removed from command is listed on **INVOICE**, upon return of invoicing officer.
8. Make Command Log entry of **INVOICE** numbers and have property stored in proper location.

IF FORMS PROPERTY IS INOPERABLE CITYWIDE FOR MORE THAN SIX HOURS

DESK OFFICER/ SUPERVISOR CONCERNED

9. Contact the ITB Service Desk supervisor and be guided by the supervisor's instructions.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

When invoicing property at an adjoining command, the invoicing officer will select the command where incident occurred as the invoicing command. The "Putaway" function, using FORMS Property, will be conducted at the adjoining command. During the "Putaway" process, members of the service will select the invoicing command as the location where the property will be stored.

Commanding officers of all invoicing commands will ensure that an adequate supply of ***PROPERTY LOGS****, pre-printed serialized* ***PROPERTY CLERK INVOICES****,* ***PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICES*** *and their associated* ***WORKSHEETS*** *are stored in the property room and made available in the event that FORMS Property becomes inoperable. These* ***INVOICES*** *are not to be utilized to invoice property, motor vehicles or boats until instructed to do so by the Commanding Officer, Information Technology Systems Division. In addition, Department forms* ***PROPERTY CLERK INVOICE WORKSHEET, PROPERTY TRANSFER RECEIPT (PD521-145), COMMAND EVIDENCE TRANSMITTAL REPORT (PD521-155), BOROUGH EVIDENCE TRANSMITTAL REPORT (PD521-156), EVIDENCE TRANSMITTAL REPORT (PD521-158), REQUEST FOR LABORATORY EXAMINATION REPORT – FIRST SHEET (PD521-165), REQUEST FOR LABORATORY EXAMINATION REPORT – SECOND SHEET (PD521-165A)****, and* ***REQUEST FOR LABORATORY EXAMINATION REPORT – THIRD SHEET (PD521-165B)*** *have been made available as form fillable PDFs on the Department Intranet.*

When pre-printed serialized ***PROPERTY CLERK INVOICES*** *and* ***PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICES*** *are received at the command, the commanding officer will ensure that all serial numbers are accounted for. If an* ***INVOICE*** *is found to be missing or duplicated, a report on* ***Typed Letterhead*** *will be prepared and forwarded to the Property Clerk Division. The duplicate* ***INVOICE*** *will be marked "DUPLICATE" and forwarded with the report. A copy of the report will be filed with the remaining supply of* ***INVOICES*** *stored at the command. The report will then be filed when the supply of* ***INVOICES*** *have been exhausted. In addition, the commanding officer will investigate the circumstances of missing* ***INVOICES*** *and take appropriate action.*

PURPOSE To ensure that Department vehicles and assigned equipment are received in good, serviceable order.

PROCEDURE At beginning of tour of duty when relieving previous operator:

VEHICLE OPERATOR

1. Inspect vehicle to determine:
   a. Sufficient gasoline in tank and proper amount of oil in crank case
   b. Engine coolant reservoir level
   c. Brakes, lights, windshield wipers and warning devices are working properly
   d. Tires and spare are properly inflated
   e. Battery has sufficient water, if applicable
   f. Lug wrench and jack are in trunk
   g. Rechargeable flashlight in trunk is operable, if applicable
   h. Passenger area does not contain contraband, controlled substances, weapons or other property
   i. All safety belts are in proper working order and two safety belt extenders (with vehicle number engraved and stored in glove compartment when not is use) are available
   j. E-Z Pass tag is affixed to center top area of windshield
   k. New York State inspection stickers (all Department vehicles) and New York State registration stickers (unmarked vehicles) are current and valid
   l. Mobility tablet is operable, if applicable
   m. License Plate Reader equipment is operable, if available
   n. Vehicle printer operable, if applicable.
2. Inspect the following equipment assigned to vehicle:
   a. Two disposable emergency blankets (marked/unmarked RMPs/vans)
   b. Four traffic cones
   c. Fire extinguisher
   d. Life ring with rope attached (if RMP is assigned to a command that borders or contains a body of water)
   e. Box of disposable gloves
   f. Three foot polycarbonate shield with door bag (door rope/wedge) affixed
   g. Safety flares (if assigned to vehicle)
   h. Patrol Kit (marked RMP's)
   i. Barrier tapes ("POLICE LINE DO NOT CROSS" and "CRIME SCENE DO NOT CROSS")
   j. First aid kit (marked/unmarked RMP's)
   k. Ballistic Window Inserts and Window Insert Wedges, if so equipped

VEHICLE OPERATOR (continued)

l. Two heavy duty ballistic vests (if assigned to vehicle)
m. Life hammer
n. Two vest type life jackets (if RMP is assigned to a sector that has a body of water).

NOTE *Commanding officers will arrange to use the Department issued engraving tool to mark each crow bar, sledge hammer, and polycarbonate shield with the command's designation and identifying serial number (e.g., 104 Pct - 001). A record of the equipment, and the vehicle it is assigned to, including the E-Z pass serial number, will be maintained and referred to during weekly vehicle inspections.*

3. Inspect the following records maintained including:
   a. **INSPECTION AND EQUIPMENT RECORD (PD571-143)**
      (1) Ensure serial number of E-Z Pass tag is recorded
   b. **RADIO REPAIR RECORD (PD547-141)**
   c. **RADIO CODE SIGNAL CARD (PD112-090A)**
   d. Deaf or hard of hearing visor card, and Deaf or hard of hearing instruction card (marked RMPs).

NOTE *The vehicle assigned to the patrol supervisor must comply with requirements listed above and, in addition, be equipped with the following items:*

a. ***DETAIL ROSTER/ASSIGNMENT SHEET (PD406-141)***
b. Rapid Mobilization Plan Dispatch Schedule
c. Command Disorder Control Plan
d. Waterproof body covers (4)
e. Restraining straps
f. Crime scene signs
g. Crowbar
h. Sledgehammer
i. Crime scene evidence cones (5).

4. Enter in digital **Activity Log**:
   a. Result of inspection
   b. Odometer reading
   c. Gas gauge reading.
5. Report condition of vehicle and equipment, including missing or damaged equipment or defective seatbelts, or indications of improper use of seatbelt (e.g., seatbelt buckled without occupant or behind seat), to patrol supervisor.

PATROL SUPERVISOR

6. Verify that proper inspection and required entries have been made in digital **Activity Log**.
7. Direct correction of minor deficiencies and follow-up to ensure compliance.
8. Enter results in digital **Activity Log**.
9. Report serious deficiencies to lieutenant platoon commander or in his/her absence, direct to the commanding officer.
10. Report all vandalism to vehicle/equipment to the Internal Affairs Bureau.

NOTE *In the event that a member of the service from another command borrows equipment, the identity of that member must be verified by the desk officer and appropriate Command Log entries made.*

ADDITIONAL DATA

MOBILITY DEVICES

Technical support for mobility devices can be obtained by calling the Information Technology Bureau (ITB) Service Desk (24 hours/7 days) at [redacted]*. Mobility tablets are assigned and labeled to the vehicle they are installed in and are not to be moved to any other vehicle.*

NYPD

PURPOSE To ensure that Department vehicles, assigned equipment and related records are being maintained properly.

PROCEDURE Each Sunday, after second platoon is posted, or at other times as directed by commanding officer:

LIEUTENANT PLATOON COMMANDER/ PATROL SUPERVISOR

1. Inspect each Department vehicle assigned to the command for:
   a. Serviceability
   b. Cleanliness and condition
   c. Accessories and equipment - check **INSPECTION AND EQUIPMENT RECORD (PD571-143)**
   d. Current and valid New York State inspection stickers (all Department vehicles) and New York State registration stickers (unmarked Department vehicles)
   e. Safety belts/safety belt extenders – ensure that safety belts are in proper working order, take corrective action when necessary, and safety belt extenders with vehicle number engraved are stored in glove compartment when not in use
   f. Visual Messaging Signs for operability
   g. Presence of properly installed Ballistic Window Inserts and Window Insert wedges, if so equipped
   h. Mobility tablet, dock and related equipment.

NOTE *Ensure E-Z Pass tag assigned to vehicle is affixed to center top of windshield and the tag's serial number is recorded on* ***INSPECTION AND EQUIPMENT RECORD*** *and* ***VEHICLE INSPECTION REPORT (PD571-153)****.*

2. Direct operator to correct minor deficiencies.
   a. Verify by appropriate follow-up inspection.
3. Complete **VEHICLE INSPECTION REPORT (PD571-153)** and submit to lieutenant platoon commander/desk officer to report results of inspection.

NOTE *If the lieutenant platoon commander is unavailable, the duties described in steps 1, 2, and 3 above will be performed by the patrol supervisor.*

LIEUTENANT PLATOON COMMANDER/ DESK OFFICER

4. Deliver **VEHICLE INSPECTION REPORT** to commanding officer for signature and file.
5. Direct member of the service to log into Support Services Division's online application via Department intranet to schedule an appointment for preventive maintenance/inspection or other required repairs.

NOTE *If the lieutenant platoon commander is unavailable, the duties described in steps 4 and 5 above will be performed by the desk officer.*

6. Report serious deficiencies to commanding officer.

ADDITIONAL DATA

MOBILITY DEVICES

Technical support for mobility devices can be obtained by calling the Information Technology Bureau (ITB) Service Desk (24 hours/7 days) at [redacted]. Mobility tablets are assigned and labeled to the vehicle they are installed in and are not to be moved to any other vehicle.

RELATED PROCEDURE

Inspection of Department Vehicles Each Tour by Operator (P.G. 219-01)

FORMS AND REPORTS

INSPECTION AND EQUIPMENT RECORD (PD571-143)
VEHICLE INSPECTION REPORT (PD571-153)

NYPD

PURPOSE To ensure Department vehicles are being maintained, inspected, and have timely repairs made.

PROCEDURE When a Department vehicle requires preventive maintenance, inspection, or non-routine maintenance:

PREVENTIVE MAINTENANCE/INSPECTION

RADIO MOTOR PATROL OPERATOR

1. Notify desk officer for routine maintenance to and/or inspection of Department vehicle.

DESK OFFICER

2. Direct Automotive Service Worker from Fleet Services Division assigned to command, or designate a member of the service if Automotive Service Worker is not available, to perform the tasks described below.

AUTOMOTIVE SERVICE WORKER/ DESIGNATED MEMBER OF THE SERVICE

3. Schedule an appointment for routine maintenance to and/or inspection of Department vehicle as follows:
   a. Log into the Fleet Services Division's online application via the Department Intranet and select "Fleet Services" option
   b. Sign into system using Windows/Email I.D. and password
   c. Select the "CMD" option then "Request PM/INSP Appointment"
   d. Enter all applicable captions and submit.

NOTE *To ascertain vehicle's pickup date, check "View Status" in the "CMD" option in the aforementioned step. When the status shows "Complete," the vehicle is ready to be picked up.*

VEHICLE REPAIRS OTHER THAN PREVENTIVE MAINTENANCE/ INSPECTION

RADIO MOTOR PATROL OPERATOR

4. Notify desk officer of the need for repairs to Department vehicle.
   a. Repairs to Department vehicles include, but are not limited to, air conditioning problems, broken glass, or other issues causing the vehicle to require non-routine maintenance.
   b. Software or hardware related issues of the mobility tablet, dock or other related equipment.

DESK OFFICER

5. Direct Automotive Service Worker from Fleet Services Division assigned to command, or designate a member of the service if Automotive Service Worker is not available, to perform the tasks described below.

AUTOMOTIVE SERVICE WORKER/ DESIGNATED MEMBER OF THE SERVICE

6. Notify Fleet Services Division of Department vehicle requiring repairs as follows:
   a. Log into the Fleet Services Division's online application via the Department Intranet and select "Fleet Services" option
   b. Sign into system using Windows/Email I.D. and password
   c. Select the "CMD" option then "Submit Vehicle"
   d. Enter six digit vehicle number and select the vehicle problem from the drop down menu
      (1) A further description of the vehicle problem must be entered in the "Comments" area along with the location of where the vehicle is parked.
7. Ensure vehicle and keys are made available for roadside repair operator upon arrival.
   a. Indicate in Fleet Services Division's online application the exact location of keys and Department vehicle requiring repair.

NOTE *When moving a Department vehicle to an authorized repair facility or when returning to command, notify the radio dispatcher.*

FLEET SERVICES DIVISION

8. Review Notification System daily.
   a. Review all recent entries.
   b. Update preventive maintenance and inspection times and dates.
   c. Triage vehicles placed on the notification system to determine if repairs can be performed on-site or if vehicle needs to be brought to an authorized repair facility.
9. Dispatch roadside repair or Department Tow when applicable.
10. Contact the requesting command directly for windshield or glass repair and advise command that the Department vehicle will either be required to report to an authorized glass repair facility or a mobile glass repair unit will be dispatched to the location of vehicle.

DESK OFFICER

11. Make Command Log entry of the time of arrival and departure of roadside repair operator.
    a. Include vehicle number and whether roadside repair was able to repair the vehicle, or if not, Department Tow will be required.

ADDITIONAL DATA *The Fleet Services Division provides a roadside repair service capable of making minor repairs to inoperative Department vehicles. Requests for this service can be made through the Fleet Services Division's online application via the Department Intranet or by calling Department Tow directly.*

A Department vehicle requiring repairs by an outside agency, either under service warranty or contractual agreement, will first be delivered to the Borough Service Station concerned for inspection and recording of type of repair needed. The vehicle will be returned to the Borough Service Station upon completion of repairs no later then the next business day.

ADDITIONAL DATA (continued)

In instances where a vehicle windshield or other glass is cracked, the description of the damage will be noted in the "Comments" area. This will be useful in determining if the windshield glass can be repaired on-site (Borough Service Station or command), or if the vehicle will have to be removed to an authorized glass repair facility.

Air conditioning problems in vehicles can be caused by numerous malfunctions, some of which can be repaired by roadside repair technicians. The roadside repair technician will determine if the air conditioning can be repaired on-site or if the vehicle will need to be removed to a designated Fleet Services Division repair facility.

Technical support for mobility devices can be obtained by calling the Information Technology Bureau (ITB) Service Desk (24 hours/7 days) at (646) 610-6473. The vendor will then make an appointment to troubleshoot and fix the issue at the command. Fleet Services Division will not handle technical support for mobility tablets. Mobility tablets are assigned and labeled to the vehicle they are installed in and are not to be moved to another vehicle. When a vehicle with a tablet installed is placed permanently out of service (i.e., due to a collision, high mileage, poor condition, etc.) return the mobility tablet with the vehicle to Fleet Services Division.

RELATED PROCEDURES

Tire Repairs – Except Motorcycles (P.G. 219-05)
Tire Replacement on Department Vehicles (P.G. 219-06)
Department Tow (P.G. 219-09)

PURPOSE To designate car wash vendors within commands and provide for a method of payment.

DEFINITION DEPARTMENT VEHICLE - All Department vehicles, both marked and unmarked, assigned to various commands except patrol wagons, buses, trucks or vehicles used for duty of a confidential nature.

PROCEDURE To provide for washing of Department vehicles:

COMMANDING OFFICER

1. Solicit the required number of vendors as directed by the Quartermaster Section, prior to the beginning of the fiscal year.

NOTE *The Office of the Comptroller has mandated that all such contracts be awarded based on competitive bidding. Therefore, when requested, all precinct commands will attempt to solicit the required number of bids from vendors. (Vendors solicited are not restricted to the boundaries of the precinct commands). The commanding officer/designee will personally visit each vendor to solicit the bids.*

2. Direct the washing of Department vehicles, as needed.

DESK OFFICER

3. Prepare **CAR WASH AUTHORIZATION (PD171-051),** in triplicate, specifying type of vehicle (e.g., passenger, van, scooter) and vehicle number.
   a. Assign next command serial number.

NOTE *Command serial numbers are assigned starting with number "1" for the first communication each year. An index for **CAR WASH AUTHORIZATIONS** may be maintained using either a computer application or a log book.*

   b. Complete all other captions on form and sign.
4. Give two copies of **CAR WASH AUTHORIZATION** to operator of vehicle to be washed.
5. Secure a copy in file to be reviewed at later date.

OPERATOR, DEPARTMENT VEHICLE

6. Give two copies of **CAR WASH AUTHORIZATION** form to vendor upon completion of service.
   a. Make digital **Activity Log** entry of the **CAR WASH AUTHORIZATION** number and the location of the car wash.

NOTE *Commands, other than precincts, will utilize vendors designated by precincts to wash Department vehicles. The **CAR WASH AUTHORIZATION** will be obtained from the desk officer, precinct in which the car wash is located, and the above steps complied with. Housing Bureau and Transit Bureau personnel will use the vendors designated by their own command and will obtain **CAR WASH AUTHORIZATION** from the desk officer of the PSA or transit district concerned.*

COMMANDING OFFICER

7. On the first of each month, direct a competent member of the service to pick up one copy of each **CAR WASH AUTHORIZATION** for the previous month from the vendor.
   a. One copy remains with the vendor for their records.

PRECINCT CLERICAL MEMBER

8. Compare copies of **CAR WASH AUTHORIZATION** forms obtained from the vendor with the copies in the file at desk to ensure all are accounted for.
   a. Indicate on copy of **CAR WASH AUTHORIZATION** filed at desk that copy of **CAR WASH AUTHORIZATION** from vendor was received.
9. List all washes on **EXPENSE REPORT (PD102-061)** by vehicle type (passenger, van, scooter), number of washes, cost per wash, total amount to be paid to vendor, and grand total for all washes, for all types of vehicles, as illustrated below:

Pass. Veh.	# of washes	cost per wash	=	cost
Van	# of washes	cost per wash	=	cost
Scooter	# of washes	cost per wash	=	cost
			TOTAL	$

10. Forward two copies of **EXPENSE REPORT** to Audits and Accounts Unit, with one copy of each **CAR WASH AUTHORIZATION** attached.

NOTE

EXPENSE REPORTS *will be forwarded to the Audits and Accounts Unit by the 10th day of each month.*

11. File "Command File" copy of **EXPENSE REPORT**.

ADDITIONAL DATA

If a change in the authorized vendor is required, due to unforeseen circumstances, a request must be forwarded to the Chief of Patrol, through channels, indicating the reason for the change and the recommended vendor to be utilized. The use of an unauthorized vendor is strictly prohibited.

Section: Department Property		Procedure No: 219-05	
TIRE REPAIRS - EXCEPT MOTORCYCLES			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To have tires for Department vehicles, except motorcycles, repaired quickly.

PROCEDURE If a tire from a Department vehicle requires repair:

DEPARTMENT OPERATOR

1. Deliver tire and wheel to Authorized Tire Repair Station designated by commanding officer.
2. Obtain blue copy of **TIRE REPAIR VOUCHER (PD571-061)** prepared and signed by repair station representative, as receipt.
3. Return blue copy of **VOUCHER** to tire repair station representative after tire repaired.
   a. When a tire is removed from rim and cannot be repaired, the only charge to be entered on the **VOUCHER** will be for removal of the tire.
4. Verify that charges listed on **VOUCHER**, after repairs, are completed and correct.
5. Sign white and yellow copies of **VOUCHER**:
   a. Obtain white (original) copy
   b. Yellow copy remains at tire repair station as a record of work performed.
6. Deliver white copy of **VOUCHER** to desk officer of command to which vehicle is assigned.
7. Enter tire repair information on **VEHICLE REPORT (PD571-146)**.

DESK OFFICER

8. Verify entries on **VOUCHER**, sign and file.
9. Forward **VOUCHER** to patrol precinct in which Tire Repair Station is located, if necessary.

ADDITIONAL DATA *When an Authorized Tire Repair Station requires a new **VOUCHER** pad, the desk officer will issue the new pad and enter in the Command Log the first and last serial number of the new pad and the pad being returned. The returned **VOUCHER** pad will be destroyed.*

FORMS AND REPORTS ***TIRE REPAIR VOUCHER (PD571-061)***
VEHICLE REPORT (PD571-146)

Section: Department Property		Procedure No: 219-06	
TIRE REPLACEMENT ON DEPARTMENT VEHICLES			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To have tires on Department vehicles replaced quickly.

PROCEDURE When necessary to replace a tire on a Department vehicle:

VEHICLE OPERATOR

1. Telephone service station where vehicle is normally serviced to arrange for tire replacement.
2. Present tire at shop for replacement.
   a. Tires are replaced on a one for one basis.
   b. Lost or stolen tires will be replaced only upon receipt of **COMPLAINT REPORT (PD313-152)** or **Typed Letterhead,** signed by commanding officer.
3. Complete and sign part "A" of **TIRE EXCHANGE RECORD (PD561-144)**.
4. Pick up tire and **Tire Replacement on Department Vehicles (Misc. 3991)** form.
5. Deliver tire to designated authorized tire repair station to be mounted on vehicle.
6. Obtain blue copy of **TIRE REPAIR VOUCHER (PD571-061)** prepared and signed by tire repair station representative, as receipt.
7. Verify, after work is completed, that charge listed on **VOUCHER** is for mounting tire only.
8. Return blue copy of **TIRE REPAIR VOUCHER** to tire repair station representative.
9. Sign original and triplicate copy of **TIRE REPAIR VOUCHER**.
   a. Retain original (white) copy
   b. Yellow copy retained by repair station as record of work performed.
10. Deliver original **TIRE REPAIR VOUCHER** and **Tire Replacement on Department Vehicles** to desk officer of command to which vehicle is assigned.

DESK OFFICER

11. Verify entries on **TIRE REPAIR VOUCHER** and that tire has been mounted on vehicle.
    a. Sign and make photocopy of **TIRE REPAIR VOUCHER**.
12. File original **TIRE REPAIR VOUCHER**.
    a. Forward original **TIRE REPAIR VOUCHER** to precinct in which authorized tire repair station is located, if necessary.
13. Forward **Tire Replacement on Department Vehicles** and copy of **TIRE REPAIR VOUCHER** to commanding officer.

COMMANDING OFFICER

14. Ensure that tire has been mounted.
15. Sign **Tire Replacement on Department Vehicles**.
16. Have **Tire Replacement on Department Vehicles** and copy of vendor's **TIRE REPAIR VOUCHER** filed in command.

ADDITIONAL DATA

It is the responsibility of each commanding officer to ensure that tires issued are mounted and that each ***Tire Replacement on Department Vehicles*** *form is completed, and filed in the command.*

FORMS AND REPORTS

COMPLAINT REPORT (PD313-152)
TIRE EXCHANGE RECORD (PD561-144)
TIRE REPAIR VOUCHER (PD571-061)
Typed Letterhead
Tire Replacement On Department Vehicles (Misc. 3991)

NYPD

Section: Department Property		Procedure No: 219-07	
AUTHORIZED TIRE REPAIR STATIONS - REMOVAL FROM LIST			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To facilitate requests for removal from the list of Authorized Tire Repair Stations.

PROCEDURE When the owner or agent of an Authorized Tire Repair Station personally requests removal from the Authorized Tire Repair Station list:

DESK OFFICER

1. Require return of all **TIRE REPAIR VOUCHER (PD571-061)** pads.
2. Request two copies of statement of charges due for current month.
3. Prepare report indicating:
   a. Name of owner or agent requesting termination
   b. Location of station
   c. First and last serial number in each **TIRE REPAIR VOUCHER** pad returned
   d. First unused serial number in each returned pad.
4. File pads for reissue.

COMMANDING OFFICER

5. Process statement of charges due.
6. Submit report to Chief of Department, direct, requesting that station be removed from list of Authorized Tire Repair Stations.

FORMS AND REPORTS ***TIRE REPAIR VOUCHER (PD571-061)***

NYPD

PATROL GUIDE

Section: Department Property		Procedure No: 219-08
TIRE CHAINS		
DATE EFFECTIVE: 12/31/24	LAST REVISION: R.O. 78	PAGE: 1 of 1

PURPOSE To stock an adequate supply of tire chains during the winter months.

PROCEDURE Between November 1st and November 15th, each year:

COMMANDING OFFICER

1. Direct that each Department vehicle housed or assigned to command be provided with a set of tire chains.
2. Requisition a reserve supply of chains, one set for each vehicle.
3. Store chains until needed.

NOTE *Tire chains are NOT to be installed on vehicles until more than four inches of snow has accumulated. When less than four inches of snow has fallen, or extenuating circumstances exist, the commanding officer, lieutenant platoon commander or patrol supervisor may determine if chains should be used. Chains must NOT be mounted on front wheel drive vehicles.*

VEHICLE OPERATOR

4. Return broken tire chains to desk officer and obtain replacement chains from command reserve supply.

NOTE *Tire chains will be removed when conditions requiring their use have ended. If chains break while installed or any cross-links are broken, they must be removed immediately to avert potential safety hazards and/or possible damage to vehicle.*

COMMANDING OFFICER

5. Direct that an **EMERGENCY REQUISITION (PD561-163)** be prepared and forwarded, with the broken chains, to the Fleet Services Division, so that the reserve supply of chains at the command is replenished.

ADDITIONAL DATA *Tire chains may be installed on, and removed from, Department vehicles at authorized tire repair stations. The operator of the Department vehicle will ascertain that the fee entered on the* ***TIRE REPAIR VOUCHER (PD571-061),*** *for the installation or removal, is the same as the fee charged for the repair of the tire.*

PURPOSE To limit requests for a Department tow truck.

PROCEDURE When a uniformed member of the service requires a Department tow truck:

UNIFORMED MEMBER OF THE SERVICE

1. Be sure that tow truck will be used only for one of following:
   a. Department vehicle unable to operate under own power
   b. Vehicle is required as evidence or abandoned on public highway, except derelict vehicles
   c. Vehicle is in path of parade, gatherings or emergencies
   d. Assist Emergency Service Unit
   e. To lift heavy articles (safe, boat, etc.).
2. Telephone Department Tow Section.
3. Remain at scene to safeguard Department vehicles or vehicles required as evidence.
   a. Take reasonable precautions, in other cases, to safeguard vehicle before leaving scene.

ADDITIONAL DATA *When need for Department tow service is eliminated prior to arrival of tow truck, promptly notify Fleet Services Division to cancel request for service.*

NYPD

PATROL GUIDE

Section: Department Property		Procedure No: 219-10	
UNMARKED DEPARTMENT VEHICLE UTILIZATION RECORD			
DATE ISSUED: 08/19/13	DATE EFFECTIVE: 08/19/13	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To record daily usage of unmarked Department vehicles.

DEFINITIONS

GENERAL PURPOSE VEHICLE - Unmarked Department vehicles, including taxicabs, vans and trucks used for patrol, investigations, peddler enforcement, administrative and supervisory functions.

SPECIAL PURPOSE VEHICLE - Unmarked Department vehicles used for special "stakeouts", undercover use, i.e., "flash cars", photographic surveillance vans and other vehicles not deemed appropriate for general use.

CATEGORY 1 VEHICLE - Unmarked Department vehicles not required to be stored at a Department facility. Category 1 vehicles are excluded from the provisions of this procedure.

PROCEDURE When unmarked Department vehicles are assigned to commands:

COMMANDING OFFICER

1. Direct that a separate **UNMARKED VEHICLE UTILIZATION RECORD (PD571-1413)** be maintained for each vehicle assigned.

DESIGNATED MEMBER OF THE SERVICE

2. Complete captioned entries in **UNMARKED VEHICLE UTILIZATION RECORD** each day whether vehicles are utilized or not.
3. Use the "Remarks" column to record information of interest to relieving crews and other data deemed appropriate.
4. Indicate under "Reason Inactive" column why vehicle was not utilized by using the following abbreviations:
   a. O.S.A. - Out of Service - Collision
   b. O.S.M. - Out of Service - Mechanical
   c. O.S.R. - Out of Service - Radio
   d. I.P. - Insufficient Personnel
   e. Loan to - Vehicle temporarily assigned to command/unit.

SUPERVISOR

5. Verify the twenty-four hour total usage by initialing the appropriate column in the **UNMARKED VEHICLE UTILIZATION RECORD**.

ADDITIONAL DATA *Bureau chiefs may designate those vehicles under their control for use as Special Purpose Vehicles. The need for such vehicles is determined by the police mission to be accomplished and is independent of hours used or mileage accrued.*

FORMS AND REPORTS ***UNMARKED VEHICLE UTILIZATION RECORD (PD571-1413)***

PURPOSE To automatically record fuel dispensed at Department fueling sites.

DEFINITIONS VEHICLE INFORMATION BOX (VIB) – Allows for the wireless transfer of vehicle data (e.g., fuel amount, mileage, etc.) to the fuel control system.

MASTER CARD (GREEN) – Kept at each Department fuel dispensing facility for use in conjunction with an **IDENTIFICATION CARD (PD416-091)** to:

(1) Permit refueling of Department vehicle when there is a mechanical malfunction of the VIB, or the Vehicle Card is lost, misplaced or damaged;
(2) Provide fuel for small machinery without a VIB (e.g., snow blower, etc.);
(3) Permit fueling of a vouchered vehicle, up to five gallons.

CONFIDENTIAL RENTAL AND LEASE OFFICE (CRALO) CARD (YELLOW) – Issued to vehicles rented or leased by the Department which do not have a VIB.

NON-FLEET VEHICLE CARD (ORANGE) – Issued to non-Department vehicles authorized to obtain fuel at Department fuel locations (i.e., other agency or government vehicle authorized for Department use).

PRIVATE VEHICLE CARD (RED) – Issued to members of the service who have private vehicle privileges as outlined in *A.G. 325-14, "Private Vehicle Authorization and Usage"* in order to obtain fuel at a Department facility. The Private Vehicle Card is used in conjunction with the operator's **IDENTIFICATION CARD**. Fuel can only be obtained by an authorized member for an authorized vehicle.

OPERATOR CARD (WHITE) – Issued to auxiliary members of the service who have been qualified to operate Department vehicles and may need to dispense fuel.

DEPARTMENT CHARGEPOINT CARD – Issued to Department electric vehicles (EVs) to authorize members of the service to charge Department EVs at ChargePoint stations.

PROCEDURE When a Department or authorized vehicle requires fuel:

MEMBER OF THE SERVICE

1. Proceed to fuel dispensing facility pump location and turn off vehicle.
2. View LED screen to ascertain if the system is operational.
   a. LED screen should display "Welcome to NYPD, select pump number."

NOTE *If system is not operational, notify supervisor at dispensing facility and the Fuel Control Unit.*

TO OBTAIN FUEL FOR DEPARTMENT VEHICLES WITH AN INSTALLED VIB BY USING THE MEMBER'S IDENTIFICATION CARD:

MEMBER OF THE SERVICE

3. Insert hose nozzle into vehicle fuel port and move reset lever on pump to the "on" position.
4. Use terminal keypad to enter pump number, then press "enter."
5. Place **IDENTIFICATION CARD** directly against ID card reader (black box to right of keypad) when screen prompts "Scan employee ID."
   a. Screen will display "Pump # ready."
6. Begin fueling.

NOTE *If after selecting pump number the LED screen displays "Insert Vehicle Card," obtain Master Card (green) from desk officer and notify Fuel Control Unit.*

TO OBTAIN ELECTRICITY FROM DEPARTMENT CHARGE-POINT CHARGING STATIONS

MEMBER OF THE SERVICE

7. Ensure Department ChargePoint card is present.
8. Tap Department ChargePoint card on charging station home screen before inserting coupler into the EVs charge port receptacle.
9. Ensure EV is charging before leaving charging station.
10. Provide desk officer/supervisor at Department charging facility with key to charging EV while vehicle is charging.

NOTE *Department EVs will only be charged with Department ChargePoint cards. It is strictly prohibited for Department ChargePoint cards to be utilized for the charging of personal vehicles.*

TO OBTAIN FUEL FOR CRALO, NON-FLEET, AND AUTHORIZED PERSONAL VEHICLES:

MEMBER OF THE SERVICE

11. Insert hose nozzle into vehicle fuel port and move reset lever on pump to the "on" position.
12. Use terminal keypad to enter pump number, then press "enter."
13. Insert and quickly remove vehicle card (yellow, orange, red, or white) with magnetic tape facing up.
    a. If using a CRALO (yellow) or Non-Fleet Vehicle Card (orange) the terminal will prompt "Enter Odometer."
    b. If using a Private Vehicle Card (red) or Operator Card (white), the terminal will prompt for a PIN which is assigned to members with private vehicle authorization.
14. Use terminal keypad to enter odometer reading, then press "enter."
15. Place **IDENTIFICATION CARD** directly against ID card reader (black box to right of keypad) when screen prompts "Scan employee ID."
    a. Screen will display "Pump # ready."
16. Begin fueling.

TO OBTAIN FUEL FOR DEPARTMENT MACHINERY WITHOUT IDENTIFICATION NUMBERS, WHEN A VEHICLE CARD IS LOST OR DAMAGED, OR FOR A VOUCHERED VEHICLE:

MEMBER OF THE SERVICE

17. Insert and quickly remove Master Card (green) with magnetic tape facing up, when prompted by the terminal.
18. Enter PIN when prompted and press "enter."
    a. A PIN can be obtained 24 hours a day/seven days a week, by contacting the Fuel Control Unit.
19. Enter "3500" when prompted to "Enter Odometer."
20. Use terminal keypad to enter odometer reading, then press "enter."
21. Place **IDENTIFICATION CARD** directly against ID card reader (black box to right of keypad) when screen prompts "Scan employee ID."
    a. Screen will display "Pump # ready."
22. Begin fueling.

DESK OFFICER

23. Make Command Log entry including, name, rank, tax number, and command of member of the service obtaining fuel for Department vehicle or machinery.
    a. Include type of vehicle/machinery, odometer reading, if applicable, number of gallons obtained, and any other relevant information (e.g., **PROPERTY CLERK INVOICE (PD521-141)** number, etc.).

FUEL CONTROL UNIT

24. Run a quarterly Fuel Dispensed to Authorized Private Vehicles printout, and distribute to integrity control officers of commands that have authorized private vehicle users.

COMMAND INTEGRITY CONTROL OFFICER

25. Review printout from Fuel Control Unit and compare report to entries made by members of the service in the Vehicle Identification Plate/Private Vehicle Use Log as per *A.G. 325-15, "Vehicle Identification Plates for Private Vehicles Used of Official Business."*
    a. Any discrepancies will be investigated and proper corrective action taken.

ADDITIONAL DATA

If refueling does not commence without delay (approximately 1 minute), the transaction will be cancelled, and the procedure to obtain fuel must start over.

If a member of the service (uniformed or civilian) loses or damages any vehicle fuel card, the member must immediately notify the Fuel Control Unit. Additionally, a report on ***Typed Letterhead*** *explaining the circumstances of the lost or damaged vehicle fuel card must be faxed to the Fuel Control Unit. The Fuel Control Unit will invalidate the lost/damaged card and issue a replacement card.*

ADDITIONAL DATA (continued)

If a uniformed member of the service, who obtains fuel for their private vehicle at a Department dispensing facility, is transferred, the Fuel Control Unit will automatically revoke authorization to obtain fuel. To reinstate fueling privileges, the member concerned must submit ***REQUEST TO USE PRIVATE VEHICLE (PD471-160)*** *to his commanding officer for forwarding to next higher command for approval.*

The Auxiliary Police Section will be guided by the Fuel Control Unit for instruction on how to obtain fuel.

RELATED PROCEDURES

Delivery of Gasoline to Fuel Dispensing Stations (P.G. 219-12)
Private Vehicle Authorization and Usage (A.G. 325-14)
Vehicle Identification Plates for Private Vehicles Used of Official Business (A.G. 325-15)

FORMS AND REPORTS

IDENTIFICATION CARD (PD416-091)
PROPERTY CLERK INVOICE (PD521-141)
REQUEST TO USE PRIVATE VEHICLE (PD471-160)
Typed Letterhead

NYPD

Section: Department Property		Procedure No: 219-12	
DELIVERY OF GASOLINE TO FUEL DISPENSING STATIONS			
DATE ISSUED: 08/27/18	DATE EFFECTIVE: 08/27/18	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To determine the amount of fuel on hand, prior to, and after the delivery of, gasoline to a Department fuel dispensing facility.

PROCEDURE When an employee of a fuel company arrives at a Department fuel dispensing facility to deliver gasoline.

DESK OFFICER

1. Assign member of the service to supervise fuel delivery.

NOTE *Members of the service assigned to security at those Department facilities other than precincts (e.g., Outdoor Range, Central Repair Shop, Police Headquarters, etc.), that dispense fuel, will perform the duties designated to be performed by the desk officer throughout this procedure.*

ASSIGNED MEMBER

2. Determine amount of gasoline in storage tank by using the electronic tank monitor, which is located at the desk area in most commands with fuel tanks.
3. Press "Print" button on electronic tank monitor and advise the delivery driver of the 90% ullage amount. (The amount that can safely be added to the storage tank.)
4. Ascertain meter reading on fuel vendor's truck prior to pumping fuel into storage tank.
   a. Ensure that fuel meter on vendor's truck is set to zero before pumping begins.
   b. Inspect and initial blank vending invoice prior to delivery of gasoline.
   c. Verify the same invoice is returned after completion of delivery.
5. Use the electronic tank monitor to verify delivery amount.
   a. Press "Print" button and verify that new volume (storage balance) reflects the delivery amount.
6. Report delivery amounts to desk officer.

DESK OFFICER

7. Enter in Command Log the following information concerning receipt of fuel:
   a. Amount of fuel received
   b. Invoice number (verify that vendor's invoice was initialed by assigned member)
   c. Vendor's name
   d. Name of member of the service verifying receipt.
8. Forward one copy of Vendor's Invoice to Audits and Accounts Unit on next business day.
   a. File remaining copy of Invoice at command.

IF FUEL DELIVERY CANNOT BE MADE

MEMBER OF THE SERVICE

9. Notify desk officer if vendor is unable to deliver fuel and reason the delivery cannot be made (i.e., vehicle parked on top of fuel fill port, parked vehicle blocking delivery truck access, construction site blockage, etc.).

DESK OFFICER

10. Notify Fuel Control Unit.
11. Make a Command Log entry including the vendor's information and reason for non-delivery.
    a. If vehicle is blocking the delivery truck access include registration information.
    b. Sign vendor's invoice if fuel tank is full and no delivery occurred.
12. Prepare a report on **Typed Letterhead** explaining the circumstances under which the fuel could not be delivered.
    a. Include any corrective action taken.
13. Fax report on **Typed Letterhead** to the Fuel Control Unit.

RELATED PROCEDURE

Computerized Fuel Dispensing System (P.G. 219-11)

FORMS AND REPORTS

Typed Letterhead

NYPD

PATROL GUIDE

Section: Department Property		Procedure No: 219-13	
DELIVERY OF HEATING OIL			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To monitor delivery of heating oil to a Department facility and to verify the accuracy of the quantity of heating oil delivered.

PROCEDURE When ordering heating oil and processing receipts:

COMMANDING OFFICER

1. Designate a member of the service (uniformed or civilian) to order heating oil from appropriate vendor.

DESIGNATED MEMBER OF THE SERVICE

2. Order heating oil from appropriate vendor.
   a. Direct vendor to report to desk officer/supervisor concerned upon arrival at Department facility, prior to pumping heating oil.
   b. Make an entry in the command's Telephone Record indicating that the above instructions were relayed to the vendor's order clerk who accepted the order.

DESK OFFICER

3. Assign a member of the service (uniformed or civilian) to be present during, and supervise, the actual delivery and pumping operation.

ASSIGNED MEMBER OF THE SERVICE

4. Verify that the vendor delivery ticket has been signed by a Department of Citywide Administrative Services (D.C.A.S.) inspector <u>prior to the commencement of pumping operations</u>.
   a. If the ticket has not been signed by a D.C.A.S. inspector <u>DO NOT ACCEPT DELIVERY</u>.

NOTE *In commands accepting delivery of #4 or #6 oil, the member of the service assigned to supervise the pumping will verify that the vendor has a vendor delivery ticket and a Department of Citywide Administrative Services certificate. In these cases, however, it is the Department of Citywide Administrative Services certificate, which <u>MUST</u> be signed. If this certificate is not signed by a Department of Citywide Administrative Services Inspector, <u>DO NOT ACCEPT DELIVERY</u>.*

5. Ensure that the meter on the delivery truck had been reset to zero <u>prior</u> to the insertion of the vendor delivery ticket into the meter.
6. Verify, upon completion of the pumping operation, that the total gallons delivered (as indicated on the meter) equal the quantity recorded on the vendor delivery ticket.
   a. Commands receiving #4 and #6 heating oil will also verify the amount delivered on the D.C.A.S. certificate.
7. Verify amount of oil delivered by printing NAME and TAX REGISTRY NUMBER or the D.C.A.S. certificate and/or the vendor delivery ticket and signing name.
8. Present the D.C.A.S. certificate and/or the vendor delivery ticket to the desk officer/supervisor.
9. Notify desk officer/supervisor of the amount of heating oil delivered.

DESK OFFICER

10. Verify that the D.C.A.S. certificate and/or the vendor delivery ticket were signed by the member of the service assigned and the amount reported in step #9 reflects the amount indicated on the certificate/ticket.
11. Make a Command Log entry including the following information:
    a. Amount of heating oil delivered
    b. Indication of receipt of D.C.A.S. certificate and/or vendor delivery ticket.
    c. Vendor's name and truck number
    d. Identity of member of the service who supervised delivery.

NOTE *In commands that do not maintain a Command Log, these entries will be made in the Telephone Record.*

12. Make a duplicate copy of the vendor delivery ticket and place in file maintained at command.
    a. Forward vendor delivery ticket to the Audits and Accounts Unit with the next Department mail.

NOTE *Commands accepting delivery of #4 and #6 oil will attach the "Department" copy of the D.C.A.S. certificate to the vendor delivery ticket and forward both to Audits and Accounts Unit. The "Agency" copy of the D.C.A.S. certificate will be attached to the duplicate copy of the vendor delivery ticket and filed at the command.*

RELATED PROCEDURE *Delivery Of Gasoline To Fuel Dispensing Stations (P.G. 219-12)*

PURPOSE To maintain the integrity and security of the Department's computer systems and to minimize the potential for misuse by anonymous, unauthorized access to available data.

PROCEDURE To utilize Department computer systems in a command and/or a Department vehicle.

MEMBER OF THE SERVICE

1. Sign-on the system utilizing the member's confidential password.
2. Make only official inquiries, which relate to official business of the Department.
3. Do not divulge any information obtained from the system, <u>except</u> for valid law enforcement purpose.
4. Sign-off the system upon completion of its use or whenever unable to safeguard, even for a brief period of time.
5. Notify desk officer/designated supervisor or integrity control officer of any misuse or if personal password has been compromised in any way.
   a. Comply with *P.G. 207-21, "Allegations of Corruption and Other Misconduct Against Members of the Service,"* as necessary.
6. Comply with *A.G. 304-15, "Department Confidentiality Policy."*

NOTE *Members of the service signed on to a Department computer system will be held strictly accountable for **all** entries on that system during the period they are signed on.*

DESK OFFICER/ DESIGNATED SUPERVISOR

7. Inspect all areas containing Department computer systems at least once each tour and ensure that all systems are being used within Department guidelines and are not damaged in any way.
8. Take immediate action to correct condition if any misuse or damage found and notify commanding officer and integrity control officer.
9. Record results in Command Log.

NOTE *The desk officer/designated supervisor will notify the Information Technology Bureau (ITB) Service Desk (24 hours) to report inoperable or malfunctioning computer equipment. The above notification will be entered in the Telephone Record.*

PATROL SUPERVISOR/ DESIGNATED SUPERVISOR

10. Inspect, frequently, all Department computer systems assigned to Department vehicles within the command to ensure that they are being used within Department guidelines and are not damaged in any way.
11. Take immediate action to correct condition if any misuse or damage found and notify commanding officer and integrity control officer.
    a. Record notifications in digital **Activity Log**.

INTEGRITY CONTROL OFFICER

12. Be responsible for computer equipment and data security for all computer systems assigned to command.

INTEGRITY CONTROL OFFICER (continued)

13. Be responsible for and maintain the security and integrity of all official Department recorded media or recorded media coming into possession of the Department as evidence or for investigative purposes (e.g., videotape, photographic images or pictures, audio recordings, electronic or internet files, etc.).

NOTE *In regard to investigative units, the duties of the integrity control officer as stated in step 12, will be the sole responsibility of the commanding officer.*

14. Establish and maintain a list of all passwords issued to members of the command.
    a. Maintain confidentiality of passwords of all authorized users and obtain new passwords, when necessary.
15. Maintain effective operational performance by establishing the number of necessary authorized users for the command.
16. Ensure all authorized users of the command understand and comply with computer security guidelines.
17. Frequently observe all areas and Department vehicles with computer equipment and ensure security guidelines are complied with.
18. Investigate any circumstances or conditions which may indicate abuse of the computer system(s).
19. Maintain sign-on tables and issue passwords for the following systems to access through Omniform:
    a. On-Line Booking System (OLBS)
    b. Booking Arraignment Disposition System (BADS)
    c. Local Arrest Processing System (LAPS).
20. Conduct a monthly audit of the Domain Awareness System.
    a. Select five members of the service at random who have access to the Domain Awareness System.
    b. Review each selected member's activity, including video access activity, to ensure compliance with the Department's rules and regulations regarding computer systems.
    c. Document results of monthly inspection on **Typed Letterhead** and file at command.

ADDITIONAL DATA

DEPARTMENT COMPUTER USE POLICY AND MONITORING NOTICE

All members of the service are advised that all Police Department computer systems and equipment are intended for the purposes of conducting official Department business only. Use of Department computer systems for personal or non-Department business matters is strictly prohibited and individuals who are found in violation of this policy are notified that they will be subject to disciplinary action. In addition, use of Department computer systems to disseminate derogatory or discriminatory material is strictly prohibited.

All members of the service are hereby notified that the Department reserves and will exercise the right to review, intercept, access and disclose all material on the Department's computer systems at any time, including e-mail communications, with or without notice to the member of the service concerned. These policies are established to ensure that users of Department computer systems and equipment maintain Department standards of professionalism and integrity.

ADDITIONAL DATA (continued)

Commanding officers are responsible for the security and proper utilization of computer equipment within their commands. Commands that are not operational on a 24-hour basis will ensure that when the command is closed, ALL Department computer systems are secured. In addition, commanding officers will be familiar with A.G. 325-35, "Department Computer Use Policy and Monitoring Notice."

Requests for focused audits of computer terminal activity from the Internal Affairs Bureau, commanding officers, integrity control officers, investigations units, etc., must be prepared on ***Typed Letterhead****, and addressed to the Deputy Commissioner, Information Technology at 1 Police Plaza, Room 900. Focused audits may include various criteria such as a member of the service's password, tax registry number, sign-on/sign-off time, license plate/VIN check, etc., that was performed during a particular time period.*

RELATED PROCEDURES

Allegations of Corruption and Other Misconduct Against Members of the Service (P.G. 207-21)
Department Computer Use Policy and Monitoring Notice (A.G. 325-25)

FORMS AND REPORTS

Typed Letterhead

NYPD

PURPOSE To account for portable radios assigned to commands.

PROCEDURE When portable radios are assigned to command:

COMMANDING OFFICER

1. Have desk officer/ranking officer account for portable radios each tour.
2. Designate a secure area within the muster room/desk area and under the control of the desk officer/ranking officer for storage of radios not being used.
3. Maintain portable radio record utilizing the following forms:
   a. **RADIO ASSIGNMENT LOG (PD647-141)**
   b. **Radio Identification Record (Misc. 249)**
      (1) Complete prior to opening portable radio record and staple on inside front cover of **RADIO ASSIGNMENT LOG**.
   c. **Defective Radios (Misc. 250)**
      (1) Complete appropriate captions prior to opening portable radio record and staple on inside rear cover of **RADIO ASSIGNMENT LOG**.
4. Have members instructed periodically in proper distribution, care, use and safeguarding of radios.
5. Have radios sustaining major damage, delivered with all parts, and a copy of report, through channels, to Commanding Officer, Electronics Section.
6. Forward report to Commanding Officer, Electronics Section and Commanding Officer, Operations Unit, Office of the Chief of Department, without delay, if radio is permanently transferred to another command.
   a. Review Department records quarterly, to determine if any radios have been assigned on a permanent basis from your command. Confer with command integrity control officer, Intelligence Division and any other outside agency to determine the necessity of continuance of such assignment.

NOTE *Commands are not authorized to transfer radios to other commands. All radio reassignments must be approved by the Deputy Commissioner, Information Technology.*

UNIFORMED MEMBER OF THE SERVICE ASSIGNED

7. Replace batteries at beginning of tour.
   a. Keep used batteries in battery charger until indicator light turns green.
   b. Deliver defective batteries to the Electronics Section. Up to fifteen batteries will be replaced at one time.
8. Issue radios to members of outgoing platoon on priority basis as established by commanding officer.
9. Enter required information in **RADIO ASSIGNMENT LOG**.
10. Enter radio inventory in Recapitulation Section of **RADIO ASSIGNMENT LOG**, following last entry concerning outgoing platoon each tour.
11. Account for and examine each radio, antenna, battery and radio case returned at conclusion of previous tour.

UNIFORMED MEMBER OF THE SERVICE ASSIGNED (continued)

a. Prepare **COMPLAINT REPORT (PD313-152)** with Internal Affairs Bureau log number and report facts to commanding officer if radio is lost or stolen.
b. Prepare **COMPLAINT REPORT** with Internal Affairs Bureau log number and report facts to commanding officer for missing antennas, batteries or radio cases.
c. Report damage or missing parts to commanding officer.

WHEN RADIO HAS BEEN DAMAGED:

COMMANDING OFFICER

12. Investigate circumstances.
13. Take appropriate action (instruction, Command Discipline and/or Charges and Specifications) if damage is attributable to individual carelessness, misuse, or abuse.
14. Prepare report on Typed Letterhead to borough commander/counterpart including:
    a. Circumstances leading to damage of radio
    b. Whether damage caused by carelessness, misuse or abuse
    c. Corrective action taken.
15. Forward report, as follows:
    a. Original - Borough commander/counterpart
    b. Copy – Deputy Commissioner, Information Technology, through channels
    c. Copy - Electronics Section (WITH RADIO)
    d. Copy - file.

WHEN RADIO IS DEFECTIVE:

UNIFORMED MEMBER OF THE SERVICE ASSIGNED

16. Re-check radio with freshly charged battery.
17. Prepare and attach radio repair ticket, including brief description of malfunction.
18. Deliver defective radio with tag to the Electronics Section, as soon as possible.
    a. Remove radio antenna, battery and speaker microphone from radio before delivering radio for repair and safeguard at command.

NOTE *Do not store defective radios at the command. The Electronics Section will not accept more than ten defective radios at a time. When radio antennas, cases or chargers are defective, notify Electronics Section stock room and comply with instructions given.*

19. Make appropriate entry on Defective Radios form.
20. Telephone the Electronics Section within four weeks to determine it the radio has been repaired.

DESK/ RANKING OFFICER

21. Assign member to report to the Electronics Section to pick up repaired radio.
22. Enter date and signature on Defective Radio form when radio is returned and make Command Log entry indicating serial numbers of all radios returned to command.

NOTE *All members of the service reporting to the Electronics Section in uniform or civilian attire must sign in at the security office. A shield and* ***IDENTIFICATION CARD (PD416-091)*** *must be presented when picking up or removing Department property.*

WHEN RADIO IS LOST, STOLEN OR RECOVERED:

DESK/ RANKING OFFICER

23. Notify Operations Unit and obtain serial number for inclusion in commanding officer's report to the bureau chief concerned.
24. Notify Electronics Section, Security Desk and provide Operations Unit serial number and obtain Electronics Section serial number.
25. Notify Internal Affairs Bureau, Command Center and obtain log number to be entered under "Details" on **COMPLAINT REPORT**.
26. Notify Stolen Property Inquiry Unit (Alarm Board) of radio number.
27. Notify patrol borough concerned, and advise of **COMPLAINT REPORT** number, Operations Unit number, Electronics Section number and Internal Affairs Bureau log number, if radio assigned to a patrol precinct/Strategic Response Group member.

COMMANDING OFFICER

28. Investigate circumstances of loss, theft or recovery of radio.
29. Have **COMPLAINT REPORT** prepared for lost/stolen radio and **Omniform Complaint Revision** prepared for recovered radio.
    a. Indicate under appropriate caption that duplicate copies are to be forwarded to Internal Affairs Bureau, bureau command, and patrol/detective borough command.

PRECINCT DETECTIVE SQUAD COMMANDING OFFICER

30. Examine **COMPLAINT REPORTS** prepared, including those reports referred to the precinct squad, concerning the loss or theft of Department radios.
31. Notify Commanding Officer, Major Case Unit of loss/theft of radio by telephone and forward a duplicate copy of the **COMPLAINT REPORT** or **Omniform Complaint Revision**, as appropriate, with a report on **Typed Letterhead**.

COMMANDING OFFICER

32. Enter explanation and **COMPLAINT REPORT** serial number under "Remarks" in Radio Identification Record.
33. Prepare report, including circumstances of loss or theft, **COMPLAINT REPORT** serial number, and determination by investigating officer whether disciplinary action is appropriate.
    a. Loss of a portable radio by a member of the service assigned to patrol in uniform shall be deemed negligence when the radio was not carried in the authorized carrying case.

NOTE *Where warranted, proposed disciplinary action will be indicated in the report as a RECOMMENDATION. HOWEVER, the disciplinary action will be held in abeyance until APPROVED, by the bureau chief concerned, via return endorsement on the original report. Within the Patrol Services Bureau, Housing Bureau or Transit Bureau, the Borough Commander or Chief of Special Operations, as appropriate, will act upon the disciplinary action recommendation and will expeditiously forward a copy of the endorsed report to the Chief of Patrol, via the Investigation and Evaluation Section.*

COMMANDING OFFICER (continued)

34. Forward report as follows:
    a. Original - Bureau Chief concerned, through channels
    b. Copy - Chief of Department, DIRECT
    c. Copy - Deputy Commissioner, Information Technology, through channels
    d. Internal Affairs Bureau
    e. Copy - Command file.

BUREAU CHIEF CONCERNED

35. APPROVE/DISAPPROVE recommended disciplinary action by return endorsement on original report, except in cases involving the Patrol Services Bureau.

COMMANDING OFFICER

36. Forward copy of final disposition of disciplinary action taken to the Chief of Department.

INTEGRITY CONTROL OFFICER

37. Review Department records monthly pertaining to Department radios assigned to command.
    a. Ensure Department radios are being maintained and are accounted for.
38. Identify Department radios assigned on a permanent basis from command.
    a. Confer with commanding officer pertaining to the necessity of such radios being assigned on permanent basis.

ADDITIONAL DATA

All commands are required to maintain a portable radio record and arrange for expeditious delivery of defective radios to Electronics Section and pickup when repaired.

A commanding officer may, when necessary, establish additional procedures to account for and safeguard portable radios. For example, when a member of the service from an outside command borrows a portable radio, the identity of the member must be verified by the desk officer and appropriate command blotter entries made.

Department vehicles with defective radios that require repair will be brought to the Electronics Section between 0700 X 1500 hours, seven days a week. A limited number of personnel will be performing duty between 1500 and 2400 hours for EMERGENCY repairs only.

Any unit wishing to procure personal portable radios for their particular unit using Department funds must obtain written approval from the Deputy Commissioner, Information Technology. All procurements will be effected through the Electronics Section to ensure that the Department's stringent specifications are met. All radios will be engraved with "NYPD" and a Department serial number for accountability purposes.

RELATED PROCEDURE

Loss Or Theft Of Department Property (P.G. 219-20)

FORMS AND REPORTS

COMPLAINT REPORT (PD313-152)
RADIO ASSIGNMENT LOG (PD647-141)
ROLL CALL (PD406-144)
Defective Radios (Misc. 250)
Radio Identification Record (Misc.249)
Typed Letterhead
Omniform Complaint Revision

Section: Department Property		Procedure No: 219-17
USE OF PATROL KITS		
DATE EFFECTIVE: 11/18/21	LAST REVISION: I.O. 99	PAGE: 1 of 4

PURPOSE To provide instructions to members of the service in the proper maintenance, utilization, and disposal of Patrol Kit items.

SCOPE A Patrol Kit is a collection of personal protective equipment (PPE) items housed in a white plastic first-aid type carrying case. The case bears the NYPD logo and is marked with the words "Patrol Kit" on its cover. Each Patrol Kit consists of two disposable gowns, two disposable eye/mouth shields, two pairs of heavy duty gloves, two pairs of disposable shoe covers, ten antiseptic wipes, and a disposal "biohazard" bag for use against contact with blood or other potentially infectious materials (OPIM). OPIM includes semen, vaginal secretions, and fluid from the brain, spine, chest cavity, stomach, heart and joints. Saliva or urine not visibly contaminated with blood is not considered to be OPIM. Disposable gloves and Patrol Kit items must be properly disposed of after being utilized to protect one's hands, skin and clothing from direct contact with blood, OPIM, dead human bodies, and animals which may have infectious diseases. Contaminated or damaged personal protective equipment will not be reused and will be discarded in biohazard receptacles at designated Department facilities or hospitals.

PROCEDURE Maintain and utilize disposable gloves and Patrol Kit items as follows:

VEHICLE OPERATOR

1. Ensure that the Patrol Kit carry case is present and secure in the trunk of assigned/designated Department auto at beginning of tour.
2. Inspect contents of case to verify that all required Patrol Kit items, as listed in the SCOPE statement, are present in the quantities indicated.
   a. Also ensure that an adequate supply of disposable gloves are available in the Department auto.
3. Make digital **Activity Log** entry indicating results of inspection.
   a. Report missing/damaged Patrol Kit items to the patrol supervisor and promptly replace them.

NOTE *Adequate supplies of Patrol Kit items/disposable gloves should be maintained at commands at all times and stored where they will be readily accessible for use. At least one carrying case containing a Patrol Kit is to be affixed to a wall in a conspicuous, accessible location at each precinct, transit district, police service area, court section, medical district, Aviation, Crime Scene, Harbor, Mounted Unit and Highway District location.*

MEMBER OF THE SERVICE

4. Utilize disposable plastic gloves and Patrol Kit items when necessary to handle persons, animals or items in a safe, sanitary manner.

NOTE *The following are examples of when members of the service should use Patrol Kit items/disposable gloves:*

a. Contact with blood, body fluids, secretions, excretions, etc.
b. Searching dead human bodies
c. Contact with hazardous materials or persons or animals having or suspected of having infectious diseases (see P.G. 212-37, "Hazardous Materials" and A.G. 330-09, "Exposure Of Members Of The Service To Infectious Diseases Or Hazardous Materials")
d. Searching prisoners (disposable gloves should ordinarily be sufficient)
e. Fingerprinting (disposable gloves should ordinarily be sufficient).

Members of the service who do not have access to a Patrol Kit and are present at a scene requiring the use of a Patrol Kit may request one via the communications dispatcher. An available unit possessing the Kit will be directed to respond to the requesting member's location.

MEMBER OF THE SERVICE (continued)

5. Confer with immediate supervisor before using Patrol Kit items/disposable gloves at a parade, demonstration, etc.
   a. Supervisor will make determination based on circumstances and advise members of proper action.
6. Avoid contact with outside surface of Patrol Kit items/disposable gloves after use if possibility of contamination exists.
7. Remove used gloves as follows:
   a. Grasp cuff of one glove and remove by pulling glove inside out.
   b. Place fingers inside second glove and pull inside out.
8. Handle used gloves/Patrol Kit items by uncontaminated surface and place inside plastic bag.
9. Cleanse hands with antiseptic wipe and place used wipe in plastic bag with other contaminated items.
   a. Seal plastic bag containing contaminated Patrol Kit items/disposable gloves and antiseptic wipe.
10. Refer to the instructions contained in the plastic case housing of the Patrol Kit for information regarding the Kit's safe use and disposal.
11. Deposit only contaminated items in the thirty-two gallon biohazard receptacle lined with a red biohazard bag.

NOTE *Only items contaminated with blood or OPIM need to be disposed of in biohazard receptacles located in each command. Gloves used while fingerprinting or searching prisoners, and PPE items worn but not contaminated, may be discarded in a regular trash receptacle.*

12. Wash hands, preferably with anti-bacterial or brown soap, as soon as possible after exposure.

DESK OFFICER/ CENTRAL BOOKING SUPERVISOR

13. Contact Medical Division Sick Desk supervisor to arrange for messenger to pick up regulated infectious waste.
14. Ensure that Medical Division messenger removes and seals the regulated infectious waste liner and places a new biohazard liner in the receptacle.

NOTE *Biohazard waste liners should be closed prior to removal from the receptacle in order to prevent spillage. If the outside of a liner or container becomes contaminated, it must be placed within a second suitable liner or container. The regulated infectious waste liners must be transported in a covered, leakproof container with a biohazard label prominently displayed on the outside of the container. The Medical Division messenger shall be appropriately trained in the use of Patrol Kit items/disposable gloves and infection control procedures. Biohazard labels are available from the Quartermaster Section.*

DESK OFFICER/ CENTRAL BOOKING SUPERVISOR (continued)

15. Make a Command Log entry of facts regarding removal of biohazard waste by Medical Division messenger.

ADDITIONAL DATA

Emergency situations, circumstances, and time constraints may hinder or prevent a member from properly donning Patrol Kit items/disposable gloves, thereby making the member more vulnerable to contamination from blood or other potentially infectious materials. Members who have any contact with hazardous materials, blood, or OPIM will immediately comply with A.G. 330-09, "Exposure of Members of the Service to Infectious Diseases or Hazardous Materials." In the event that a uniform item becomes significantly contaminated (e.g. soaked through with blood or OPIM), the item(s) in question will be removed as soon as possible and placed in the disposable red biohazard liner contained in the Patrol Kit. The member of the service will be allowed to shower as soon as possible.

A uniform item contaminated with small splatters of blood which have not soaked through the item may be machine washed with a non-chlorine bleach separately from other household laundry. A second wash/rinse cycle should then be used to rinse the inside of the washing machine.

Non-disposable uniform items (nameplates, shields, etc.) may be effectively decontaminated with a freshly mixed solution of one part bleach to ten parts water.

Members seeking reimbursement to replace damaged uniform items will refer to A.G. 305-05, "Lost Or Damaged Uniform."

If an Emergency Medical Service ambulance is present at the scene of an incident where members of the service have soiled Patrol Kit items/disposable gloves, such items may be disposed of in the contaminated waste container located in the body of the ambulance. However, Emergency Medical Service ambulances are not to be called to the scene merely for the disposal of soiled Patrol Kit items/disposable gloves. In cases where no ambulance is present, or a private ambulance not under the jurisdiction of Emergency Medical Service is present, or ambulance personnel refuse to allow disposal, Patrol Kit item/disposable gloves should be secured in the plastic bags supplied for such purpose and transported to the precinct/command of occurrence for disposal.

The Health and Hospitals Corporation has granted permission for members of the service to dispose of used Patrol Kit items/disposable gloves in the contaminated waste containers in the emergency rooms of designated municipal hospitals in those situations where Patrol Kit items/disposable gloves have been worn while transporting a patient to that hospital for treatment. These designated hospitals are:

ADDITIONAL DATA (continued)

MANHATTAN HOSPITALS
Bellevue
Metropolitan
Harlem

BRONX HOSPITALS
Bronx Municipal
North Central Bronx
Lincoln

QUEENS HOSPITALS
Elmhurst
Queens Hospital Center

BROOKLYN HOSPITALS
Coney Island
Kings County
Woodhull

Members of the service are not to bring contaminated Patrol Kit items/disposable gloves to an emergency room for disposal if not transporting a patient for treatment at that hospital. Where a patient has not been transported to a participating hospital or, if the emergency room staff refuses to allow disposal, members of the service will secure the Patrol Kit items/disposable gloves in the plastic bag supplied for such purpose and transport to precinct/command of occurrence for disposal. Commanding officers should seek to establish a relationship with non-municipal hospitals within their commands to which ambulances respond, in an effort to obtain authorization for disposal of Patrol Kit items/disposable gloves in the hospital's emergency room.

The following Patrol Kit items/disposable gloves may be ordered directly from the Quartermaster Section by utilizing the following index numbers:

ITEM	*INDEX NUMBER*
Disposable gloves	*1134*
Glove kits	*1141*
Antiseptic skin wipes	*1345*
Patrol Kit (complete)	*1343*
Patrol Kit carrying case (to replace damaged cases only)	*1344*
32 gallon biohazard receptacle	*3622*
32 gallon biohazard liner	*3007*
Biohazard sticker (1 1/2"x 1/2")	*2444*
Biohazard sticker (4"x 5")	*2443*

RELATED PROCEDURES

Exposure Of Members Of The Service To Infectious Diseases Or Hazardous Materials (A.G. 330-09)
Hazardous Materials (P.G. 212-37)
Lost Or Damaged Uniform (A.G. 305-05)

Section: Department Property		Procedure No: 219-18	
INSPECTION OF SUPPLIES			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To insure that supplies received are of proper quantity and quality.

PROCEDURE When supplies are received at a command:

DESK OFFICER

1. Have supplies inspected for quantity, quality and condition.
2. Sign vendor's receipt if delivery is in good condition.
3. Refuse to accept supplies if shipment is damaged, or does not meet quality standards.
4. Make Command Log entry of receipt or state reason why supplies were not accepted.
5. Notify commanding officer if supplies are not accepted.

COMMANDING OFFICER

6. Have report prepared on **Typed Letterhead** and **Department of Purchase Form 23-QQ-96 (REPORT OF UNSATISFACTORY MATERIAL)** to the Quartermaster Section if the delivery is deficient in any way.

NOTE *If the supplies received are less than originally ordered, but otherwise acceptable, the desk officer may accept the supplies but receipt only for actual amount received.*

FORMS AND REPORTS ***Department of Purchase Form 23-QQ-96 (REPORT OF UNSATISFACTORY MATERIAL)***
Typed Letterhead

NYPD

PATROL GUIDE

Section: Department Property		Procedure No: 219-19	
INSPECTION OF DEPARTMENT LOCKERS - OFFICIAL INVESTIGATIONS			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To permit the inspection of a Department locker in connection with an official investigation.

PROCEDURE When a member of the service is directed to open his/her locker by a supervising member of the service:

MEMBER OF THE SERVICE

1. Comply with direction.

SUPERVISING MEMBER

2. Inspect contents of locker:
   a. Member concerned will witness inspection.
   b. If member is not present, another member of the service will witness inspection.

MEMBER OF THE SERVICE

3. Secure locker after inspection is completed.
4. Follow direction of supervising officer.

SUPERVISING MEMBER

5. Enter in Command Log:
   a. Number(s) of locker(s) inspected
   b. Member(s) to whom locker(s) assigned
   c. Reason for inspection
   d. Results of inspection
   e. Member(s) present at inspection.

NOTE *A supervisory member of the service may inspect Department lockers at any time during an official investigation. If the member assigned to a locker is not present during an inspection, the inspecting member is required to notify the member concerned, and provide for the safekeeping of the equipment and reimbursement to the member if the lock is damaged.*

NYPD

PURPOSE To investigate and record the loss or theft of Department property.

PROCEDURE Upon discovering the loss or theft of Department property:

MEMBER OF THE SERVICE

1. Report facts to desk officer.

DESK OFFICER

2. Notify commanding officer and operations coordinator.

OPERATIONS COORDINATOR

3. Conduct investigation.
4. Make Command Log entry of facts and results of investigation.
5. Prepare report, on **Typed Letterhead,** addressed to commanding officer.
6. Have **COMPLAINT REPORT (PD313-152)** prepared.
   a. Indicate, under appropriate caption, that duplicated copies are to be forwarded to the Internal Affairs Bureau, the Quartermaster Section, (ONLY if Department property, lost or stolen, was issued by the Quartermaster Section) and Patrol/Transit/Housing Borough, Detective Borough, or bureau concerned.
7. Notify Internal Affairs Bureau Command Center, by telephone, and enter Internal Affairs Bureau log number under "Details" on **COMPLAINT REPORT**.
8. Notify Stolen Property Inquiry Unit (Alarm Board) if property has identifying letters or numbers on it for purpose of transmitting alarm.
   a. If Vehicle Identification Plate is lost/stolen, give Vehicle Identification Plate number including the letter "P", if appropriate, and the expiration date of the plate.
9. Notify Transit Bureau Wheel and Employee Resources Section, if property consists of a New York City Transit (NYCT) Police Pass MetroCard.
10. Forward three copies of report to Commanding Officer, Fleet Services Division for loss of a tire, tool, etc., from a Department vehicle.
    a. Forward one copy direct to the Commanding Officer, Transit Bureau, if property consists of NYCT Police Pass MetroCard and one copy with **COMPLAINT REPORT** direct to the Commanding Officer, Employee Resources Section, if property consists of NYCT Police Pass MetroCard, Long Island Railroad Police Pass or Metro North Police Pass.

NOTE *In cases where the loss or theft of a NYCT Police Pass MetroCard, Long Island Railroad and/or Metro North Police Pass occurs outside New York City the member will notify the local police agency and desk officer, command of assignment. The desk officer will make a Command Log entry and notify the operations coordinator who will conduct an investigation, notify IAB and comply with step "10" subdivision "a," as appropriate. The IAB log number must be included in the report.*

OPERATIONS COORDINATOR (continued)

11. Take other action as appropriate.

COMMANDING OFFICER

12. Review result of investigation.

ADDITIONAL DATA

*Each precinct squad commander will examine **COMPLAINT REPORTS** prepared, including those **REPORTS** not referred to the precinct squad, concerning the loss or theft of police related equipment. Such equipment will include, but is not limited to, law enforcement frequency radios, police vehicles, uniforms, shields or identification cards, bulletproof vests or police type emergency lights or sirens. The squad commander will notify the Commanding Officer, Major Case Unit of such loss/theft by telephone and forward a duplicated copy of the **COMPLAINT REPORT** or **Omniform Complaint Revision**, as appropriate, with a covering report, on **Typed Letterhead**, to the Major Case Unit. In addition P.G. 219-21, "Lost/Stolen Firearm, Shield, Identification Card" is to be adhered to when a member of the Department reports a lost/stolen firearm, shield, and/or I.D. card.*

NYPD

PURPOSE To investigate circumstances when a member of the service (uniformed or civilian) reports a lost/stolen firearm, police shield or **IDENTIFICATION CARD (PD416-091)**.

PROCEDURE When a member of the service discovers the loss/theft of a firearm, shield or **IDENTIFICATION CARD**:

MEMBER OF THE SERVICE

1. Notify desk officer, precinct of occurrence, immediately.

NOTE *In Nassau or Suffolk counties, notify desk officer, 105th Precinct. In Westchester, Orange, Putnam or Rockland counties, notify desk officer, 50th Precinct. If loss/theft occurs in other than New York City or the residence counties, notify Operations Unit direct. In addition, the local police agency will be notified immediately and requested to transmit a FINEST notification to this Department.*

2. Prepare part "A" of **LOST/STOLEN FIREARM/SHIELD/I.D. CARD REPORT (PD520-150)**.
   a. If loss/theft occurred outside city, the desk officer or Operations Unit member receiving the report will prepare both parts "A" and "B" of the report.
3. Report loss/theft to commanding officer at first opportunity and include all information available.

DESK OFFICER

4. Make a Command Log entry of facts.
   a. If member reporting loss/theft is not assigned to precinct of report, prepare and forward a transcript of the Log entry to the member's commanding officer.
5. Notify commanding officer/duty captain and Operations Unit immediately.
6. Prepare part "B" of **LOST/STOLEN REPORT**.
7. Ensure that **COMPLAINT REPORT (PD313-152)** is finalized and alarm transmitted.

NOTE *A **COMPLAINT REPORT** will not be prepared nor will an alarm be transmitted if the loss/theft occurred outside New York City. However, a Command Log and/or Telephone Record entry will be made.*

8. Notify Internal Affairs Bureau Command Center and enter Internal Affairs Bureau log number under "Details" on **COMPLAINT REPORT**, if prepared, or in Telephone Record, if **COMPLAINT REPORT** is not prepared.

COMMANDING OFFICER/ DUTY CAPTAIN

9. Conduct immediate investigation.
   a. Communicate, by telephone, with agency receiving report, if loss/theft occurred outside New York City.
   b. Interview member of the service concerned reporting loss/theft, by telephone, if necessary.
10. Prepare part "C" of **LOST/STOLEN REPORT**.
   a. Include recommendation concerning negligence by member of the service.
11. Prepare **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)**, if circumstances warrant.
12. Distribute **LOST/STOLEN REPORT** as indicated on bottom of form.
13. Forward **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** to commanding officer of member reporting loss/theft.

NOTE *If the duty captain conducts the investigation, a copy of the **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** will be filed in the permanent command of the duty captain.*

MEMBER'S COMMANDING OFFICER

14. Have notation made on member's **FORCE RECORD (PD406-143)** of time and date of the Command Log entry concerning the loss/theft of firearm.
15. Determine if disciplinary action should be taken.

NOTE *When it has been determined that disciplinary action should be taken for the loss of or failure to safeguard a firearm, a consultation with the Department Advocate's Office will be made to determine appropriate disciplinary action.*

16. Initiate command discipline or formal charges, if circumstances warrant.
17. Enter disposition on **SUPERVISOR'S COMPLAINT REPORT/ COMMAND DISCIPLINE ELECTION REPORT** and file.
   a. Forward duplicate copy of **LOST/STOLEN REPORT**, through channels, to Department Advocate (Schedule B cases <u>only</u>).
18. Prepare part "D" of **LOST/STOLEN REPORT** giving particulars and/or results of investigation and any action taken or contemplated.
19. Distribute **LOST/STOLEN REPORT** as indicated on rear of form.

MEMBER OF THE SERVICE

20. Report to Commanding Officer, Employee Resources Section to obtain a new shield or **IDENTIFICATION CARD**.
   a. Return to permanent command and request clerical member to enter new shield number on **FORCE RECORD**.

ADDITIONAL DATA

Members of the service assigned to Police Headquarters whose firearm/shield/ ***IDENTIFICATION CARD*** *is lost/stolen within the confines of the 5th Precinct will immediately report the loss/theft to the Headquarters Security Unit. Members of the service assigned to the Police Academy or units within the Police Academy facility (other than 13th Precinct personnel) whose firearm/shield/****IDENTIFICATION CARD*** *is stolen/lost within the confines of the 13th Precinct will immediately report the loss/theft of firearm/shield/****IDENTIFICATION CARD*** *to the Police Academy Integrity Unit. A captain or above from the reporting members command will conduct the investigation, prepare the* ***LOST/STOLEN FIREARM/SHIELD/I.D. CARD REPORT****, and the* ***SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT****. Headquarters Security Unit or Police Academy Integrity Unit personnel will make the notifications required by the preceding procedure and* ***COMPLAINT REPORT*** *serial numbers will be obtained from the 5th or 13th Precinct, as appropriate.*

If the loss/theft of a shield occurs at a time when the Employee Resources Section is closed and the member concerned is scheduled to perform duty in uniform, the member will be assigned to duty in uniform without a shield until the Employee Resources Section opens the next business day.

Reports of lost/stolen auxiliary police shields will be processed as directed in P.G. 207-12 "Lost or Stolen Property/Identity Theft." The command clerk will enter in the box captioned "Additional Copies For" - Auxiliary Police Section.

Auxiliary police shields coming into the possession of the Department, if not required as evidence, will be forwarded, with a report of the circumstances, to the Commanding Officer, Auxiliary Police Section. A ***PROPERTY CLERK INVOICE (PD521-141)*** *is not required in such cases.*

FORMS AND REPORTS

COMPLAINT REPORT (PD313-152)
FORCE RECORD (PD406-143)
IDENTIFICATION CARD (PD416-091)
LOST/STOLEN FIREARM /SHIELD/I.D. CARD REPORT (PD520-150)
PROPERTY CLERK INVOICE (PD521-141)
SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)

PATROL GUIDE

Section: Department Property		Procedure No: 219-23	
SOLAR CELLULAR CALLBOXES			
DATE ISSUED: 02/04/15	DATE EFFECTIVE: 02/04/15	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To ensure that all components of a solar cellular callbox are in place and the callbox is functioning properly.

PROCEDURE When an alarm is received at a solar cellular callbox:

UNIFORMED MEMBER OF THE SERVICE

1. Respond as directed by the radio dispatcher.
2. Ascertain that the following components are in place:
   a. Antenna
   b. Solar panel
   c. Pole
   d. Sign - "Emergency Phone"
   e. Callbox
   f. Handset and cable (cord).
3. Make a test call to Communications Section:
   a. Verify the operability of the callbox
   b. Verify callbox number
   c. Verify callbox location.
4. Prepare appropriate reports for damaged or missing components:
   a. **COMPLAINT REPORT (PD313-152)** when investigation reveals vandalism, damaged or missing components.
   b. **Police Accident Report (MV104AN)** when investigation indicates damage or knockdown as a result of a motor vehicle collision.

NOTE *Remove entire callbox or unattached components, as appropriate, to the stationhouse for safekeeping. In all instances the Telecommunications Unit must be notified as follows:*
a. Monday to Friday, 0800 to 1600 hours, Telecommunications Unit.
b. All other times contact the Information Technology Bureau's Wheel.

COMMAND CLERK

5. Forward duplicate copy of **COMPLAINT REPORT** or **MV104AN** by Department mail, or FAX to:
   Telecommunications Unit, Room 910B
   One Police Plaza

ADDITIONAL DATA *Members of the Telecommunications Unit are available weekdays from 0800 to 1600 hours to provide further information if needed.*

RELATED PROCEDURE *Monthly Signal Box Survey (A.G. 322-25)*

FORMS AND REPORTS ***COMPLAINT REPORT (PD313-152)***
Police Accident Report (MV104AN)

PATROL GUIDE

Section: Department Property		Procedure No: 219-24	
UTILIZATION OF AND ACCOUNTABILITY FOR CELLULAR TELEPHONES ASSIGNED TO PATROL SUPERVISOR			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To ensure the proper utilization of and accountability for cellular telephones assigned to patrol supervisor.

PROCEDURE When a patrol supervisor is prepared to utilize an assigned Department cellular telephone:

PATROL SUPERVISOR

1. Ensure the power is "ON."
2. Press "RECALL" (RCL) button followed by one of the selected numerals:
   - "1" = telephone switchboard
   - "2" = desk
   - "3" = patrol borough
   - "4" = Operations Unit
   - "5" = 911

NOTE *These cellular telephones are capable of receiving all incoming calls, e.g. desk officer, duty captain, etc., However, each is programmed to allow only the outgoing calls listed in above step.*

3. Press "SEND" (SND) button.
4. Complete conversation.
5. Press "END" button.

DESK OFFICER

6. Ensure cellular telephone assigned to command for use by the patrol supervisor are operational each tour:
   a. Batteries charged
   b. Car adapters available.
7. Make a command log entry listing the name, telephone number, and assignment of the patrol supervisor in possession of the cellular telephone.
   a. Telephones not assigned will be accounted for each tour with a command log entry.

COMMANDING OFFICER

8. Ensure that cellular telephones in need of repair are promptly returned to the Telecommunications Unit located at One Police Plaza, room 910B.

PURPOSE To account for the safekeeping and usage of E-Z Pass tags assigned to each command.

PROCEDURE When E-Z Pass tags are assigned to a command:

COMMANDING OFFICER

1. Have lieutenant platoon commander/patrol supervisor account for all E-Z Pass tags that are assigned to the command.
2. Have integrity control officer monitor the usage of the E-Z Pass tags assigned to the command.

LIEUTENANT PLATOON COMMANDER/ PATROL SUPERVISOR

3. Inspect all Department vehicles assigned to command for E-Z Pass tags each Sunday, after the second platoon has been posted.
   a. Ensure that E-Z Pass tags are affixed to center top windshield of each vehicle and that the serial numbers are recorded on the **VEHICLE INSPECTION REPORT (PD571-153)**.

INTEGRITY CONTROL OFFICER

4. Maintain an inventory of all E-Z Pass tags assigned to command.
5. Review the command's E-Z Pass usage to ensure that the E-Z Pass tags are used within Department guidelines.
6. Incorporate E-Z Pass tags and their usage into the command's monthly self-inspection program.

NOTE *Commands are not authorized to transfer E-Z Pass tags from one vehicle to another. All E-Z Pass tag reassignments must be approved by the Commanding Officer, Fleet Services Division.*

WHEN AN E-Z PASS TAG IS DEFECTIVE

RANKING OFFICER

7. Prepare a report on **Typed Letterhead** addressed to the Commanding Officer, Fleet Services Division with the date, time and locations where the E-Z Pass tag failed.
8. Notify Fleet Services Division of the defective tag and deliver E-Z Pass tag with a report on **Typed Letterhead** to Fleet Services Division.

NOTE *E-Z Pass tags may fail for various reasons (defective battery, excessive speed, etc.). Therefore it is necessary to attempt to cross another E-Z Pass toll plaza to ensure that the tag is in fact defective.*

WHEN AN E-Z PASS TAG IS LOST/STOLEN OR RECOVERED

UNIFORMED MEMBER OF THE SERVICE

9. Notify the desk officer precinct/PSA/transit district of occurrence.

DESK OFFICER/ RANKING OFFICER

10. Have **COMPLAINT REPORT (PD313-152)** prepared, if necessary.
11. Notify Internal Affairs Bureau and enter log number under "Details" section of the **COMPLAINT REPORT**.
12. Notify Stolen Property Inquiry Unit (S.P.I.U.) of E-Z Pass serial number.

COMMANDING OFFICER

13. Investigate circumstances of loss, theft, or recovery of E-Z Pass tag.
14 Have a report prepared on **Typed Letterhead** with a copy of the **COMPLAINT REPORT**, forwarded through channels to the Commanding Officer, Fleet Services Division.
    a. Forward copy of report to command/unit where Department vehicle is assigned, if other than command of occurrence.

ADDITIONAL DATA

E-Z Pass tags will be permanently affixed to the top center of the vehicle's interior windshield utilizing double sided tape provided by Fleet Services Division. The exception to this provision will be vehicles that routinely leave the city on official business (example: Category I vehicles), which will have the E-Z Pass tag secured to the windshield with velcro strips provided by Fleet Services Division. The velcro strips will allow the operator of the vehicle to remove the E-Z Pass tag when utilizing facilities not authorized for E-Z Pass use by this Department.

E-Z PASS USAGE IS AUTHORIZED FOR THE BELOW LISTED TOLL CROSSINGS/BARRIER TOLLS ONLY:

Bronx-Whitestone Bridge
Bayonne Bridge
Henry Hudson Bridge
Queens Midtown Tunnel
Throgs Neck Bridge
Cross Bay Veterans Memorial Bridge
Hugh L. Carey (Brooklyn Battery) Tunnel
Robert F. Kennedy (Triborough) Bridge
Marine Parkway-Gil Hodges Memorial Bridge
George Washington Bridge
Goethals Bridge
Holland Tunnel
Lincoln Tunnel
Outerbridge Crossing
Verrazano-Narrows Bridge

E-Z PASS USAGE IS NOT AUTHORIZED FOR THE BELOW LISTED TOLL CROSSINGS/BARRIER TOLLS:

New Jersey Turnpike
Garden State Parkway
Governor Mario M. Cuomo(Tappan Zee) Bridge
New York State Thruway
New England Thruway

The above unauthorized toll crossings/barrier tolls list, is not all-inclusive, as it merely contains the unauthorized crossings most likely to be used by members of the service.

PURPOSE To provide for the issuance, control, and strict accountability of Department issued New York City Transit (NYCT) Police Pass MetroCards to all uniformed members of service.

PROCEDURE When a uniformed member of the service is issued a NYCT Police Pass MetroCard by the Human Resources Division:

HUMAN RESOURCES DIVISION

1. Provide a NYCT Police Pass MetroCard to ALL uniformed members of the service.

NOTE *The Human Resources Division will be responsible for the assignment and issuance of ALL NYCT Police Pass MetroCards, including replacement cards for damaged, defective, lost, stolen MetroCards. This card is assigned to the individual uniformed member of service, not the command. Each member will be assigned a specific card which contains its own unique serial number. This card can only be used by the member to whom it has been issued. This will allow for monitoring of the program to ensure control and accountability of all MetroCards.*

NYCT Police Pass MetroCards are never to be assigned or reassigned by commands. NYCT Police Pass MetroCards are generally valid for a period of two years. Upon expiration of MetroCard, each member MUST return their expired card in order to be issued a new card. This renewal process will be coordinated by the Employee Resources Section.

2. Maintain an account of NYCT Police Pass MetroCards to ensure the integrity of the program.

COMMANDING OFFICER

3. Ensure that all uniformed members assigned to command are in possession of a NYCT Police Pass MetroCard.
4. Ensure that MetroCard serial number is entered on each member's **FORCE RECORD (PD406-143)**.
5. Have the integrity control officer monitor the MetroCard program to ensure that all uniformed members are following procedures regarding the proper safeguarding and usage of their MetroCard.
6. Ensure that an investigation is conducted and proper procedures adhered to in instances where MetroCards become damaged, defective or are lost or stolen.

INTEGRITY CONTROL OFFICER

7. Enter the MetroCard serial number on each member's **FORCE RECORD** in order to maintain an accurate account of MetroCards assigned to members in the command.
8. Have MetroCards inspected at roll calls and during semi-annual uniform inspection.

INTEGRITY CONTROL OFFICER (continued)

9. Conduct an investigation and prepare a report on **Typed Letterhead** for commanding officer's signature requesting a replacement card, when a MetroCard is damaged or becomes defective.
   a. Have report and damaged/defective MetroCard hand delivered to the Employee Resources Section.

NOTE

When a uniformed member is going on a long term leave of absence, such as military or child care leave, ensure that member surrenders his/her MetroCard immediately prior to such leave and have MetroCard hand delivered to the Employee Resources Section. Upon member's return from long term leave of absence, prepare a report on ***Typed Letterhead*** *for the signature of the commanding officer requesting re-issuance of a MetroCard. Upon review of such request the Employee Resources Section will re-issue a MetroCard to requesting member.*

10. Comply with provisions of *P.G. 219-20, "Loss or Theft of Department Property,"* if a Department issued MetroCard is reported lost or stolen.
    a. Make telephone notification to Commanding Officer, Employee Resources Section and forward copy of all relevant paperwork regarding incident.
11. Arrange for pick-up of cards, when notified by the Employee Resources Section that replacement MetroCards are ready.
    a. Safeguard and issue cards to requesting members.
12. Collect all expired MetroCards from members of the command during the renewal period.
13. Ensure that all members of the command are issued the card that they have been assigned by serial number and obtain their signature on the MetroCard distribution list as receipt of their card.
14. Deliver completed MetroCard distribution list and expired MetroCards to the Employee Resources Section.
15. Retain copy of MetroCard distribution list in command.

UNIFORMED MEMBER OF THE SERVICE

16. Carry Department issued MetroCard at all times whenever a shield and **IDENTIFICATION CARD (PD416-091)** are required to be carried.
17. Safeguard MetroCard at all times.
18. Request replacement if MetroCard becomes defective.
19. Notify desk officer if a MetroCard is lost, stolen or damaged.
20. Surrender issued MetroCard upon separation from the Department, immediately prior to long term leave of absence or upon expiration of MetroCard.

DESK OFFICER

21. Notify commanding officer and operations coordinator of lost or stolen MetroCard.

OPERATIONS COORDINATOR

22. Comply with provisions of *P.G. 219-20, "Loss or Theft of Department Property"* and conduct investigation into loss or theft of Department issued MetroCard.
23. Have **COMPLAINT REPORT (PD313-152)** prepared.

OPERATIONS COORDINATOR (continued)

24. Notify Internal Affairs Bureau Command Center by telephone, and enter Internal Affairs Bureau Log number under "Details" of **COMPLAINT REPORT**.
25. Notify Stolen Property Inquiry Unit.
26. Notify Transit Bureau Wheel and Employee Resources Section.
27. Include MetroCard serial number on all Department forms prepared.
28. Prepare report on **Typed Letterhead**, including the results of the investigation as well as any proposed disciplinary action, if applicable.
    a. Forward one copy to the Commanding Officer, Employee Resources Section and one copy to Internal Affairs Bureau.

COMMANDING OFFICER

29. Review results of investigation.

ADDITIONAL DATA

Upon separation of service (retirement, resignation, dismissal, etc.) all uniformed members MUST surrender their MetroCard to their command, who will be responsible for ensuring the return of the card to the Employee Resources Section. All MetroCards must be hand delivered to the Employee Resources Section. A notation should be made on ***PROPERTY RECEIPT – DISCONTINUANCE OF SERVICE (PD520-013)*** *regarding same.*

NYCT Police Pass MetroCards have no electronic restrictions for their use. They may be used repeatedly and indefinitely throughout their period of validity. However, uniformed members should be aware that each use of the MetroCard is electronically recorded by NYC Transit. These records will be made available to this Department for review and analysis, should the condition warrant (e.g., loss, theft, investigation into card usage, etc.). Uniformed members of the service assigned MetroCards shall use their assigned card to gain access to subways and public buses at all times. MetroCards are Department property and are to be safeguarded at all times. POLICE PASS METROCARDS ARE FOR THE EXCLUSIVE USE OF THE UNIFORMED MEMBER OF THE SERVICE TO WHOM IT IS ISSUED. Uniformed members of the service who knowingly allow an unauthorized person to use their Police Pass MetroCard may be the subject of disciplinary action. Under no circumstances are Police Pass MetroCards to be given or loaned to any other person.

RELATED PROCEDURES

Discontinuance of Police Service – Retirement or Vested Interest (A.G. 329-06)
Discontinuance of Police Service – Resignation (A.G. 329-07)
Loss or Theft of Department Property (P.G. 219-20)

FORMS AND REPORTS

COMPLAINT REPORT (PD313-152)
FORCE RECORD (PD406-143)
PROPERTY RECEIPT – DISCONTINUANCE OF SERVICE (PD520-013)
Typed Letterhead

PURPOSE To provide for the control, accountability and issuance of Department radiation detection pagers assigned to commands:

PROCEDURE When radiation detection pagers are assigned to commands:

COUNTER - TERRORISM CENTRAL RESOURCE DIVISION

1. Assign radiation detection pagers to command through the Citywide Counterterrorism Coordinator.
2. Maintain an account of all assigned radiation detection pagers to ensure integrity of the program.

COMMANDING OFFICER

3. Ensure desk officer accounts for radiation detection pagers assigned to command on each tour.
4. Designate a secure area under the control of the desk officer for storage of radiation detection pagers and batteries assigned to the command that are not being utilized.

NOTE *Commands will maintain a supply of "AAA" batteries for the use of all radiation detection pagers in their command. "AAA" batteries may be obtained from the Quartermaster Section.*

5. Ensure availability, operability, and use of radiation detection pagers on all tours.
6. Ensure all supervisors/designated uniformed members of the service performing patrol duties in the command are adequately trained in the use and maintenance of radiation detection pagers and ensure that they are assigned and deployed on all tours.
   a. ONLY trained supervisors and trained uniformed members of the service will be assigned to use radiation detection pagers.

NOTE *Commanding officers of specialized units utilizing radiation detection pagers will have discretion to designate selected members of their units to be trained in the use of radiation detection pagers, as necessary.*

DESK OFFICER

7. Inspect and account for all radiation detection pagers assigned to command at commencement of each scheduled tour.
   a. Make Command Log entry, including serial numbers and operating status.
8. Distribute radiation detection pagers assigned to command to trained patrol supervisor/designated uniformed members of the service on scheduled tour.
   a. Indicate rank, name, shield number and assignment of member(s) receiving radiation detection pager in Command Log.

NOTE

Commands issued radiation detection pagers will deploy the device on each tour. Should a command have more than one radiation detection pager, it will be assigned to an additional trained supervisor/uniformed member of the service on patrol (e.g., traffic safety, bike patrol, etc.). Pager(s) not assigned during a tour, will be secured at the command.

Commands are not authorized to transfer radiation detection pagers to other commands.

PATROL SUPERVISOR/ UNIFORMED MEMBER OF THE SERVICE ASSIGNED

9. Inspect radiation detection pager to ensure operability and battery power at the beginning of each scheduled tour.
   a. Request replacement batteries from desk officer, as needed
   b. Inform desk officer, or other designated supervisor, if the radiation detection pager is inoperable or requires repair/ replacement.
10. Enter serial number of radiation detection pager into digital **Activity Log**.
11. Carry and safeguard radiation detection pager until completion of tour and comply with provisions of *P.G. 212-102, "Personal Radiation Detection Pager Alarms,"* if pager activates an alarm.
12. Notify desk officer if radiation detection pager is lost, stolen or damaged.
13. Return radiation detection pager to desk officer upon completion of tour.

IF RADIATION DETECTION PAGER(S) REQUIRES REPAIR OR REPLACEMENT:

DESK OFFICER

14. Investigate circumstances.
15. Prepare report on **Typed Letterhead** with the following information and attach to each radiation detection pager:
    a. Detailed description of circumstances surrounding damage or malfunction
    b. Rank, name, tax registry number and command of member of the service radiation detection pager was assigned to at time of damage or malfunction
16. Contact the Patrol Borough Counterterrorism Coordinator for instructions regarding the return of radiation detection pager(s) and acquisition of replacement(s).
17. Assign a uniformed member of the service to deliver radiation detection pager(s) with report on **Typed Letterhead** or retrieve pager as per instructions received from Patrol Borough Counterterrorism Coordinator.
    a. Record details in Command Log including serial number of radiation detection pager(s) and rank, name, shield number of member assigned.

ASSIGNED UNIFORMED MEMBER OF THE SERVICE

18. Deliver/retrieve radiation detection pager(s).
19. Make the following digital **Activity Log** entries:
    a. Serial number(s) of radiation detection pager(s) involved.
    b. Rank, name and shield number of borough staff member receiving or distributing the radiation detection pager(s).

PATROL BOROUGH COUNTER - TERRORISM COORDINATOR

20. Accept the returned radiation detection pager(s).
21. Provide replacement radiation detection pager(s), if available.
22. Have returned radiation detection pager(s) delivered to Citywide Counterterrorism Office.

CITYWIDE COUNTER - TERRORISM OFFICE

23. Forward returned radiation detection pager(s) to the Counterterrorism Central Resource Division.

ADDITIONAL DATA

Reports of lost or stolen radiation detection pager(s) will be processed in accordance with P.G. 219-20, "Loss or Theft of Department Property." In addition, the Citywide Counterterrorism Office will be immediately notified.

RELATED PROCEDURES

Discontinuance of Police Service – Resignation (A.G. 329-07)
Discontinuance of Police Service – Retirement or Vested Interest (A.G. 329-06)
Hazardous Materials (P.G. 212-37)
Loss or Theft of Department Property (P.G. 219-20)
Personal Radiation Detection Pager Alarms (P.G. 212-102)
Processing Unknown Substances Suspected of Being Chemical, Biological, Radiological, Nuclear (CBRN)/Hazardous Materials Evidence (P.G. 212-101)

FORMS AND REPORTS

Typed Letterhead

PURPOSE To address emergency power outages in a timely and efficient manner, and to ensure that non-essential equipment is removed from emergency electrical receptacles when a power outage occurs.

SCOPE The Building Maintenance Section is responsible to test, maintain and repair the Department's emergency generator systems (Housing and Transit Bureau facilities will be maintained by the Housing and Transit Authorities as per existing Memorandums of Understanding). Each command's generator system is tested and preventive maintenance performed by the Building Maintenance Section on a regular basis.

PROCEDURE When a Department facility loses electrical power (regardless of whether or not the emergency generator system is activated):

DESK OFFICER /SUPERVISORY OFFICER

1. Immediately notify the Building Maintenance Section, twenty-four hours a day, seven days a week.
   a. Record notification in Telephone Record.

NOTE *If necessary, the Building Maintenance Section will dispatch generator mechanics and electricians to correct any conditions and monitor the system. Only qualified Building Maintenance Section personnel should attempt to start or repair the emergency generator system. Absent exigent circumstances, other members of the service or personnel from outside agencies are not permitted to start or repair the generator system without the approval of a Building Maintenance Section supervisor.*

IF THE EMERGENCY GENERATOR HAS BEEN ACTIVATED:

DESK OFFICER /SUPERVISORY OFFICER

2. Immediately survey the command to ensure that only essential emergency equipment and critical computer systems are operating on emergency power.
3. Have all non-essential equipment disconnected from emergency electrical receptacles.

NOTE *All non-essential equipment (air conditioners, vending machines, refrigerators, microwaves, etc.) should be immediately disconnected from emergency electrical receptacles. Emergency electrical receptacles are commonly identified by a red cover plate over the receptacle or raised lettering on the outlet receptacle.*

ADDITIONAL DATA *If a command has a single fuel tank for both the heating system and the emergency generator, it is the command's responsibility to maintain the proper fuel level. Commands that have a single fuel tank (see Appendix "A") will ensure that the fuel level remains above the fifty percent level. Commands with two fuel tanks (separate tanks for the heating system and emergency generator system) are responsible for maintaining the fuel level in the tank that supplies the heating system. The Building Maintenance Section will be responsible for maintaining the proper fuel level in the emergency generator fuel*

ADDITIONAL DATA (continued)

tank. If command personnel require training on how to properly determine the fuel level of the command's fuel tank, a work order should be submitted to the Building Maintenance Section via the on-line work order system. Include in the request for training a contact person, contact phone number and times when the member of the service will be available.

Commanding officers are responsible to conduct a quarterly survey to ensure that all generator rooms, mechanical rooms, and electrical rooms are being utilized only for their intended purpose and not as locker rooms, storage rooms, etc. Items placed within these locations may create a fire hazard, which could endanger all members of the command.

RELATED PROCEDURE

Request for Repairs, Renovations, or Custodial Assistance within Department Facilities (A.G. 327-03)

NYPD

APPENDIX "A"

The following commands have a single fuel tank and will be required to maintain the tank level above the fifty percent mark.

COMMAND	TANK SIZE
1	2500 Gallons
7	8000 Gallons
10	2500 Gallons
20	6000 Gallons
23	10000 Gallons
24	8000 Gallons
26	10000 Gallons
28	8000 Gallons
30	8000 Gallons
33	15000 Gallons
34	10000 Gallons
43	6000 Gallons
47	8000 Gallons
48	10000 Gallons
52	8000 Gallons
60	6000 Gallons
61	6000 Gallons
63	3000 Gallons
67	5000 Gallons
68	8000 Gallons
69	4000 Gallons
71	4000 Gallons
72	8000 Gallons
75	15000 Gallons
76	6000 Gallons
79	6000 Gallons
81	6000 Gallons
84	10000 Gallons
90	15000 Gallons
94	5000 Gallons
102	5000 Gallons
105	10000 Gallons
109	10000 Gallons
111	8000 Gallons
112	10000 Gallons
113	10000 Gallons
114	6000 Gallons
120	5000 Gallons
122	6000 Gallons
BMS	25000 Gallons
BSTF (70 PARK)	10000 Gallons

NYPD

DISTRIBUTION AND USE OF NYPD RESTRICTED PARKING PERMITS

PURPOSE To provide for the distribution, accountability, use and restrictions of the NYPD Restricted Parking Permit.

DEFINITION NYPD Restricted Parking Permit (Misc. 23-N): Cardboard, approximately four inches by ten inches with serial number, command code, space for vehicle license plate number and an expiration date (permit color, design and expiration date will change each year).

PROCEDURE To account for the distribution and use of Department issued NYPD Restricted Parking Permits.

NOTE *ELIGIBILITY REQUIREMENTS FOR RESTRICTED PARKING PERMITS*

Only members of the service are eligible to receive a Restricted Parking Permit. Under NO circumstance will non-members of the service be assigned permits. Members of the service must meet the following requirements to be deemed ELIGIBLE for a Restricted Parking Permit:

a. Member must have a valid NYS driver's license and the vehicle that the Restricted Parking Permit is requested for must have a valid NYS registration (this requirement is not applicable for members of the service with certain exempted titles, i.e., certain employment titles allow members to reside outside of New York City and the resident counties). Any member of the service with an exempted title must comply with the regulations of this procedure based upon the licensing, registration and insurance regulations of the state in which they reside.

b. The vehicle that the Restricted Parking Permit is requested for must have a valid insurance policy.

c. The vehicle that the Restricted Parking Permit is requested for must be registered to the requesting member of the service, or to a person related by blood or marriage, or to the requesting member's registered NYS domestic partner. The residence of the vehicle's registered owner (member of the service, relative or NYS domestic partner) must be the same residence the requesting member of the service has on record with the Department.

When a member of the service applies for a Restricted Parking Permit, it is permissible to have a Post Office (P.O.) box listed on the member's driver's license, registration and/or insurance card. However, in all cases the member of the service's address of record with the DMV for his/her license and registration, as well as the address on record with the insurance company for the auto insurance all must match the primary residence the member of the service has on record with the Department.

If the mailing address on the registration of the vehicle is a P.O. box, the requesting member MUST attach to the application proof that the insurance policy of the vehicle is issued to the same address as the member's primary residence on record with the Department.

NOTE (continued)

When a member of the service changes his/her residence, he/she will comply with Administrative Guide 304-25, "Residence Requirements" and Administrative Guide 304-16, "Personal Information Via Department Intranet." Members must also notify the New York State Department of Motor Vehicles (DMV) when they change addresses.

MEMBER/VEHICLES INELIGIBLE FOR RESTRICTED PARKING PERMITS

Members of the service will be deemed INELIGIBLE to receive a Restricted Parking Permit as follows:

a. Member has been assigned a Category I Department vehicle (i.e., unmarked Department vehicle not required to be stored at a Department facility and permitted to be removed from the City on a regular basis. Category I Department vehicles are specifically designated by the Police Commissioner.).

All Department owned, leased or rented vehicles will be assigned an NYPD Official Vehicle Identification Plate (Misc. 740). An Official Vehicle Identification Plate (laminated permit) will only be issued to the private vehicle of a member of the service upon approval of a "Private Vehicle Authorization" as outlined in Administrative Guide 325-14, "Private Vehicles Authorization and Usage" as well as approval by the Chief of Department.

b. Members assigned to One Police Plaza who have access to One Police Plaza garage parking, including the annex garage (exemption: Category II vehicles).

c. Members assigned to the Military & Extended Leave Desk or on vacation/terminal leave pending retirement.

d. Members under suspension.

In compliance with Administrative Guide 318-06, "Suspension from Duty – Uniformed Member of the Service," and Administrative Guide 318-07, "Suspension from Duty – Civilian Member of the Service," the ranking officer in charge will direct member placed under suspension to surrender all Department property, including assigned Restricted Parking Permit.

e. Auxiliary Police members.

Vehicles with five or more red light camera violations or fifteen or more school speed camera violations incurred within a twelve month period will be ineligible for a Restricted Parking Permit.

COMMANDING OFFICER/ INTEGRITY CONTROL OFFICER

1. Distribute **RESTRICTED PARKING PERMIT APPLICATIONS (PD671-041)** to all eligible members of command based on command code only.
   a. Applications are available via the Department Intranet.

NOTE

Commanding officers of precincts will be responsible to distribute permits to their respective Detective Squads.

NOTE (continued) *Only members of the service who fill out an application will be considered for a Restricted Parking Permit.*

MEMBER OF THE SERVICE

2. Complete application and submit to the integrity control officer by the last business day of the following:
   a. **Manhattan – first week of September**
   b. **Bronx – second week of September**
   c. **Staten Island/Brooklyn – third week of September**
   d. **Queens – fourth week of September**.

NOTE *All commands will comply with the above submission dates based on the patrol borough location of their reporting command and not the location of their overhead command (example: members assigned to the Emergency Service Squad 4, located at 3450 Kingsbridge Ave., Bronx, will follow the Bronx submission schedule).*

Only members of the service on sick report, vacation or other authorized leave will be exempt from filing on these dates and will report to their integrity control officer upon return to duty.

INTEGRITY CONTROL OFFICER/ DESIGNEE

3. Ensure each application is properly completed. Return any incomplete application to the member concerned for immediate correction.
4. Conduct the following integrity control background checks using the following sessions:
   a. zFINEST RALL (NYS Vehicle Registration by Plate Number)
   b. zFINEST DCID (NYS Driver Inquiry, suspensions, revocations and restrictions on license, scofflaw)
   c. "Employee Inquiry Report" via the Centralized Personnel Resource (CPR) System.
   d. Domain Awareness System (DAS) – Summons history (search by license plate number).

NOTE *Integrity control officers must confer with the Personnel Bureau to ensure that the Department has the correct information on file for any member of the service who has recently changed any personal information.*

All integrity control officers will ensure the address submitted by the applicant matches the address generated in the Restricted Parking Permit Application System.

5. Attach the results of all checks to each application.
6. Conduct a search of Department disciplinary records for any negative information related to:
   a. Parking/equipment violations (e.g., illegal plate covers, etc.) or
   b. Parking permit misuse (e.g., command discipline, minor violations documented via the CRAFT application, civilian complaints, etc.).
7. Conduct license plate search on the public New York City Department of Finance website to ascertain if the vehicle is in judgment for outstanding fines due to parking or photo enforcement violations.

NOTE *A failure in any of the above categories (e.g., discrepancies in vehicle registration, insurance, suspended or revoked driver's license, unverified residence, scofflaw, vehicle in judgment due to outstanding parking/photo enforcement fines, five or more red light camera violations or fifteen or more school speed camera violations incurred within a twelve-month period, etc.) will disqualify the applicant from receiving a Restricted Parking Permit. If any discrepancy in the above information is revealed, the integrity control officer will obtain an Internal Affairs Bureau log number, conduct an investigation and take appropriate action.*

If a search of the New York City Department of Finance records shows that the vehicle listed on the application has outstanding violations, but is not in judgment, the applicant may still receive a Restricted Parking Permit if otherwise qualified. However, the integrity control officer will advise the applicant to challenge the summons or plead guilty and pay the fine. In these cases, the integrity control officer will conduct a follow-up within 30 days of permit issuance to ensure the violation(s) has been challenged or satisfied.

INTEGRITY CONTROL OFFICER/ DESIGNEE (continued)

8. File all denied applications at command level.
9. Forward approved applications to the commanding officer for final authorization and signature.

COMMANDING OFFICER

10. Ensure command fulfills all of the above requirements and that ONLY completed and approved applications are sent to the Chief of Department's Vehicle Identification Unit.

NOTE *Commanding officers will consider a member of the service's disciplinary records related to parking before approving an application for a Restricted Parking Permit. Commanding officers will have final authority to approve or deny all Restricted Parking Permit applications submitted by members of their command.*

If any application is denied by the integrity control officer or the commanding officer, the applicant's expiring Restricted Parking Permit will be immediately confiscated and returned to the Chief of Department's Vehicle Identification Unit.

INTEGRITY CONTROL OFFICER/ DESIGNEE

11. Enter the APPROVED applications into the Restricted Parking Permit Application System via the Intranet.
    a. The first step requires the setup of a Registered User Account (if assistance is needed accessing the website, contact the Chief of Department's Vehicle Identification Unit).
12. Print a hard copy of the application before entering "SUBMIT."
13. Ensure hard copies of completed and approved applications along with all supporting material are hand delivered to the Chief of Department's Vehicle Identification Unit at 300 Gold Street, Room 312, Brooklyn, by the last business day of the following:
    a. **Manhattan – second week of September**
    b. **Bronx – third week of September**
    c. **Staten Island/Brooklyn – fourth week of September**
    d. **Queens – first week of October**.

NOTE *The Chief of Department's Vehicle Identification Unit is available to assist members of the service who appear in person from 0900 to 1700, Monday through Friday.*

In order to ensure that requesting officers receive their Restricted Parking Permits prior to the expiration date, it is incumbent upon each individual command to adhere to the above dates.

Integrity control officer/designee must ensure that in instances where the vehicle registration of a requesting member has a P.O. box address, that the member of the service submits proof that the insurance policy of the vehicle is issued to the same address as the member's primary residence on record with the Department. That proof must be forwarded with the application to the Chief of Department's Vehicle Identification Unit.

CHIEF OF DEPARTMENT, VEHICLE IDENTIFICATION UNIT

14. Maintain copies of all completed applications in a secure location.
15. Notify command concerned (via Telephone Message) of the date and time to obtain new Restricted Parking Permits.

NOTE *Commands receiving the above notification will make appropriate entries in the Telephone Record.*

INTEGRITY CONTROL OFFICER/ DESIGNEE

16. Upon receipt of the new Restricted Parking Permits, collect the expiring permits and forward them to the Chief of Department's Vehicle Identification Unit according to the following schedule:
    a. **Manhattan – during the first and second week of March**
    b. **Bronx – during the third and fourth week of March**
    c. **Staten Island/Brooklyn – during the first and second week of April**
    d. **Queens – during the third and fourth week of April**.

NOTE *Account for all lost/missing permits in accordance with Patrol Guide 219-20, "Loss or Theft of Department Property."*

17. Ensure the vehicle license plate number listed on the submitted application is properly indicated on the newly issued Restricted Parking Permit with a permanent marker.

NOTE *Commanding officers will be held strictly accountable for adherence to all deadlines for the submission and collection of Restricted Parking Permits assigned to members of their command.*

Under NO circumstances will the Restricted Parking Permit be laminated.

When a member of the service is transferred, the integrity control officer of the member's new command is responsible for collecting the Restricted Parking Permit that was issued to the transferring member. When the transferred member arrives at the new command, he/she will apply for a new Restricted Parking Permit regardless of the date

NOTE (continued)

of transfer. During the application process, the member will continue to use his/her Restricted Parking Permit from his/her previous command. Upon approval of a new Restricted Parking Permit the member will submit his/her old permit to the integrity control officer of the new command, who will forward the returned permit to the Chief of Department's Vehicle Identification Unit.

ADDITIONAL DATA

On Election Days, uniformed members of the service assigned to election duty, are permitted to display their valid NYPD Restricted Parking Permits, in authorized vehicles, to park in close proximity to their assigned election posts.

Commands will maintain a command Parking Permit Log with following captions:

a. Permit number
b. Date issued
c. Name of member
d. Vehicle (Plate and Make)
e. Date Returned
f. Remarks.

Each member will be responsible to secure his/her permit while off duty and NOT display it for any reason other than to park in a designated self-enforcement zone while on duty.

Any permit without a license plate number displayed on its face will be deemed invalid.

Any violation of this procedure will result in the member's vehicle being summonsed and possibly towed. Furthermore, the offending member of the service may be subject to disciplinary action.

A permit is deemed invalid if the license plate number displayed on the face of the permit does not match the vehicle registration plate number.

If the vehicle which the Restricted Parking Permit was originally assigned to is subsequently changed, the member will notify his/her commanding officer within thirty days. Members will be allowed to use another vehicle not on file with the Chief of Department for a maximum of thirty days if the vehicle they use to commute is unavailable (e.g., mechanic, change in ownership, etc).

A member of the service can only use the Restricted Parking Permit for another vehicle (in above situation) if that substitute vehicle is owned by the requesting member of the service, a person related by blood or marriage, or the requesting member's registered NYS domestic partner. The residence of the substitute vehicles' registered owner (member of the service, relative or NYS domestic partner) must be the same residence the requesting member of the service has on file with the Department.

Members of the service are reminded that there is no valid verifiable defense for parking their vehicle (with or without a Restricted Parking Permit) under the following conditions:

a. Double Parking
b. Fire Hydrant or Fire Zone
c. Bus Stop or Bus Lane
d. Sidewalk
e. Crosswalks and Driveways
f. Obstruct Traffic

ADDITIONAL DATA (continued)

g. No Standing Zones (except "No Standing Except Truck Loading and Unloading")
h. Snow Emergency
i. No Parking – Taxi Stand
j. Bicycle Lane
k. Within No Permit Zone – as indicated on rear of vehicle identification plates.

Members of the service will be held strictly accountable for the permit issued to them.

Furthermore, the use of these permits is restricted to the member of service to which it is assigned and therefore non-transferable to anyone else.

The Restricted Parking Permit must be properly displayed within the vehicle (i.e., face up with entire serial number and license plate visible) otherwise the permit will be considered invalid. When displayed, no part or portion of the Restricted Parking Permit will be covered with any item or be obstructed in anyway.

A RESTRICTED PARKING PERMIT MAY NOT BE PHOTOCOPIED OR REPRODUCED IN ANY MANNER. ANY MEMBER IN VIOLATION WILL BE SUBJECT TO DISCIPLINARY ACTION.

The Restricted Parking Permit Application System will be purged during the first week of June each year. To request access to the Restricted Parking Permit Application System, use the request access link found on the Restricted Parking Permit Application System sign on page.

RELATED PROCEDURES

Private Vehicles Authorization and Usage (A.G. 325-14)
Vehicle Identification Plates for Private Vehicles Used on Official Business (A.G. 325-15)

FORMS AND REPORTS

RESTRICTED PARKING PERMIT APPLICATION (PD671-041)

ISSUANCE AND MAINTENANCE OF RADIATION DETECTION PAGERS PERSONALLY ASSIGNED TO UNIFORMED MEMBERS OF THE SERVICE

PURPOSE To provide for the control, accountability and issuance of Department radiation detection pagers assigned to selected individual uniformed members of the service:

PROCEDURE When radiation detection pagers are permanently assigned to selected individual uniformed members of the service:

COUNTER - TERRORISM CENTRAL RESOURCE DIVISION

1. Issue radiation detection pagers permanently to individual uniformed members of the service upon completion of the Counterterrorism Central Resource Division's "Radiation Detection Pager" training.
   a. Forward a copy of the **PROPERTY TRANSFER RECEIPT (PD521-145)** to the commanding officer and integrity control officer of the trained member.
2. Maintain an account of all radiation detection pagers to ensure integrity of the program.

NOTE *The Counterterrorism Central Resource Division will be responsible for the assignment and issuance of radiation detection pagers to individual uniformed members of the service. Each uniformed member of the service will be assigned a specific radiation detection pager which contains its own unique serial number. This will also allow for monitoring of the program to ensure control and accountability of individually issued radiation detection pagers.*

COMMANDING OFFICER

3. Ensure integrity control officer monitors permanently assigned radiation detection pagers to individual uniformed members of the service.
4. Ensure radiation detectors are inspected.

NOTE *Commands will maintain a supply of "AAA" batteries for the use of all radiation detection pagers in their command. "AAA" batteries may be obtained from the Quartermaster Section.*

Commanding officers of specialized units utilizing radiation detection pagers will have discretion to designate selected members of their units to be trained in the use of radiation detection pagers, as necessary.

INTEGRITY CONTROL OFFICER

5. Ensure radiation detection pager serial number for each trained uniformed member of the service is listed on member's **FORCE RECORD (PD406-143)**.
6. Maintain a list of all uniformed members of the service who are personally assigned a radiation detection pager.

DESK OFFICER

7. Inspect and account for radiation detection pagers personally assigned to uniformed members of the service at the commencement of each scheduled tour.
   a. Make a Command Log entry, including serial numbers.

NOTE *Commands are not authorized to transfer permanently assigned radiation detection pagers to other uniformed members of the service.*

ASSIGNED UNIFORMED MEMBER OF THE SERVICE

8. Safeguard radiation detection pager at all times.
9. Inspect radiation detection pager to ensure operability and battery power at the beginning of each scheduled tour.
   a. Request replacement batteries from desk officer, as needed
   b. Inform desk officer, or other designated supervisor, if the radiation detection pager is inoperable or requires repair/replacement.
10. Carry and safeguard radiation detection pager at all times when performing duty and comply with provisions of *P.G. 212-102, "Personal Radiation Detection Pager Alarms,"* if radiation detection pager activates an alarm.
11. Notify desk officer if radiation detection pager is lost, stolen or damaged.
12. Surrender issued radiation detection pager upon separation from the Department to desk officer for return to the Patrol Borough Counterterrorism Coordinator.

IF RADIATION DETECTION PAGER(S) REQUIRES REPAIR, REPLACEMENT, OR RETURN:

DESK OFFICER

13. Investigate circumstances.
14. Prepare report on **Typed Letterhead** with the following information and attach to each radiation detection pager:
   a. Detailed description of circumstances surrounding damage, malfunction or other reason for return
   b. Rank, name, tax registry number and command of member of service radiation detection pager was assigned to at time of damage, malfunction or surrender.
15. Contact the Patrol Borough Counterterrorism Coordinator for instructions regarding the return of radiation detection pager(s) and acquisition of replacement(s).
16. Assign a uniformed member of the service to deliver pager with report on **Typed Letterhead** or retrieve pager as per instructions received from Patrol Borough Counterterrorism Coordinator.
   a. Record details in the Command Log including serial number of radiation detection pager(s) and rank, name, shield number of member assigned.

ASSIGNED UNIFORMED MEMBER OF THE SERVICE

17. Deliver/retrieve radiation detection pager.
18. Make the following digital **Activity Log** entries:
   a. Serial number(s) of radiation detection pager(s) involved
   b. Rank, name and shield number of borough staff member receiving or distributing the radiation detection pager(s).

PATROL BOROUGH COUNTER – TERRORISM COORDINATOR

19. Accept the returned radiation detection pager(s).
20. Provide replacement radiation detection pager(s), if available.
21. Have returned radiation detection pager(s) delivered to Citywide Counterterrorism Office.

CITYWIDE COUNTER - TERRORISM OFFICE

22. Forward returned radiation detection pager(s) to the Counterterrorism Central Resource Division.

ADDITIONAL DATA

Reports of lost or stolen radiation detection pager(s) will be processed in accordance with P.G. 219-20, "Loss or Theft of Department Property." In addition, the Citywide Counterterrorism Office will be immediately notified.

RELATED PROCEDURES

Discontinuance of Police Service – Resignation (A.G. 329-07)
Discontinuance of Police Service – Retirement or Vested Interest (A.G. 329-06)
Hazardous Materials (P.G. 212-37)
Loss or Theft of Department Property (P.G. 219-20)
Patrol Borough Counterterrorism Coordinator (P.G. 202-04b)
Personal Radiation Detection Pager Alarms (P.G. 212-102)
Processing Unknown Substances Suspected of Being Chemical, Biological, Radiological, Nuclear (CBRN)/Hazardous Materials Evidence (P.G. 212-101)

FORMS AND REPORTS

PROPERTY TRANSFER RECEIPT (PD521-145)
Typed Letterhead

NYPD

PURPOSE To provide for control, use, maintenance and accountability of License Plate Reader (LPR) devices installed in selected Department vehicles.

DEFINITION LICENSE PLATE READER DEVICE (LPR) – A specialized camera and computer that is capable of quickly capturing license plate numbers on passing vehicles and then converting them into text that is automatically compared against a "hot list" of license plates of interest (e.g., stolen, wanted, suspended registration or insurance coverage, etc.). An LPR device can identify a target plate within seconds. LPR devices may read each license plate passed and alert the LPR operator when there is a match to a list of specific or partial license plate numbers. The LPR device is not automatically connected to NYSPIN, is not programmed to scan the state of registration on a license plate and will activate upon a partial scan match. Therefore, it is absolutely essential that the LPR operator verify the current status of a vehicle through NYSPIN prior to initiating any law enforcement action (e.g., arrest, summons, etc.).

PROCEDURE When a License Plate Reader (LPR) device is installed in selected Department vehicles of assigned command:

MEMBER UTILIZING LPR SYSTEM

1. Inspect LPR device for operability and serviceability in assigned vehicle at beginning of tour and report results to desk officer.
2. Activate LPR device and record in digital **Activity Log** the last time LPR device received an updated "hot list."
   a. Do not utilize an LPR device if it has not been updated within the last twenty-four hours.
3. Notify patrol supervisor and desk officer if LPR system becomes inoperable during tour.

DESK OFFICER

4. Account for the condition of each LPR device in Department vehicles assigned to the command at beginning of each tour.
   a. Record results of member's inspection for each LPR device in the Command Log.
5. Enter on Centralized Personnel Resource (CPR) Roll Call System the assignment of each Department vehicle equipped with an LPR device assigned to the command (e.g., sector "A," traffic safety, etc.).
6. Contact the Information Technology Bureau (ITB) Service Desk for repairs and maintenance to an LPR device.
   a. Record notification in the Telephone Record.

UPON THE ACTIVATION OF AN ALARM FROM THE LPR SYSTEM

MEMBER UTILIZING LPR SYSTEM

7. Verify by checking NYSPIN through radio dispatcher or Department mobile device (e.g., smartphone, tablet, etc.) that alarm or vehicle status remains active.

NOTE *The LPR device is not automatically connected to NYSPIN, is not programmed to scan the state of registration on a license plate and will activate upon a partial scan match. Therefore, it is absolutely essential that the LPR operator verify the current status of a vehicle through NYSPIN prior to initiating any law enforcement action, unless there are additional reasons for a lawful stop such as an observed Vehicle and Traffic Law infraction or if circumstances provide sufficient reasonable suspicion to justify a Terry Stop/level 3 encounter, as described in P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops."*

MEMBER UTILIZING LPR SYSTEM (continued)

8. Take necessary law enforcement action (e.g., arrest, summons, Rotation Tow, etc.).
   a. Members shall be guided by *P.G. 221-15, "Vehicle Pursuits,"* whenever they are in pursuit of a vehicle due to activation of an alarm from the LPR system.

ADDITIONAL DATA

The LPR system allows for the proactive entry of license plate numbers and partial plate numbers, enabling the system to activate when the wanted vehicle's license plate has been read by the LPR device.

The Real Time Crime Center can be contacted to conduct a search of past records of license plate numbers searched.

LPR devices are intended to provide access to stolen and wanted files and may also be used in furtherance of a criminal investigation. The use of an LPR device for any other purpose is strictly prohibited.

The camera lens of an LPR device may be cleaned only with a glass cleaner that is applied with a soft cloth. Other types of maintenance or manipulation by members of the service are strictly prohibited. The LPR equipment must not be moved from its mounting location under any circumstances.

If the LPR is inoperable or requires maintenance, the ITB Service Desk will be contacted. A Department vehicle does not have to be placed out of service while waiting for the repair of the LPR device.

RELATED PROCEDURES

Vehicle Pursuits (P.G. 221-15)
Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops (P.G. 212-11)

PURPOSE To provide members of the service with the Department's rights and use policy pertaining to Department smartphones, tablets, and portable computers.

DEFINITION MOBILE DIGITAL DEVICE - Any smartphone, tablet, or portable computer issued by the Department.

PROCEDURE When a Department smartphone or portable computer has been assigned to a member of the service and/or when tablets have been installed in Department vehicles:

MEMBER OF THE SERVICE

1. Use Department issued digital mobile devices for official Department business exclusively.
   a. Do not use any other cellular telephone/smartphone/tablet (e.g., personal device, etc.) to conduct official Department business.
   b. Do not use personal electronic/digital device (e.g., smartphone, tablet, gaming device, Bluetooth headset, etc.) while performing duties during tour (except on authorized meal).

NOTE *A personal cellular phone is authorized to be used by on duty members of the service on assigned meal, in the event of an emergency. A personal cellular phone shall not be used to conduct official Department business. The personal cellular phone must be carried in a concealed manner that does not interfere with authorized equipment.*

2. Carry Department smartphone while on duty, except those members of the service performing duties of a sensitive nature.
   a. All members of the service must affix Department issued **NYPD PHONE STICKER (PD589-090)** to their Department issued phone case where it is clearly visible and identifiable.
   b. Other members may be exempt from carrying a Department smartphone by their commanding officer, if, in the opinion of the commanding officer, it would interfere with or be inappropriate for, the member's specific duty or assignment.
   c. Members of the service may secure their Department smartphone at their command when they are off-duty.
   d. Members of the service may carry their Department smartphone while off-duty and remove their phone case as to not readily identify themselves as members of the service.
   e. Other members of the service may be allowed to remove their phone case with **NYPD PHONE STICKER** removed with approval from their commanding officer, if in the opinion of the commanding officer, it would interfere with, or be inappropriate for, the member's specific duty or assignment.

MEMBER OF THE SERVICE (continued)

3. Maintain situational awareness at all times and limit the use of Department smartphone/tablet in the absence of another uniformed member of the service who can provide proper tactical cover.
4. Do not install any applications on Department mobile digital device or alter the configurations as issued, unless approved by the Deputy Commissioner, Information Technology.
5. Do not delete any content on Department mobile digital device, including smartphones, tablets, and portable computers, including, but not limited to, any information or images, including text messages, photos, videos, notes, calendar entries, or voicemail messages, etc.
6. Notify supervisor and ITB, Telecommunications Unit immediately, when made aware that Department mobile digital device may have been lost, stolen, or damaged.
   a. Reports of lost or stolen mobile digital device will be processed in accordance with *P.G. 219-20, "Loss or Theft of Department Property."*
7. Complete **DEPARTMENT MOBILE DIGITAL DEVICE REPAIR/REPLACEMENT/RETURN REQUEST (PD589-163)** to have mobile digital device repaired or replaced and be guided by the direction of the ITB, Telecommunications Unit.

COMMANDING OFFICER/ DESIGNATED SUPERVISOR

8. Prepare **DEPARTMENT MOBILE DIGITAL DEVICE REPAIR/REPLACEMENT/RETURN REQUEST (PD589-163)** and return the Department smartphone to the ITB, Telecommunications Unit whenever a member of the service of the command has a change in duty status (e.g., retired, suspended, modified [removal on case-by-case basis], etc.).
9. Report any incident regarding the unauthorized use of a Department smartphone/tablet to the integrity control officer.

INTEGRITY CONTROL OFFICER

10. Conduct an investigation upon notification of unauthorized use of a Department smartphone/tablet and take disciplinary action, if necessary.
11. Conduct audit of any member of the service's smartphone use, and of any Department tablet, as appropriate.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

Members are permitted, but are not required, to use Department smartphones/tablets to photograph and/or video record encounters with the public. Members should be aware that the recording/photographing of these situations may help to provide context to the enforcement encounter. However, members shall not utilize Department smartphones/tablets to record/photograph situations in which the utilization of a Body-Worn camera would also be prohibited, as outlined in P.G. 212-123, "Use of Body-Worn Cameras." Department mobile digital devices shall also not be used to document demonstrations or political activity unless consistent with P.G. 212-71, "Guidelines for the Use of Video/Photographic Equipment by Operational Personnel at Demonstrations" and P.G. 212-72, "Guidelines for Uniformed Members of the Service Conducting Investigations Involving Political Activities."

ADDITIONAL DATA (continued)

The Crime Scene Unit and Evidence Collection Teams remain solely responsible for documenting crime scenes via photo and/or video, and Department mobile digital devices should not be used by any other command for these purposes.

Unless authorized by competent authority, do not list personal contacts, the personal phone numbers, true names of members of the service performing duties of a sensitive nature (e.g., undercovers, etc.), the true names of confidential informants, or any other information on a Department smartphone/tablet that, if disclosed, could pose a safety risk to a member of the service or a member of the public at large.

LEGAL CONSIDERATIONS

Members of the service are reminded that materials generated or stored on a Department mobile digital device may be subject to statutory sealing provisions or to court order limiting or prohibiting transmission.

Members of the service with knowledge of any information or images, including text messages, photos, videos, notes, calendar entries, or voicemail messages documented by a Department smartphone/tablet, or any other cellular telephone/smartphone/tablet and relating to an arrest, prosecution, or civil matter, must notify the following:

a. Assigned detective/investigator and assistant district attorney, if there is any information on the smartphone/tablet concerning a police incident or crime investigation,
b. Legal Bureau, if there is information on the smartphone/tablet concerning a potential or actual civil litigation, and/or
c. Appropriate assistant corporation counsel, if there is information on the smartphone/tablet concerning a Family Court prosecution.

Members of the service must not document any information on a personal mobile device. All information must be shared. If withheld, this is subject to discipline.

The Department is required by law to disclose certain information and material related to criminal and civil discovery in civil cases, the Freedom of Information Law (F.O.I.L.), subpoenas, and court orders. The Legal Bureau's Subpoena Litigation Unit will respond to subpoenas as per P.G. 211-17, "Processing Legal Bureau Requests for Department Records Including Requests Under the Freedom of Information Law."

The Internal Affairs Bureau's Civilian Complaint Review Board (CCRB) Liaison will process requests from CCRB for information contained on Department smartphones as per P.G. 211-14, "Investigations by Civilian Complaint Review Board." In situations where CCRB is requesting information contained on a Department smartphone from a member of the service related to a pending CCRB inquiry, the member will notify their integrity control officer who will contact the Legal Bureau for guidance.

Members are advised that they do not maintain any right to privacy in any feature of these devices, including any communications and other applications. Communications, photo and/or video may be accessed and retrieved by the Department at any time with or without the user's prior knowledge. Members of the service should understand that any email, text, voicemail, photo, video, GPS or other information generated by any other application on these devices, may be Rosario material and/or information that is discoverable in criminal prosecutions, civil lawsuits, Civilian Complaint Review Board and Internal Affairs Bureau investigations and proceedings, the Department's internal disciplinary processes and/or

ADDITIONAL DATA (continued)

other legal administrative proceedings. These devices may be subject to collection and full inspection by the Department and/or outside entities, including but not limited to, district attorneys, criminal defense attorneys, the courts, the Corporation Counsel, plaintiffs' attorneys in civil lawsuits and/or any of the Department's present or future oversight bodies.

RELATED PROCEDURES

Guidelines for the Use of Video/Photographic Equipment by Operational Personnel at Demonstrations (P.G. 212-71)
Guidelines for Uniformed Members of the Service Conducting Investigations Involving Political Activities (P.G. 212-72)
Loss or Theft of Department Property (P.G. 219-20)
Investigations by Civilian Complaint Review Board (P.G. 211-14)
Processing Legal Bureau Requests for Department Records Including Requests Under the Freedom of Information Law (P.G. 211-17)
Use of Body-Worn Cameras (P.G. 212-123)
Department Computer Use Policy and Monitoring Notice (A.G. 325-35)

FORMS AND REPORTS

DEPARTMENT MOBILE DIGITAL DEVICE REPAIR/REPLACEMENT/RETURN REQUEST FORM (PD589-163)

NYPD

PURPOSE To outline the CIMS Organizational Structure.

SCOPE The CIMS organizational structure begins with the establishment of a Command Element. The Command Element must create an incident management organization that will successfully resolve the incident. Because the CIMS organizational structure is modular, it may be expanded as necessary by the Command Element to manage any type of incident or planned event, irrespective of its nature, size, scope, duration, location or complexity. Consequently, the incident management organization may be very small, e.g., the Command Element and several Single Resources; or, it may be very large, e.g., the Command Element, three Command Staff positions and five General Staff Sections.

As the number and complexity of the tasks / functions that the Command Element must perform and / or manage increases, the Command Element will begin establishing an incident management organization. The Command Element may activate the appropriate Sections to manage the major CIMS functional areas, i.e., Operations, Planning, Logistics, Finance / Administration and optional Intelligence / Investigations, and designate Section chiefs. The Command Element may also activate the appropriate Command Staff positions.

Section chiefs may delegate management authority for their assigned functions / tasks, as required. The Operations Section chief may activate Sectors and / or Groups, and if necessary, Branches. The Intelligence / Investigations Section chief may activate Groups. The Logistics Section chief may activate Units, and if necessary, Branches. The Planning Section chief and Finance / Administration Section chief may activate Units.

COMMAND ELEMENT In determining how to structure the incident management organization, the Command Element should consider the following:

1. Observe recommended Span of Control guidelines.
2. When necessary, delegate authority and assign personnel to **perform** one or more incident related tactical and / or support tasks / functions.
3. When necessary, delegate authority and assign personnel to General Staff Sections and / or Command Staff positions to **manage** the performance of the tasks / functions that have been delegated and supervise the personnel to whom the tasks were assigned.
4. When determining whether to activate a General Staff Section or Command Staff position, activate and staff only the organizational elements that are necessary to manage the required functions / tasks;
   a. If one individual can simultaneously manage all major functions / tasks, no further organization is required.

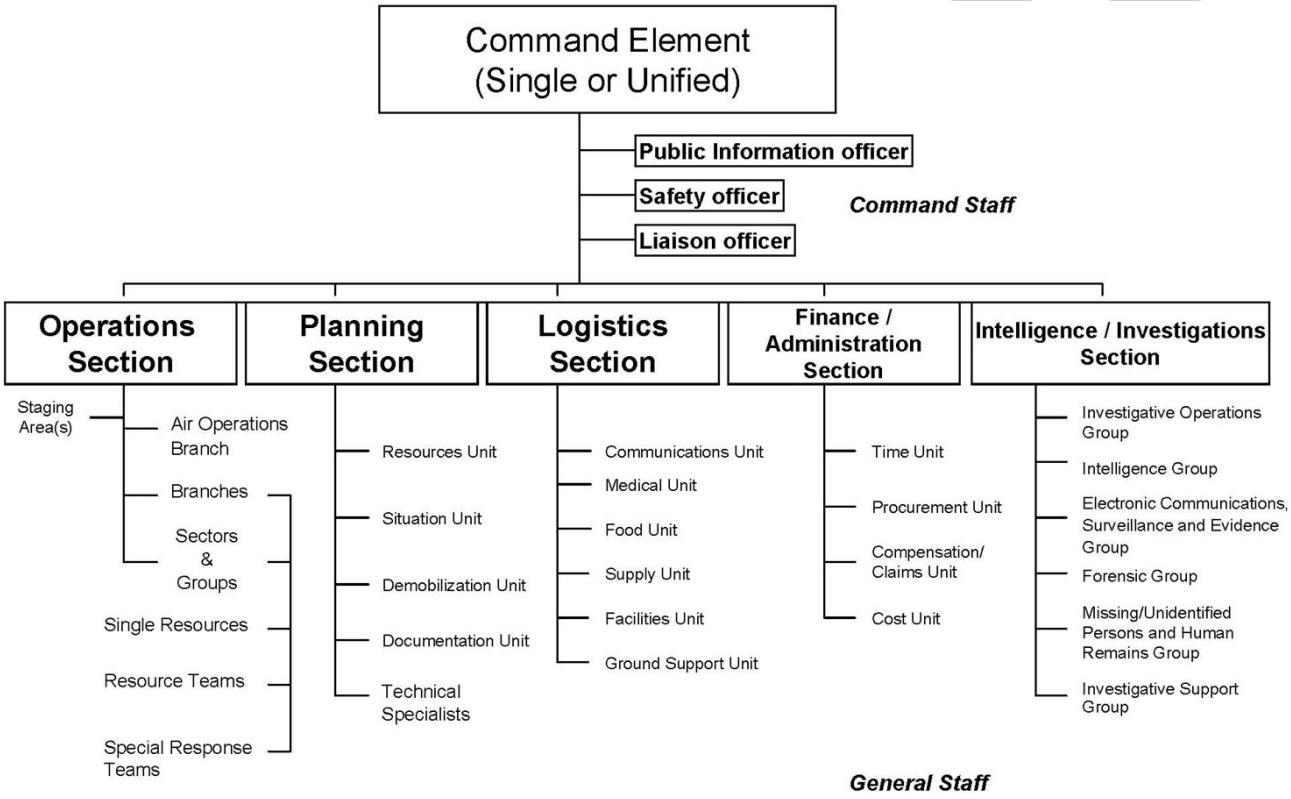
COMMAND ELEMENT (continued)

b. If one or more of the functions / tasks requires independent management, an individual or individuals are assigned to manage those functions / tasks.

5. Deactivate organizational elements no longer required.
6. The functions / tasks of any non-activated or deactivated subordinate organizational element will be managed by the overhead supervising organizational element.

ADDITIONAL DATA

The following illustrates a CIMS Organization with ALL of the organizational elements activated.



PURPOSE To list specific incident types and designate which Command Element structure will be utilized, i.e., Single Command or Unified Command; and, which Agency or Agencies have Command Element responsibilities for that particular incident type, i.e., are designated Primary Agency or Primary Agencies.

The CIMS "Primary Agency Matrix" lists specific incident types and designates:

a. Which Command Element structure will be utilized, i.e., Single Command – Command Element or Unified Command – Command Element; and,

b. Which Agency will be designated Primary Agency in a Single Command – Command Element; or, which Agencies will be designated Primary Agencies in a Unified Command – Command Element.

CIMS PRIMARY AGENCY MATRIX – UNIFIED COMMAND MATRIX

INCIDENT TYPE	PRIMARY AGENCIES	POTENTIAL PRIMARY AGENCIES / SUBJECT MATTER EXPERTS * *
Aviation Incident	FDNY, NYPD	PANYNJ, USCG, NTSB
Chemical, Biological, Radiological or Nuclear (CBRN) / HazMat Incident*	NYPD, FDNY	USCG, DEP, DOHMH
Citywide Public Health Emergency	DOHMH, NYPD, FDNY	HHC, GNYHA
Explosion	FDNY, NYPD	DDC, DOB, HPD
Natural Disaster / Weather Emergency	OEM, NYPD, FDNY, DOT, DSNY	DDC, DEP, DOB, DOHMH, Con Ed, Keyspan / LIPA
Rail Incident	FDNY, NYPD	MTA, PANYNJ, NJT, Amtrak
Utility Incident: Electric	NYPD, FDNY	Con Ed, Keyspan / LIPA
Utility Incident: Gas	NYPD, FDNY	Con Ed, Keyspan / LIPA
Utility Incident: Steam	NYPD, FDNY	Con Ed, Keyspan / LIPA
Utility Incident: Water / Wastewater	DEP, FDNY, NYPD	Con Ed, Keyspan / LIPA
Utility Incident:Telecommunications	DOITT, NYPD, FDNY	Verizon

***CBRN / HazMat Incident**

NYPD will be the Primary Agency (Incident Commander) at CBRN / HazMat incidents. If NYPD determines there is no actual or suspected criminal activity or terrorism, a Unified Command will be implemented.

The Operations Section will be a Unified Operations Section based on agency Core Competencies in all circumstances, with NYPD responsible for overall site management, and assessment and investigations for criminal activity or terrorism, and with FDNY responsible for Life Safety Operations (search for and rescue injured; and provide pre-hospital emergency medical care and transport; and address immediate life safety hazards to the public) and mass decontamination. For chemical incidents, DEP will make a final assessment of the hazard, adjust or set "hot", "warm" and "cold" zones, and direct all mitigation efforts. For biological or radiological incidents, DOHMH will make a final assessment of the hazard, adjust or set "hot", "warm" and "cold" zones, and direct all mitigation efforts.

CBRN / HAZ-MAT INCIDENT – ACTUAL OR SUSPECTED CRIME / TERRORISM

	Actual or Suspected Crime or Terrorism NYPD to Determine	**No Actual or Suspected Crime or Terrorism** NYPD to Determine
CBRN / HazMat Incident	NYPD Single Command Unified Operations Section	Unified Command Unified Operations Section

***Designation of Potential Primary Agencies / Subject Matter Experts in the Unified Command Matrix does not exclude other agencies from being designated Primary Agencies depending upon the jurisdictional issues of a specific incident.*

When the CIMS "Primary Agency Matrix" specifies a Unified Command - Command Element, ***each of the Primary Agencies in the Unified Command – Command Element will designate an "Agency Incident Commander."***

If there is a CBRN / HazMat incident, until the NYPD determines that there is no actual or suspected criminal activity or terrorism, the NYPD will be the one Primary Agency in a Single Command – Command Element and designate ***one single Incident Commander****. If the NYPD determines that there is no actual or suspected criminal activity or terrorism then the NYPD will be one of the* ***Primary Agencies in a Unified Command – Command Element and will designate an "Agency Incident Commander."*** *When determining if there is actual or suspected criminal activity or terrorism, comply with the appropriate Department procedures.*

CIMS PRIMARY AGENCY MATRIX - SINGLE COMMAND MATRIX

SINGLE COMMAND MATRIX	
INCIDENT TYPE	**PRIMARY AGENCY**
Auto Extrication	NYPD/FDNY (First to arrive)
Boat in Distress	NYPD/FDNY (First to arrive)
Citywide Cyber Incident	NYPD and/or DOITT
Civil Disturbance	NYPD
Confined Space Rescue	FDNY
Correctional Facility Disturbance	DOC
Downed Tree	DPR / FDNY
Elevator Incident or Emergency	FDNY
Emotionally Disturbed Person	NYPD
Entrapment / Impalement	FDNY
Explosive Device, Bomb Threat	NYPD
Fire	FDNY
Hostage Incident	NYPD
Sniper Incident	NYPD
Special Event	NYPD
Structural Collapse	FDNY
Suspicious Package	NYPD
Water / Ice Rescue	NYPD

When the CIMS "Primary Agency Matrix" specifies a Single Command - Command Element, ***the one Primary Agency in the Single Command – Command Element will designate one single Incident Commander****.*

PURPOSE To define and describe Agency Core Competencies at an incident.

DEFINITIONS CIMS AGENCY "CORE COMPETENCIES" AND UNIFIED OPERATIONS SECTION -

Core Competencies are functional areas of expertise that are implemented at incidents, and relate specifically to tactical operations that are managed by the Operations Section; or if not activated, the Command Element.

Core Competencies have been identified for agencies with incident management responsibilities identified in the Primary Agency Matrix. **Although multiple agencies may be capable of performing similar tactical operations, CIMS assigns the Core Competency to only one specific agency.**

Agencies have the authority to direct tactical operations related to their Core Competencies at incidents. **If more than one agency is capable of performing the same tactical operations at an incident, the agency with the Core Competency will give tactical direction, by the ranking officer, to other agencies performing operations within that Core Competency.**

In a Unified Command-Command Element, Agency Incident Commanders from the Primary Agencies with tactical operations responsibility and a relevant "Core Competency" will each designate an Agency Operations Section chief to direct tactical operations in a Unified Operations Section. However, if Agency Incident Commanders agree, they may select one single Operations Section chief to direct tactical operations.

If there is a Single Command – Command Element at a CBRN / HazMat incident, the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative will **each** designate an Agency Operations Section chief to direct tactical operations in a Unified Operations Section. However, if the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative agree, they may select one single Operations Section chief to direct tactical operations.

CIMS – CORE COMPETENCIES

AGENCY	CORE COMPETENCIES
FDNY	• Fire Suppression • Pre-hospital Emergency Medical Care • Search and Rescue • Structural Evacuation • CBRN / Haz-Mat Life Safety (search for & rescue injured; and provide pre-hospital emergency medical care & transport; and address immediate life safety hazards to the public) and Mass Decontamination • Arson Investigation (Cause and Origin)
NYPD	• Law Enforcement and Investigation • Intelligence Collection and Analysis • Crime Scene Processing / Evidence Preservation • Site Management 1. Perimeter Control 2. Traffic Control 3. Crowd Control 4. Site Security and Force Protection 5. Evacuation (Area and / or Law Enforcement related) • Water Search and Rescue • CBRN / Haz-Mat Overall Site Management, Assessment and Investigation (Crime Scene / Terrorism) • Collision Investigation • VIP Protection • Arson Investigation (Major Case)
DOB	• Damage Assessment (Structural) • Building Re-occupancy (Structural)
DCAS	• Public Buildings: Infrastructure Assessment, Repair and Reconstruction
DDC	• Technical Debris Management Operations • Technical Stabilization, Remediation and Demolition • Public Buildings, Roadways, Water and Wastewater: Infrastructure Assessment, Repair and Reconstruction
DEP	• Environmental Monitoring, Sampling, Evaluation and Analysis • Environmental Mitigation (Chemical) • Environmental Law Enforcement • Water and Wastewater: Infrastructure Assessment, Repair and Reconstruction
DOHMH	• Disease Surveillance and Epidemiology • Public Health Orders, Clinical Guidance and Risk Communication • Mass Prophylaxis / Vaccination

DOHMH	• Laboratory Testing (Biological and Radiological) • Public Health Assessment • Environmental Mitigation (Radiological and Biological) • Animal-Related Surveillance and Vector Control • Mental Health Needs Assessment and Service Coordination
HPD	• Stabilization, Remediation and Demolition • Tenant Relocation
DOITT	• Telecommunications: Infrastructure Assessment, Repair and Reconstruction
OCME	• Fatality Management Operations
OEM	• Interagency Coordination and Support
DPR	• Forestry • Parks: Infrastructure Assessment, Repair and Reconstruction
DSNY	• Debris Management Operations (Non-Toxic and Non-Hazardous Debris) • Snow Removal Operations
DOT	• Bridges and Roadways: Infrastructure Assessment, Repair and Reconstruction • Transportation Systems Management • Staten Island Ferry Operations
Con Ed	• Electric, Gas and Steam: Infrastructure Assessment, Repair and Reconstruction
Keyspan / LIPA	• Electric and Gas: Infrastructure Assessment, Repair and Reconstruction
Verizon	• Telecommunications: Infrastructure Assessment, Repair and Reconstruction

NYPD

PATROL GUIDE

Section: Citywide Incident Management		Procedure No: 220-04	
CIMS: AGENCY ROLES			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To define and describe CIMS Agency Roles.

PROCEDURE When responding to an incident, Agency Roles will be defined and described as follows:

DEFINITIONS PRIMARY AGENCY - Based upon the incident type, the CIMS Primary Agency Matrix will designate one agency as the Primary Agency to command a Single Command - Command Element. The Primary Agency will designate one single Incident Commander who will have overall command responsibility for managing the incident.

NOTE *The Primary Agency, Incident Commander will designate the Operations Section chief. However, for a CBRN / HazMat incident there will be a Unified Operations Section. In a Unified Operations Section the NYPD Incident Commander, the FDNY Supporting Agency / Agency Representative, the DEP Supporting Agency / Agency Representative, and the DOHMH Supporting Agency / Agency Representative will each designate an Agency Operations Section chief. However, the NYPD Incident Commander and the FDNY and DEP and DOHMH Supporting Agency / Agency Representatives may all agree to designate only one Operations Section chief.*

The Primary Agency, Incident Commander will coordinate with the Supporting Agencies to successfully achieve the Incident Objectives.

PRIMARY AGENCIES - Based upon the incident type, the CIMS Primary Agency Matrix will designate more than one Primary Agency, called Primary Agencies, to command a Unified Command - Command Element. Each of the Primary Agencies will designate an Agency Incident Commander. All Agency Incident Commanders will **co-locate and remain** at one single Incident Command Post, will jointly set Incident Objectives and create one single Incident Action Plan.

NOTE *The Agency Incident Commanders in the Unified Command – Command Element will each designate an Agency Operations Section chief. However, the Agency Incident Commanders may all agree to designate only one Operations Section chief. The Agency Incident Commanders in the Unified Command – Command Element will coordinate with the Primary Agencies and the Supporting Agencies to successfully achieve the Incident Objectives.*

POTENTIAL PRIMARY AGENCIES - Potential Primary Agencies are state and federal Agencies that have functional, political, or geographic / administrative jurisdictional authority / responsibility at an incident under specific conditions. For example, incidents occurring at airports, national parks, railway facilities, military facilities; or, terrorism related incidents; or, aviation incidents. If these state and federal Agencies have jurisdictional authority / responsibility, they will be included in the Unified Command – Command Element and the Unified Operations Section.

SUBJECT MATTER EXPERT AGENCIES – Agencies that do not have personnel deployed to tactical assignments involving an incident; but, do have specific scientific, engineering or other technical expertise involving incident related tactical operations.

PURPOSE To outline the duties of the Command Element in CIMS.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Command Element are:

COMMAND ELEMENT

1. Assume responsibility for overall incident management; and, assume command of all strategic, tactical, investigative and support incident management functions, operations, activities, etc.
   a. In a Single Command – Command Element, assume the position of Incident Commander.
   b. In a Unified Command – Command Element, assume the position of Agency Incident Commander for the NYPD; and, work collaboratively with the other Agency Incident Commander(s) designated by each of the Primary Agencies that have command responsibility in the Unified Command – Command Element.
   c. If there is a CBRN / HazMat incident, until the NYPD determines that there is no actual or suspected criminal activity or terrorism, assume the position of Incident Commander in a Single Command – Command Element. If the NYPD determines that there is no actual or suspected criminal activity or terrorism then assume the position of Agency Incident Commander for the NYPD in a Unified Command – Command Element. When determining if there is actual or suspected criminal activity or terrorism, comply with the appropriate Department procedures.
2. Obtain complete briefing from previous Command Element when applicable; assess the situation; make a preliminary determination regarding the nature, scope, complexity, location, size, duration, boundaries, etc., of the incident; and notify:
   a. Desk Officer, Precinct of occurrence.
   b. Patrol Borough Office, Borough of occurrence.
   c. Operations Unit.
   d. Communications Section dispatcher and / or supervisor.
3. Ensure incident safety and that adequate force protection, security, health and safety measures are implemented.
   a. Intervene in and / or suspend any incident management operations, functions, activities, etc., to prevent, stop, and / or correct hazardous, unhealthy or unsafe activities, functions and conditions.
   b. Ensure all incident executives, managers, supervisors and personnel make safety the #1 priority.
4. Ensure accountability, safety, health, force protection and security measures are developed and implemented for personnel, vehicles, equipment, facilities, and other resources.

COMMAND ELEMENT (continued)

5. Establish incident management priorities including Life Safety Operations (**immediate** #1 priority); Site Management Operations; Investigative Operations and Recovery / Restoration Operations.

6. Ensure Life Safety Operations, Site Management Operations, Investigative Operations, Recovery / Restoration Operations and any other necessary operations, activities, functions, etc., are expeditiously and properly conducted in a coordinated manner; and, are implemented and conducted concurrently and / or consecutively in whatever sequence is deemed appropriate.
   a. Life Safety Operations are the immediate #1 priority. Absent extraordinary emergency circumstances, Life Safety Operations supersede all other incident management operations.
   b. Ensure the first properly trained and equipped emergency responder personnel assess / evaluate the incident and, if capable, initiate Life Safety and Site Management Operations.
   c. Consult with the Primary Agency(ies), Supporting Agency(ies) and Coordinating Agency regarding the implementation of Site Management Operations.
   d. If approved by the Command Element, Investigative Operations may be initiated concurrently with Life Safety Operations.
   e. In order to avoid interfering with Investigative Operations, particularly the processing of Crime Scenes and Investigative Scenes, Recovery / Restoration Operations usually will not be commenced until Investigative Operations have concluded. However, if approved by the Command Element, Recovery / Restoration Operations may be initiated concurrently with Investigative Operations and / or Life Safety Operations.
   f. Depending upon the circumstances, different incident management operations / activities may be initiated and conducted concurrently and / or consecutively in whatever sequence is deemed appropriate by the Command Element.

7. Utilize "Management by Objectives" principles, and determine Incident Objectives, Strategies and Tactical Direction.
   a. The Incident Objectives identify what must be accomplished in order to successfully resolve the incident.
      (1) All Incident Objectives must be:
         (a) Attainable considering the existing incident management related limitations and constraints.
         (b) Measurable in order to determine whether they are being effectively, efficiently and expeditiously achieved.
         (c) Adaptable / flexible to provide for alternative Strategies and Tactical operations.
      (2) The time required to successfully resolve the incident and the length of the Operational Period(s) should be considered when determining the Incident Objectives.

COMMAND ELEMENT (continued)

b. Strategy describes the general method or methods that should be used, either singly or in combination and either consecutively or simultaneously, to effectively, efficiently and expeditiously achieve the Incident Objectives. One or more appropriate Strategies should be identified for each Incident Objective; and if possible, there should be an alternative Strategy(ies) for each Incident Objective. Strategies should be feasible, practical, effective, efficient and ensure safety / security. When identifying Strategies, the time required to successfully resolve the incident and the length of the Operational Period(s) should be considered.

c. Tactical Direction is provided by the Command Element. However, the Operations Section chief, if that position has been activated, is responsible for formulating and executing the specific tactical operations / activities required to accomplish the Incident Objectives. Tactical Direction involves:

(1) Identifying the tactics / actions appropriate to the selected Strategy(ies) that must be performed in order to achieve the Incident Objectives.

(2) Identifying the required resources / support and determining availability.

(3) Ensuring there is sufficient logistics service and support.

(4) Deploying the required resources and maintaining appropriate reserves.

(5) Monitoring the performance of the organization and the resources in order to measure whether the Incident Objectives are being effectively, efficiently, and expeditiously achieved.

(6) Identifying and implementing necessary modifications.

(7) Considering the time required to successfully resolve the incident and the length of the Operational Period(s).

8. Determine the required number, *Kind* and *Type* of resources; and, request that those resources promptly respond to the appropriate location, i.e., Staging Area(s).

9. Ensure arriving resources, and resources that initially responded directly to the incident scene, properly "Check-In", and are appropriately organized, e.g., Single Resources, Resource Teams, Special Response Teams.

10. Ensure arriving resources, and resources that initially responded directly to the incident scene are assigned and deployed to appropriate incident related tactical, investigative, support, supervisory, etc., operations, functions and activities; and / or, are retained at the Staging Area(s) in an *"Available" status* awaiting assignment.

a. Ensure there are adequate reserves maintained.

11. Work collaboratively and coordinate with the Primary Agency(ies), Supporting Agency(ies), Coordinating Agency; and, other appropriate governmental agencies, non-governmental organizations, private entities /individuals.

COMMAND ELEMENT (continued)

a. The NYC Office of Emergency Management (OEM) is New York City's Coordinating Agency. OEM may respond to multi-agency incidents and participate in a Unified Command or Single Command incident management organization.

b. **Do <u>NOT</u> wait for a representative from OEM to arrive on the scene to begin inter-agency coordination. The Command Element must <u>immediately</u> begin coordinating the activities of all of the involved governmental agencies, non-governmental organizations, private entities / individuals, etc.**

12. Select an appropriate location and establish the Incident Command Post (ICP). If there is a Unified Command - Command Element, Agency Incident Commanders will jointly select an appropriate location to establish the Incident Command Post.

a. Initially, the Incident Command Post will be wherever the Command Element is located.

b. The Incident Command Post can be any type of facility that is available and appropriate, e.g., vehicle, trailer, tent, open area, room in a building. The Incident Command Post should be large enough to provide adequate work space for the assigned personnel. The Incident Command Post should contain situation information and resource status displays and other planning related information.

c. **There is only one single Incident Command Post for an incident** irrespective of whether there is a Single Command - Command Element or a Unified Command – Command Element. The Incident Command Post will be identified by the name of the incident.

d. Choose a location that is a reasonable and appropriate distance from the incident; and, will provide for safety, health, security and force protection; and, will provide easy and expeditious access and egress; and, is sufficiently large and will allow for expansion; and, will permit continuous operations; and, will provide adequate workspace and utility / communications service. Generally, the Incident Command Post will be located within the Site Access Control / Outer Perimeter.

e. Ensure adequate safety, health, security and force protection measures are implemented regarding the Incident Command Post.

f. Whenever possible, the Incident Command Post should not be relocated. However, it may be necessary to relocate the Incident Command Post if the incident evolves / progresses and circumstances or conditions change. For example, during the initial stages of an incident the situation may rapidly change and the Incident Command Post may have to be relocated one or more times; or, the Incident Command Post may have to be relocated if an Operations Section Post is activated; or, a change in incident size / location may require relocation of the Incident Command Post in order to improve command, operations, communications, etc.; or, relocation of the Incident Command Post may be required in order to resolve safety, health, security or force protection issues.

COMMAND ELEMENT (continued)

g. Notify the following of the location and telephone number(s) of the Incident Command Post:
   (1) Desk Officer, Precinct of occurrence.
   (2) Patrol Borough Office, Borough of occurrence.
   (3) Communications Section dispatcher and / or supervisor.
   (4) Operations Unit.
   (5) NYPD Emergency Operations Center, if activated.
   (6) Other appropriate NYPD units and / or personnel.
   (7) Other appropriate governmental agencies, non-governmental organizations and / or private entities / individuals.

h. Request Incident Command Post flag, banner, beacon, sign or other distinctive marker.

i. Request Incident Command Post vehicle(s), if required.

13. Manage the incident from the Incident Command Post (ICP).

a. The Incident Command Post is the location where the Command Element, i.e., Single Command, Incident Commander or Unified Command, Agency Incident Commanders, will remain and perform the command function. The Incident Command Post provides a central coordination point from which the Command Element, Command Staff, each appropriate Supporting Agency / Agency Representative, Coordinating Agency, General Staff planning functions and certain General Staff support functions will normally operate.

b. The Command Element, necessary members of the Command Staff, necessary members of the General Staff, each required Supporting Agency / Agency Representatives and Coordinating Agency, will report to the Incident Command Post as soon as possible; **remain together**; develop the Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, etc.; and, **formulate one single Incident Action Plan**.

c. Depending upon the nature, size, complexity, location, duration, etc., of the incident, some members of the General Staff and Command Staff may be situated / operating at other locations. However, they will attend planning meetings conducted at the Incident Command Post and will remain in close contact with the Command Element.

14. Establish an appropriate organizational structure and continuously monitor the operation and effectiveness of that organization. In determining how to structure the incident management organization, the Command Element should consider the following:

a. Comply with recommended Span of Control principles.

b. When necessary, delegate authority and assign personnel to **perform** one or more incident related tactical and / or support tasks / functions.

c. When necessary, delegate authority and assign personnel to the Command Staff positions and / or to General Staff Sections, to **manage** the performance of the tasks / functions that have been delegated and supervise the personnel to whom the tasks were assigned.

COMMAND ELEMENT (continued)

d. When determining whether to activate a General Staff Section or Command Staff position, activate and staff only the organizational elements that are necessary to manage the required functions / tasks;
   (1) If one individual can simultaneously manage all major functions/tasks, no further organization is required.
   (2) If one or more of the functions/tasks requires independent management, an individual or individuals are assigned to manage those functions/tasks.

e. Deactivate organizational elements no longer required.

f. The functions / tasks of any non-activated or deactivated subordinate organizational element will be managed by the overhead supervising organizational element.

15. Perform the duties and retain responsibility for the functions of any General Staff Sections and Command Staff positions that are not activated or are deactivated.

16. When appropriate, activate required Command Staff positions i.e., Public Information, Safety, Liaison, other required position(s); and designate qualified personnel as Command Staff "officers".

a. May assign one person to more than one Command Staff position. However, do not combine the functions of different Command Staff positions into a "hybrid" Command Staff position.

b. The number of Assistants assigned to a particular Command Staff position will be determined by the respective Command Staff officer after conferring with the Command Element, and will depend upon the nature, size, complexity, location, duration, etc., of the incident.

c. Based upon the nature, complexity, location, size, duration, etc., of the incident; and, the specific capabilities, limitations, needs, requirements, etc., of the Command Element, additional Command Staff positions other than the Public Information, Safety, and Liaison positions may be activated; and, qualified personnel may be designated as the additional Command Staff officers, e.g., Attorney-Legal officer, Epidemiologist-Medical officer, Structural Engineer-Engineering officer, Chemist-Science officer.

d. If there is a Unified Command – Command Element, all of the Agency Incident Commanders will jointly designate the one Public Information officer and the one Liaison officer. However, the Mayor's Press Office has the authority and may designate the one Public Information officer; and, the NYC Office of Emergency Management (OEM) has the authority and may designate the one Liaison officer.

e. When the NYPD is one of the Primary Agencies in a Unified Command – Command Element, if the Liaison officer position and / or the Public Information officer position is activated, absent unusual circumstances, the NYPD Agency Incident Commander should make every effort to have a member of the NYPD designated as the Liaison officer and have a member of the NYPD designated as the Public

COMMAND ELEMENT (continued)

Information officer; or if that is not possible, have a member of the NYPD designated as an Assistant to a non NYPD Liaison officer and have a member of the NYPD designated as an Assistant to a non NYPD Public Information officer.

f. If there is a Single Command – Command Element, the Incident Commander may designate the one Liaison officer; however, OEM has the authority and may designate the one Liaison officer.

g. If there is a Single Command – Command Element, the Incident Commander may designate the one Public Information officer; however, the Mayor's Press Office has the authority and may designate the one Public Information officer.

h. If there is a Unified Command – Command Element, each of the Agency Incident Commanders will designate an Agency Safety officer. However, if all of the Agency Incident Commanders agree, they may jointly designate one Safety officer.

i. If there is a Single Command – Command Element at a CBRN / HazMat incident, the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative will each designate an Agency Safety officer. However, if the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative all agree, they may jointly designate one Safety officer.

j. If there is a Single Command – Command Element, except for a CBRN / HazMat incident, the Incident Commander will designate the one Safety officer.

17. When appropriate, activate required General Staff Sections, i.e., Operations, Planning, Logistics, Finance / Administration, Intelligence / Investigations; and, assign qualified personnel as Section "chiefs".

a. May assign one person to be the chief of more than one General Staff Section. However, do not combine the functions of different General Staff Sections into a "hybrid" General Staff Section.

b. The number of personnel assigned to a particular General Staff Section will be determined by the respective General Staff Section chief after conferring with the Command Element, and will depend upon the nature, size, complexity, location, duration, etc., of the incident.

c. If there is a Single Command – Command Element, the Incident Commander will designate the one Planning Section chief; and, the one Logistics Section chief; and, the one Finance / Administrative Section chief; and, the one Intelligence / Investigations Section chief.

d. If there is a Single Command – Command Element, except for a CBRN / HazMat incident, the Incident Commander will designate the one Operations Section chief.

COMMAND ELEMENT (continued)

e. If there is a Unified Command – Command Element, all of the Agency Incident Commanders will jointly designate one Section chief for each activated General Staff Section with the exception of the Operations Section. When the NYPD is one of the Primary Agencies in a Unified Command – Command Element, absent unusual circumstances, the NYPD Agency Incident Commander should make every effort to have a member of the NYPD designated as the one Section chief for each activated General Staff Section; or if that is not possible, have a member of the NYPD designated as a Deputy to each non NYPD General Staff Section chief.

18. Activate a "Unified Operations Section" when there is a Single Command – Command Element at a CBRN / HazMat incident; *or*, anytime there is a Unified Command – Command Element.

a. If there is a Unified Command – Command Element, the Agency Incident Commanders from each of the Primary Agencies with tactical operations responsibility and a relevant "Core Competency" will each designate an Agency Operations Section chief to direct tactical operations in a Unified Operations Section. However, if all of the Agency Incident Commanders agree, they may jointly designate one Operations Section chief.

b. If there is a Single Command – Command Element at a CBRN / HazMat incident, the NYPD Agency Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative will each designate an Agency Operations Section chief to direct tactical operations in a Unified Operations Section. However, if the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative all agree, they may jointly designate one Operations Section chief.

c. Core Competencies are functional areas of expertise that are implemented at incidents, and relate specifically to tactical operations that are managed / directed by the Operations Section, or the Command Element if the Operations Section has not been activated. Core Competencies have been identified for Agencies with incident management responsibilities identified in the Primary Agency Matrix. Although multiple Agencies may be capable of performing similar tactical operations, CIMS assigns the Core Competency to one single Agency.

d. Agencies have the authority to direct tactical operations related to their Core Competencies at incidents. If more than one agency is capable of performing the same tactical operations at an incident, the agency with the Core Competency will give tactical direction, by the ranking officer, to other agencies performing operations within that Core Competency.

COMMAND ELEMENT (continued)

19. Ensure tactical operations, functions, and activities are expeditiously implemented, properly managed and directed in the appropriate manner:
    a. If there is a Unified Operations Section, each Agency Operations Section chief will direct the tactical operations involving their Agencies' Core Competencies. Each Agencies' Core Competencies are listed in the CIMS Core Competency chart.
    b. If there is a Single Operations Section, the one Operations Section chief will direct all tactical operations.
20. Ensure tactical assignments are based upon the responding Agencies' functional capabilities, e.g., resources, expertise, training, experience skills; and, legal / jurisdictional authority, mission and responsibilities.
21. Coordinate and direct the activities of the Command Staff and General Staff.
22. When necessary, implement an appropriate organizational structure, i.e., incident management "Expansion Option," to manage an extremely complex, severe and extensive incident; or, more than one incident; or, one extremely large incident. Incident Management Expansion Options include:
    a. Activating an Incident Complex.
    b. Activating a second Operations Section.
    c. Activating a second Logistics Section.
    d. Conducting Operations Section / Branch level tactical planning
    e. Having the Planning Section conduct advance / long range planning and contingency planning.
    f. Dividing a single extremely large incident into two or more separate incidents; and, activating a separate Command Element and appropriate incident management organization to resolve each of the separate incidents.
23. When appropriate, coordinate incident management operations and activities with other associated incident management organizations, entities, systems, facilities, etc., i.e., Area Command, Multi-Agency Coordination (MAC) Group, Emergency Operations Center (EOC) and / or Joint Information Center (JIC).
24. Continually monitor/evaluate the incident management organizational structure; and, the performance of the Deputy(ies), General Staff Section "chiefs," Command Staff "officers," and as appropriate, other incident management personnel.
    a. Make appropriate modifications when necessary.
25. Ensure that Command Staff and General Staff understand:
    a. They may interact and communicate with any position within the incident management organization.
    b. Absent emergency circumstances, direction may only be given through the established Chain of Command.
    c. Absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.
26. Ensure that appropriate "procedural" and "technological" measures are implemented to ensure effective and efficient integrated inter-agency interoperable communications.

COMMAND ELEMENT (continued)

a. When appropriate, implement the use of Borough / Citywide "repeated" interoperable radio frequencies and / or tactical "point-to-point" interoperable radio frequencies.

b. When appropriate and necessary, utilize the NYC Agencies' Citywide "repeated" interoperable 800 MHz radio frequency.

c. Ensure that all incident personnel use clear text for inter-agency communications and communicate using CIMS nomenclature / terminology.

d. Ensure all incident personnel observe strict radio and telephone communications discipline and limit communications to essential information.

e. When necessary, ensure radio and mobile phone interconnect systems are used to enhance interoperable communications.

f. Ensure a Communications Plan is developed and implemented.

(1) The Communications Plan will ensure effective, efficient and expeditious inter-agency interoperable communications.

(2) The Communications Plan will be a component of the Incident Action Plan.

(3) Depending upon the circumstances, the Communications Plan may be written or verbal.

27. Manage Life Safety Operations.

a. The **immediate** # 1 priority.

b. Tactical activities taken to preserve and protect public safety including tactical activities:

(1) Required to stabilize the incident.

(2) Implemented in response to imminent hazards or threats to life.

c. Life Safety Operations do not include personnel safety measures.

d. Intervene in and / or suspend Life Safety Operations to prevent, stop and / or correct hazardous, unhealthy or unsafe activities, functions and conditions.

28. Manage Site Management Operations.

a. Consult with the Primary Agency(ies), Supporting Agency(ies) and Coordinating Agency regarding the implementation of Site Management Operations including the establishment of perimeters and the implementation of Emergency Credentialing operations.

29. Manage Investigative Operations.

a. When there is a considerable investigative or intelligence component to the management or resolution of an incident, the Command Element should establish an Intelligence / Investigations Section as part of the General Staff. In unusual situations, when the Intelligence / Investigations function is not a considerable component of the management or resolution of an incident, it may be organized as a Branch or Group within the Operations Section rather than as a separate General Staff Section. In extremely unusual situations when the Intelligence / Investigations function is minimal, it may be organized as a Command Staff position or Planning Section / Situation Unit function.

COMMAND ELEMENT (continued)

b. When appropriate, ensure investigative and intelligence considerations are included in the Incident Objectives, and Investigative Operations are incorporated into the Incident Action Plan.

c. When appropriate, ensure that the Primary Agency(ies), Supporting Agency(ies) and Coordinating Agency personnel avoid or minimize interference with Investigative Operations, particularly the processing of Crime Scenes and Investigative Scenes.

30. Manage Recovery / Restoration Operations.

a. Recovery / Restoration Operations include final mitigation of the incident and a return to non-emergency conditions.

b. The Coordinating Agency will facilitate, coordinate and support Recovery / Restoration Operations.

31. Designate a Deputy or Deputies when necessary.

a. The Deputy is the counterpart of the principal. Therefore, the Deputy should have the same qualifications, i.e., knowledge, skills, experience, as the principal; and must be capable of assuming the principal's position.

b. The role of the Deputy is flexible and the Deputy may:

(1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.

(2) Make important notifications, e.g., Bureau Chief, Patrol / Detective Borough Commander, Operations Unit, Emergency Operations Center if activated, Area Command if activated.

(3) Function as a relief.

(4) Be assigned specific tasks as requested by the principal.

c. The Deputy may be a member of a different Agency / Jurisdiction than the principal. For example, the Deputy may be a member of an Agency / Jurisdiction that:

(1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,

(2) Currently is, or after a period of time, may be significantly affected by the incident.

d. Designating a Deputy who is a member of a different Agency / Jurisdiction may significantly increase inter-agency coordination and cooperation.

32. Ensure responding Agencies do not allocate, deploy or assign unnecessary or inappropriate resources to the incident; and, ensure required resources respond to the incident scene in a controlled fashion and are deployed in an organized / coordinated manner.

33. Ensure planning meetings are scheduled as needed and are properly managed.

34. Formulate, approve and authorize the implementation of one single Incident Action Plan. The Incident Action Plan may be verbal or written.

COMMAND ELEMENT (continued)

a. Closely monitor and evaluate the implementation of the Incident Action Plan.
b. Modify the Incident Action Plan when necessary.

35. Approve requests / orders for additional resources.
36. Approve requests / orders for the release and demobilization of resources from the incident.
37. Authorize release of information to the news media and / or public.
    a. Determine what recommended health, safety and security related protective measures must be communicated to the public, e.g., evacuate, shelter in place, change clothes, wash.
    b. When appropriate, disseminate Emergency Public Information to the media and the public.
    c. If the incident is large, complex, exceedingly newsworthy, involves several Supporting Agencies, etc., release information to the media and the public by conducting a joint-Agency press conference(s).
    d. When necessary, utilize a Joint Information System and establish and maintain a Joint Information Center that will be staffed by public affairs personnel from all of the Primary Agencies and Supporting Agencies.
        (1) In extremely unusual circumstances, multiple Joint Information Centers may be established.
        (2) When appropriate, collaborate with the Office of the Deputy Commissioner, Public Information, the Mayor's Press Office and OEM, to activate a Joint Information System and establish a Joint Information Center(s).
38. Ensure all appropriate records, forms, logs, reports, etc., regarding incident related operations, functions, conditions, occurrences and activities are properly prepared, filed, maintained, secured, stored, etc.
39. Continually monitor performance, analyze data / information, evaluate operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Make required modifications to the current Incident Action Plan, including Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, etc.
    b. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.
40. Ensure that the required number and type of Incident Facilities are established at appropriate locations. Locations will be chosen that:
    a. Are a reasonable and appropriate distance from the incident;
    b. Provide for adequate safety, health, security and force protection;
    c. Provide easy and expeditious access and egress;
    d. Are sufficiently large enough and will allow for expansion;
    e. Will permit continuous operations;
    f. Provide adequate work space and utility / communications services.

COMMAND ELEMENT (continued)

41. Ensure that when "*Transfer of Command*" occurs, it is performed in an appropriate organized manner.
    a. There should be a face to face *Transfer of Command*, if possible.
    b. The incoming Command Element must obtain a comprehensive briefing from the outgoing Command Element that includes all essential information necessary to ensure effective and efficient management of the incident.
    c. Information included in the *Transfer of Command* briefing should be recorded and / or displayed, if possible.
    d. Identify a specific time for *Transfer of Command* to occur. When possible, for an on-going incident, *Transfer of Command* should occur at the start of a new Operational Period.
    e. Notifications must be made to the Primary Agency(ies); Supporting Agency / Agency Representatives; Coordinating Agency; Command Staff; General Staff; all incident management supervisory personnel; Communications Section dispatcher and / or supervisor; and other appropriate personnel.
42. Ensure compliance with *"Span of Control," "Chain of Command"* and *"Unity of Command"* incident management principles.
    a. *Span of Control*: The number of personnel that can be effectively managed by one supervisor; or, the number of subordinate organizational elements that can be effectively managed by one overhead supervising organizational element.
        (1) The recommended *Span of Control* should be from 1:3 to 1:7; or, for law enforcement operations from 1:8 to 1:10.
    b. *Unity of Command*: Every subordinate has only one designated supervisor, and the subordinate reports to that supervisor.
    c. *Chain of Command*: A series of management positions in order of authority; and, a designated line of authority within the personnel ranks and organizational levels of the incident management organization where subordinate personnel ranks / organizational levels report to and receive direction from the overhead supervising personnel ranks / organizational levels.
43. When appropriate, order the demobilization of some or all of the incident resources, operations, organizational elements, facilities, sites and other appropriate incident related functions / activities.
44. When demobilization occurs, comply with appropriate demobilization procedures and, if applicable, the Demobilization Plan.
45. Ensure all required incident related "After – Action" briefings, reports, meetings, critiques and other activities are expeditiously and properly performed.

ADDITIONAL DATA

The Command Element may be structured in one of two ways:

1. Single Command:

a. When the CIMS "Primary Agency Matrix" specifies a Single Command - Command Element, ***the one Primary Agency in the Single Command – Command Element will designate one single Incident Commander****.*

(1) A Primary Agency is defined as the Agency authorized by CIMS to have overall responsibility for an incident, including overall management of strategic and tactical operations.

b. The designated Incident Commander has overall incident management responsibility; develops the Incident Objectives; formulates and implements one single Incident Action Plan; manages all operational and support activities; and, approves all requests pertaining to the ordering and release of incident resources. The Incident Commander is responsible for working collaboratively with the Supporting Agency(ies) and Coordinating Agency.

2. Unified Command:

a. When the CIMS "Primary Agency Matrix" specifies a Unified Command - Command Element, ***each of the Primary Agencies in the Unified Command – Command Element will designate an "Agency Incident Commander."***

(1) Incidents managed by a Unified Command – Command Element will have more than one Primary Agency called Primary Agencies.

b. The Agency Incident Commanders will co-locate and ***remain*** *at one single Incident Command Post and jointly establish a common set of Incident Objectives, Strategies, Tactical Direction and priorities. They will manage one integrated organizational structure, a joint planning process and a joint resource management process. The Agency Incident Commanders will formulate and implement one single Incident Action Plan that includes an inter-agency integrated Communications Plan. They will jointly execute integrated tactical operations, implement interoperable communications technological and procedural measures when required and maximize the use of assigned resources. The Agency Incident Commanders are responsible for working collaboratively with the Primary Agencies, Coordinating Agency and Supporting Agency(ies).*

c. When a Unified Command - Command Element is established, all Agency Incident Commanders are at an equal level of authority in the Command Element regardless of their designated Agency rank, i.e., Fire Captain, Police Sergeant, EMS Lieutenant, etc.

PURPOSE To outline the duties of the Public Information officer in CIMS.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Public Information Officer are:

PUBLIC INFORMATION OFFICER

1. Assume the position of Public Information officer as part of the Incident Management Team; and, manage public information activities including:
   a. Responding to inquiries from media and / or the public.
   b. Developing incident related information for the media and the public.
   c. Absent unusual circumstances, acting as the spokesperson for all of the governmental agencies, non-governmental organizations and private entities / individuals involved in incident management activities.
2. Confer with the Command Element in order to:
   a. Obtain approval prior to releasing information to the media and / or the public.
   b. Determine any limitations and constraints on the information to be released to the media and /or the public.
3. After obtaining approval from the Command Element, when appropriate, perform the following functions:
   a. Expeditiously formulate and disseminate unified, consistent, concise, clear, comprehensive and accurate official information to the media and the public.
   b. Conduct media briefings.
   c. Distribute written media releases.
   d. Release Emergency Public Information, public warnings and recommended incident related public health, safety and security protective measures.
   e. Arrange for tours, interviews of incident personnel and incident related photo / video / television opportunities.
   f. Establish and supervise an appropriate number of media placement areas that have sufficient space and are appropriately located so as not to interfere with incident management operations, or compromise the confidentiality / security of incident management activities.
   g. If the incident is large, complex, exceedingly newsworthy, involves several Supporting Agencies, etc., release information to the media and the public by conducting one or more joint – Agency press conferences.
4. Provide advice and support to the Command Element regarding incident related media, public information and public affairs issues.
5. Develop and, after obtaining the required approval, implement media, public information and public affairs related plans, policies, procedures, strategies, programs, operations, activities, functions, etc.

PUBLIC INFORMATION OFFICER (continued)

6. In situations involving scientific, engineering or other technical incident management procedures, plans, strategies, operations, activities, functions, etc., the Public Information officer may request the Supporting Agency(ies) and / or Primary Agency(ies) with the appropriate technical Core Competency(ies) to provide advice / assistance, and / or to provide the necessary information directly to the media and the public.
7. Identify, control and correct incident related rumors, disinformation, misinformation, inaccurate / incorrect information, conflicting information, etc.
8. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.
9. Monitor the media and forward any useful media information to the Command Element, Planning Section, Intelligence / Investigations function, and any other appropriate General Staff Sections or Command Staff positions.
   a. Monitor information provided by governmental agencies, non-governmental organizations and private entities / individuals and forward any useful information to the Command Element, Planning Section, Intelligence / Investigations function, and any other appropriate General Staff Sections or Command Staff positions.
10. Coordinate with the Command Element, Operations Section, Intelligence / Investigations function and other appropriate General Staff Sections and Command Staff positions to ensure that all public information activities are reconciled with and do not compromise intelligence, investigative, support, operational, etc., confidentiality or security.
11. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.
12. When necessary, utilize a Joint Information System; and if established, closely coordinate, communicate and maintain liaison with the Joint Information Center (JIC), or in extremely unusual circumstances, multiple Joint Information Centers.
   a. When appropriate, represent the NYPD in the Joint Information Center(s), if established.
   b. If there is a Single Command – Command Element, the Joint Information Center spokesperson will be designated by the Mayor's Press Office, and absent unusual circumstances, will be the Public Information officer.
   c. If there is a Unified Command – Command Element, the Joint Information Center spokesperson will be designated by the Mayor's Press Office.

INTERNET

PUBLIC INFORMATION OFFICER (continued)

13. Designate an Assistant or Assistants when necessary after conferring with the Command Element.
    a. The Assistant is a subordinate to the principal.
    b. The Assistant does not have to possess the same qualifications, i.e., knowledge, skills, or experience, as the principal. The Assistant may possess a level of technical and non-technical ability that is less than the principal; and, will be given less responsibility than the principal.
    c. The role of the Assistant is flexible, and the Assistant may:
        (1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.
        (2) Make notifications.
        (3) Function as a relief.
        (4) Be assigned specific tasks as requested by the principal.
    d. The Assistant may be member of a different Agency / Jurisdiction than the principal. For example, the Assistant may be a member of an Agency / Jurisdiction that:
        (1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,
        (2) Currently is, or after a period of time, may be significantly affected by the incident.
14. Absent unusual circumstances, establish a work location at or in the vicinity of the Incident Command Post. When identifying an appropriate work location consider the following:
    a. Remain close to the Incident Command Post to ensure easy and expeditious access to incident information, and to be able to expeditiously confer with the Command Element.
    b. Generally, there must be an area for media interactions and formal briefings.
    c. There should be sufficient space for displays and handout material.
    d. Tours, interviews of incident personnel and incident related photo / video / television opportunities, etc., may have to be arranged.
15. Participate in the planning meetings when appropriate, and assist in the development of the Incident Action Plan.
    a. Prepare any required public information related plans.
    b. Ensure that the public information aspects of the Incident Action Plan are properly formulated and implemented.
    c. Provide advice to the Planning Section regarding the public information aspects of the Demobilization Plan.
16. Prepare and maintain appropriate records, forms, logs, reports, etc., regarding the Public Information officer functions / activities.
17. Continually monitor / evaluate the organization and effectiveness of the Public Information function; and, the performance of the Assistant(s).
    a. Make appropriate modifications when necessary.

PUBLIC INFORMATION OFFICER (continued)

18. Continually monitor performance, analyze data / information, evaluate incident operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Provide advice and make appropriate recommendations to the Command Element regarding incident related media and public information issues.
    b. Recommend to the Command Element, any necessary modifications to the current Incident Action Plan, including media / public information issues, Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, etc.
    c. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.

ADDITIONAL DATA

If there is a Single Command – Command Element, the Incident Commander may designate the one Public Information officer; however, the Mayor's Press Office has the authority and may designate the one Public Information officer. When the NYPD is the Primary Agency in a Single Command - Command Element, if the Public Information officer position is activated, absent unusual circumstances, the Incident Commander should make every effort to have a member of the NYPD designated as the Public Information officer; or if that is not possible, designated as an Assistant to a non-NYPD Public Information officer. Whenever possible, the Incident Commander should designate a member of service assigned to the Office of the Deputy Commissioner, Public Information to perform the functions of the Public Information officer; or if that is not possible, to perform the functions of an Assistant to a non-NYPD Public Information officer.

If there is a Unified Command – Command Element, all of the Agency Incident Commanders will jointly designate the one Public Information officer; however, the Mayor's Press Office has the authority and may designate the one Public Information officer. When the NYPD is one of the one Primary Agencies in a Unified Command - Command Element, if the Public Information officer position is activated, absent unusual circumstances, the NYPD Agency Incident Commander should make every effort to have a member of the NYPD designated as the Public Information officer; or if that is not possible, designated as an Assistant to a non-NYPD Public Information officer. Whenever possible, the NYPD Agency Incident Commander should designate a member of service assigned to the Office of the Deputy Commissioner, Public Information to perform the functions of the Public Information officer; or if that is not possible, to perform the functions of an Assistant to a non-NYPD Public Information officer.

If a Joint Information Center (JIC) is established, or in extremely unusual circumstances multiple Joint Information Centers are established, absent extraordinary circumstances, a member of the NYPD will be assigned to the Joint Information Center(s) to represent the Department. Whenever possible, a member of service assigned to the Office of the Deputy Commissioner, Public Information will be assigned to the Joint Information Center(s).

PURPOSE To outline the duties of the Safety Officer in CIMS.

SAFETY OFFICER

1. Confer with the Command Element and determine whether there will be one Safety officer; or, two or more Agency Safety officers.
   a. If there is a Unified Command – Command Element, **each** of the Agency Incident Commanders may designate an Agency Safety officer. However, if all of the Agency Incident Commanders agree, they may jointly designate one Safety officer.
   b. If there is a Single Command – Command Element at a CBRN / HazMat incident, the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative will each designate an Agency Safety officer. However, if the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative all agree, they may jointly designate one Safety officer.
   c. If there is a Single Command – Command Element, except for a CBRN / HazMat incident, the Incident Commander will designate the one Safety officer.
2. Assume the position of Safety officer or NYPD Agency Safety officer as part of the Incident Management Team.
   a. **The Safety officer function is required by law at a hazardous materials incident**.
   b. If there is a Unified Command – Command Element, assume the position of NYPD Agency Safety officer and work collaboratively with the Agency Safety officer designated by each of the Primary Agencies that have command responsibility in the Unified Command - Command Element.
   c. If there is a Single Command – Command Element at a CBRN / HazMat incident, assume the position of NYPD Agency Safety officer and work collaboratively with the FDNY Agency Safety officer, the DEP Agency Safety officer and the DOHMH Agency Safety officer.
   d. If there is a Single Command – Command Element, except for a CBRN / HazMat incident, and the NYPD is the Primary Agency, assume the position as the one Safety officer and work collaboratively with each Supporting Agency / Agency Representative.
3. Perform an Incident Safety Analysis.
4. Provide advice to the Command Element regarding the safety, health, force protection and security of incident personnel. Make recommendations regarding:
   a. Health hazards, e.g., decaying human remains, unsafe air quality, body fluids, vectors, infectious diseases, polluted water.

SAFETY OFFICER (continued)

b. Physical hazards, e.g., falling debris, explosives, weakened structures, exposed electrical wires, unstable rubble, slippery surfaces, confined spaces.

c. CBRN / HazMat hazards including environmental contamination, incident personnel exposure / contamination, exclusion zones, i.e., hot zone, warm zone, cold zone, contamination control / mitigation measures and decontamination measures.

d. The appropriate type of Personal Protective Equipment (PPE) that should be used by incident personnel, e.g., safety glasses / goggles, splash resistant garments, respiratory protection, chemical protective garments, foot protection, totally encapsulating garments, head impact protection, gloves.

e. Operational hazards involving incident personnel performing functions / activities without the appropriate equipment.

f. Operational hazards involving incident personnel performing functions / activities without the required level of training, experience, knowledge, skills, etc.

g. Operational hazards involving incident personnel not having appropriate procedures, supervision, plans, management, protocols, organization, programs, systems, etc.

h. Operational hazards involving unnecessary or inappropriate resources responding to the incident; and / or, required resources not responding to the incident in a controlled fashion or not being deployed in a coordinated / organized manner.

i. Operational hazards involving current, anticipated or potential environmental conditions, e.g., temperature, precipitation, wind, lightning, darkness.

j. Operational hazards involving incident personnel not having appropriate work schedules and sufficient rest, rehabilitation, relief, leave, etc.

k. Operational hazards involving incident personnel not having appropriate and sufficient food / water, clothing, lodging, supplies, sanitation, heating / cooling systems, lighting, transportation, etc.

l. Operational hazards involving force protection and security.

m. Operational hazards involving a dangerous individual(s), device(s) or situation(s), e.g., sniper, hostage taker, barricaded person, improvised explosive device, armed emotionally disturbed person, CBRN / Hazmat device, vehicle borne improvised explosive device.

n. Operational hazards involving the physical condition of incident personnel, e.g., fatigue, injury, stress, trauma, illness, exhaustion.

o. Operational hazards involving the mental, emotional, behavioral and / or psychological condition of incident personnel, e.g., depression, anxiety, stress, tension, alcohol / substance abuse, etc.

NYPD

SAFETY OFFICER (continued)

p. Operational hazards involving incident personnel not receiving appropriate vaccinations, prophylaxis, treatment, medications, counseling and any other appropriate health related support / assistance.

q. Operational hazards involving appropriate personnel not receiving required:
   (1) Pre-incident medical certifications / re-certifications; and / or,
   (2) Initial base-line medical examinations at the incident; and / or,
   (3) On-going medical monitoring / surveillance at the incident.

r. Other hazards involving health, safety, force protection, security, environmental conditions, incident operations, PPE, training, equipment, procedures / protocols, incident support, etc.

5. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.

6. Ensure there are sufficient health, safety, force protection and security related supplies, equipment and other appropriate resources available when needed.

7. Develop and recommend measures for promoting personnel safety.
   a. Continually remind all incident executives, managers, supervisors and personnel that they must make safety the # 1 priority.

8. Implement procedures and establish a program / system to ensure the safety of incident personnel; and, to ensure incident operations, functions and activities are safely performed.

9. Implement procedures and establish a program / system to ensure continual identification, monitoring, evaluation and consideration of current, imminent, anticipated and / or potential hazardous, unhealthy or unsafe activities, functions and conditions.

10. Implement a PPE program / system that :
   a. Ensures incident personnel:
      (1) Are equipped with appropriate PPE that has been properly fitted; and,
      (2) Are properly trained and certified / re-certified regarding the PPE that will be utilized; and,
      (3) Are properly trained and certified / re-certified regarding the operations, functions and activities that will be performed in the PPE; and,
      (4) If necessary, have received the required pre-incident medical certification / re-certification; and,
      (5) If necessary, have received the appropriate PPE related initial base-line medical examinations at the incident; and,
      (6) If necessary, receive the appropriate PPE related on-going medical monitoring / surveillance at the incident.
   b. Ensures a sufficient quantity of the appropriate type of PPE is available when needed.

SAFETY OFFICER (continued)

c. Ensures PPE is properly maintained, serviced, repaired, decontaminated if necessary, stored, distributed, replaced, etc.

11. Implement a CBRN / HazMat program / system that ensures:
    a. Appropriate CBRN / HazMat monitoring equipment / instruments are properly utilized, located / relocated, calibrated, maintained, serviced, repaired, safeguarded / secured, replaced when necessary, etc.
    b. Incident personnel CBRN / HazMat exposure / contamination is monitored, quantified and documented.
    c. Air, water and soil environmental CBRN / HazMat contamination is monitored and appropriate environmental sampling, analyses and evaluations are performed.
    d. Air plume dispersion modeling is performed when necessary.
    e. CBRN / HazMat exclusion zones, i.e., hot, warm, cold zones, are monitored and the boundaries are appropriately adjusted when necessary.
    f. Required contamination control and mitigation measures are implemented.
    g. Required decontamination measures are implemented.
12. When necessary, implement a program / system to ensure required initial base-line physical / psychological medical examinations and required on-going physical / psychological medical monitoring / surveillance is provided at the incident to the appropriate personnel.
13. Evaluate the need for post-incident medical, physical and psychological health monitoring / surveillance, assessment /evaluation, treatment / counseling and assistance / support.
14. Collect, document, format, analyze, evaluate, secure / safeguard and file / store incident related health and safety data / information regarding injuries, illnesses, fatalities, accidents, CBRN /HazMat exposures, etc.; and, properly disseminate the data / information in compliance with applicable confidentiality / security procedures, policies, rules, regulations, statutes, etc., to the appropriate governmental agencies, non-governmental organizations and private entities / individuals.
15. Monitor incident operations, functions and activities and ensure compliance with the Health and Safety Plan and other relevant health, safety, force protection and security related plans, procedures, statutes, rules, regulations, policies, protocols, etc.
16. Notify the Command Element and, if appropriate, take corrective action when safety, health, force protection or security measures are not being properly implemented.
17. Immediately prevent, stop and / or correct hazardous, unhealthy or unsafe activities, functions and conditions by utilizing the chain of command; and, subsequently notify the Command Element. **However, if the life or safety of incident personnel is in imminent danger, exercise <u>emergency authority to directly</u> prevent, stop and / or correct hazardous, unhealthy or unsafe activities, functions and conditions; and, subsequently notify the Command Element**.

UNITED

SAFETY OFFICER (continued)

a. Intervene in and / or suspend Life Safety Operations or any other incident management operations, functions, activities, etc., to prevent, stop and / or correct hazardous, unhealthy or unsafe activities, functions and conditions; and, subsequently notify the Command Element.

18. Ensure all incident personnel are aware of relevant safety information.
    a. Formulate and distribute safety messages.
    b. Conduct periodic safety briefings.
    c. Perform appropriate safety training including incident / hazard specific safety training.
19. Coordinate, cooperate and collaborate with all of the Agency Safety officer(s), the Operations Section chief(s), the Planning Section chief and other appropriate Command Staff officer(s) and General Staff Section chiefs.
20. Ensure coordination of safety related functions, operations and activities with each Primary Agency, each Supporting Agency, the Coordinating Agency, and all of the involved governmental agencies, non-governmental organizations and private entities / individuals.
21. Initiate a preliminary investigation regarding any incident related accidents; and / or, potential accidents that were barely avoided, i.e., "near misses"; and / or, any incident related injuries, illnesses, fatalities, CBRN / HazMat exposures, etc.
22. Participate in planning meetings when appropriate, and assist in the development of the Incident Action Plan.
    a. Ensure that the health, safety, force protection and security aspects of the Incident Action Plan are properly formulated and implemented.
    b. Review the Incident Action Plan for general and incident / hazard specific and Agency specific health, safety, force protection and security issues, problems, limitations, requirements, constraints, activities, policies, procedures, etc.
    c. Prepare Health and Safety Plan and Safety Message regarding physical hazards, health / safety issues, environmental conditions, necessary equipment, force protection and security measures, appropriate PPE, operational hazards, required support, etc.
    d. Review and approve the Medical Plan.
    e. Provide advice to the Planning Section regarding the health, safety, force protection and security aspects of the Demobilization Plan.
    f. Closely monitor and evaluate the implementation of the Incident Action Plan.
23. Continually monitor performance, analyze data / information, evaluate incident operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Provide advice and make appropriate recommendations to the Command Element regarding incident related hazardous, unhealthy and unsafe activities, functions and conditions.

SAFETY OFFICER (continued)

b. Recommend appropriate modifications to the Incident Action Plan including health, safety, force protection and security issues, Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, etc.

c. Identify health, safety, force protection and security related incident management "Best Practices" and "Lessons Learned"; and, incorporate them into the Health and Safety Plan.

d. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.

24. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.

25. Prepare and maintain appropriate records, forms, logs, reports, etc., regarding the Safety officer functions / activities.

26. Designate an Assistant or Assistants when necessary after conferring with the Command Element.

a. Choose an Assistant(s) that has/have the required expertise, education, training, knowledge, experience, and skills to properly identify, assess, prevent, stop, correct, etc., incident /hazard specific, Agency specific and general hazardous, unhealthy or unsafe activities, functions and conditions.

b. The Assistant is a subordinate to the principal.

c. The Assistant does not have to possess the same qualifications, i.e., knowledge, skills, experience, as the principal. Therefore normally, the Assistant may possess a level of technical and non-technical ability that is less than the principal; and, will be given less responsibility than the principal. However, the Assistant Safety officer may possess greater qualifications and a greater level of technical and non-technical ability than the principal regarding some or all of the incident / hazard specific, Agency specific and general hazardous, unhealthy or unsafe activities, functions and conditions. Furthermore, the Assistant Safety officer may be given significant responsibility regarding some or all of the incident / hazard specific, Agency specific and general hazardous, unhealthy or unsafe activities, functions and conditions.

d. The role of the Assistant is flexible, and the Assistant may:

(1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.

(2) Make notifications.

(3) Function as a relief.

(4) Be assigned specific tasks as requested by the principal.

NEW YORK CITY POLICE DEPARTMENT

SAFETY OFFICER (continued)

e. The Assistant may be member of a different Agency / Jurisdiction than the principal. For example, the Assistant may be a member of an Agency / Jurisdiction that:

(1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,

(2) Currently is, or after a period of time, may be significantly affected by the incident.

27. Continually monitor / evaluate the organization and effectiveness of the Safety function; and the performance of the Assistant(s).

a. Make appropriate modifications when necessary.

28. Absent unusual circumstances, establish a work location at or in the vicinity of the Incident Command Post.

NYPD

PURPOSE To outline the duties of the Liaison officer in CIMS.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Liaison officer are:

LIAISON OFFICER

1. Assume the position of Liaison officer as part of the Incident Management Team; and, coordinate the activities, functions, operations and actions of involved governmental agencies, non-governmental organizations, and / or private entities / individuals.
2. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.
3. Closely coordinate, communicate and maintain liaison with appropriate involved governmental agencies, non-governmental organizations and / or private entities / individuals.
4. Closely coordinate, communicate and maintain liaison with each Supporting Agency / Agency Representative.
   a. A Supporting Agency is a governmental agency, non-governmental organization, and / or private entity whose resources are deployed to an incident to support incident operations, and assist the Primary Agency(ies) to successfully resolve the incident. A Supporting Agency is not a part of the Command Element. However, each Supporting Agency retains responsibility for its resources; and, retains its jurisdictional, legal, functional, administrative, etc., authority.
   b. Each Supporting Agency will designate a "Supporting Agency / Agency Representative." Each Supporting Agency / Representative has the authority to make decisions, give direction and commit resources on behalf of their Supporting Agency. A Supporting Agency / Agency Representative is not a member of the Command Element.
   c. There are two types of Supporting Agencies:
      (1) Assisting Agency: An Agency providing personnel, services or other resources to the Agency with direct responsibility for incident management; and / or, an Agency directly contributing tactical or service resources to another Agency, e.g., NYPD, FDNY, EMS, DSNY, DEP.
      (2) Cooperating Agency: An Agency that supports the incident management efforts by providing assistance other than tactical resources; and / or, an Agency that supplies assistance other than direct operational or support functions or resources to the incident management efforts, e.g., Salvation Army, American Red Cross.

LIAISON OFFICER (continued)

5. Act as the "point of contact" for each Supporting Agency / Agency Representative assigned to the incident.
   a. Generally, in either a Single Command – Command Element or Unified Command – Command Element, the Command Element and incident management organization will not directly interact with the Supporting Agencies' Supporting Agency / Agency Representative. Instead the Liaison officer will interact directly with and coordinate the activities, functions, operations and actions of each Supporting Agency / Agency Representative regarding the incident management efforts.
   b. In certain circumstances, the Command Element may choose to:
      (1) Interact <u>directly</u> with one or more Supporting Agencies' Supporting Agency / Agency Representative, e.g., an Assisting Agency(ies) with significant resources actively engaged in the efforts to successfully resolve the incident; and,
      (2) Have the Liaison officer interact directly with the remaining Supporting Agencies' Supporting Agency / Agency Representative, e.g., Assisting Agency(ies) with few resources assigned to the incident, and / or Cooperating Agency(ies).
6. Provide comprehensive briefing to each Supporting Agency / Agency Representative within a reasonable period of time after the Supporting Agency / Agency Representative initially arrives at the incident.
7. Ensure each Supporting Agency /Agency Representatives is informed regarding current incident situation related information.
   a. Provide briefings to each Supporting Agency / Agency Representative either periodically, or at specific times when needed, or when directed by the Command Element.
8. Maintain a list of Supporting Agencies and each associated Supporting Agency / Agency Representatives.
9. Coordinate with each Supporting Agency / Agency Representative to ensure each Supporting Agencies' resources properly *Check-In* at the appropriate location(s).
10. Confer with each Supporting Agency / Agency Representative to identify any special Supporting Agency specific needs, requirements, limitations, restrictions, etc.
11. Monitor incident operations to identify current, anticipated or potential inter-organizational or inter-agency issues, problems, conflicts, etc.
12. When necessary ensure one or more appropriate Supporting Agencies' Supporting Agency / Agency Representative attends planning meetings; and, when appropriate, assists in the development and implementation of the Incident Action Plan.
13. Provide each Supporting Agency / Agency Representative with Supporting Agency specific demobilization information, requirements, plans, procedures, etc.

LIAISON OFFICER (continued)

14. Debrief each Supporting Agency / Agency Representative prior to their departure from the incident.
15. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.
16. Confer with each Supporting Agency / Agency Representative regarding:
    a. Current *status* of the particular Supporting Agencies' resources,
    b. Current number, *Kind*, *Type*, capabilities, limitations, etc., of the particular Supporting Agencies' resources,
    c. Availability of the particular Supporting Agencies' resources regarding current, anticipated or potential resource requests.
17. Continually monitor / evaluate the organization and effectiveness of the Liaison function; and, the performance of the Assistant(s).
    a. Make appropriate modifications when necessary.
18. Prepare and maintain appropriate records, forms, logs, reports, etc., regarding the Liaison officer functions / activities.
19. Participate in planning meetings when appropriate, and assist in the development of the Incident Action Plan.
    a. Ensure that the liaison, inter-agency and Supporting Agency aspects of the Incident Action Plan are properly formulated and implemented.
    b. Provide advice to the Planning Section regarding the liaison, inter-agency and Supporting Agency aspects of the Demobilization Plan.
20. Continually monitor performance, analyze data / information, evaluate incident operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Provide advice and make appropriate recommendations to the Command Element regarding incident related liaison, inter-agency and Supporting Agency issues.
    b. Recommend to the Command Element, any necessary modifications to the current Incident Action Plan, including Supporting Agency / Agency Representative issues, Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, etc.
    c. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.
21. Designate an Assistant or Assistants when necessary after conferring with the Command Element.
    a. The Assistant is a subordinate to the principal.

LIAISON OFFICER (continued)

b. The Assistant does not have to possess the same qualifications, i.e., knowledge, skills, experience, as the principal. The Assistant may possess a level of technical and non-technical ability that is less than the principal, and, will be given less responsibility than the principal.

c. The role of the Assistant is flexible, and the Assistant may:
   (1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.
   (2) Make notifications.
   (3) Function as a relief.
   (4) Be assigned specific tasks as requested by the principal.

d. The Assistant may be a member of a different Agency / Jurisdiction than the principal. For example, the Assistant may be a member of an Agency / Jurisdiction that:
   (1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,
   (2) Currently is, or after a period of time, may be significantly affected by the incident.

22. Absent unusual circumstances, establish a work location at or in the vicinity of the Incident Command Post.

ADDITIONAL DATA

If there is a Single Command – Command Element, the Incident Commander may designate the one Liaison officer; however, OEM has the authority and may designate the one Liaison officer. When the NYPD is the Primary Agency in a Single Command - Command Element, if the Liaison officer position is activated, absent unusual circumstances, the Incident Commander should make every effort to have a member of the NYPD designated as the Liaison officer; or if that is not possible, designated as an Assistant to a non-NYPD Liaison officer.

If there is a Unified Command – Command Element, all of the Agency Incident Commanders will jointly designate the one Liaison officer; however, OEM has the authority and may designate the one Liaison officer. When the NYPD is one of the Primary Agencies in a Unified Command - Command Element, if the Liaison officer position is activated, absent unusual circumstances, the NYPD Agency Incident Commander should make every effort to have a member of the NYPD designated as the Liaison officer; or if that is not possible, designated as an Assistant to a non-NYPD Liaison officer.

PURPOSE To outline the duties of the Operations Section chief in CIMS.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Operations Section chief are:

OPERATIONS SECTION CHIEF

1. Confer with the Command Element and determine whether there will be one Operations Section chief; or, two or more Agency Operations Section chiefs.
   a. If there is a Unified Command – Command Element, each of the Agency Incident Commanders will designate an Agency Operations Section chief. However, if all of the Agency Incident Commanders agree, they may jointly designate one Operations Section chief.
   b. If there is a Single Command – Command Element at a CBRN / HazMat incident, the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative will each designate an Agency Operations Section chief. However, if the NYPD Incident Commander; and FDNY Supporting Agency / Agency Representative; and DEP Supporting Agency / Agency Representative; and DOHMH Supporting Agency / Agency Representative all agree, they may jointly designate one Operations Section chief.
   c. If there is a Single Command – Command Element, except for a CBRN / HazMat incident, the Incident Commander will designate the one Operations Section chief.
2. Assume command as the Operations Section chief or NYPD Agency Operations Section chief as part of the Incident Management Team.
   a. If there is a Unified Command – Command Element, assume command as the NYPD Agency Operations Section chief in a Unified Operations Section and work collaboratively with the Agency Operations Section chief designated by each of the Primary Agencies that have command responsibility in the Unified Command - Command Element.
   b. If there is a Single Command – Command Element at a CBRN /HazMat incident, assume command as the NYPD Agency Operations Section chief in a Unified Operations Section and work collaboratively with the FDNY Agency Operations Section chief, the DEP Agency Operations Section chief and the DOHMH Agency Operations Section chief.

OPERATIONS SECTION CHIEF (continued)

c. If there is a Single Command – Command Element, except for a CBRN / HazMat incident, and the NYPD is the Primary Agency, assume command as the one Operations Section chief and work collaboratively with each Supporting Agency / Agency Representative.

3. Select an appropriate location and establish an Operations Section Post. If there is a Unified Operations Section, Agency Operations Section chiefs will jointly select an appropriate location to establish the Operations Section Post.
   a. The Operations Section Post is the location where the Operations Section chief / Agency Operations Section chiefs, Deputy(ies) and appropriate staff will remain and manage / direct all of the tactical functions, operations and activities.
   b. The Operations Section Post generally will not be co-located with the Intelligence / Investigations Section Post or the Incident Command Post. The Operations Section Post will be established at a secure location within a reasonable distance from the Intelligence / Investigations Section Post and the Incident Command Post.
   c. The Operations Section Post can be any type of facility that is available and appropriate, e.g., vehicle, trailer, tent, open area, room in a building.
   d. Choose a location that is a reasonable and appropriate distance from the incident; and, will provide for safety, health, security and force protection; and, will provide easy and expeditious access and egress; and, is sufficiently large and will allow for expansion; and, will permit continuous operations; and, will provide adequate workspace and utility / communications service. Generally, the Operations Section Post will be located within the Site Access Control / Outer Perimeter.
   e. If necessary, the Operations Section Post may be relocated.
   f. Ensure adequate safety, health, security and force protection measures are implemented.
4. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.
5. <u>Direct</u> appropriate tactical operations, functions and activities:
   a. If there is a Unified Operations Section, <u>each</u> Agency Operations Section chief will <u>direct</u> the tactical operations involving their Agencies' Core Competencies. Each Agencies' Core Competencies are listed in the CIMS Core Competency chart.
   b. If there is a Single Operations Section, the one Operations Section chief will <u>direct</u> all tactical operations.

OPERATIONS SECTION CHIEF (continued)

6. Ensure appropriate tactical operations, functions and activities are expeditiously implemented including reduction / elimination of the immediate hazard; saving lives; protecting property; ensuring public safety, controlling / stabilizing incident conditions; implementing site management operations; providing force protection / security regarding incident personnel; mitigating the incident; implementing recovery / restoration operations.
7. Tactical assignments will be based upon the responding Agencies' functional capabilities, e.g., resources, expertise, training, experience, skills; and, legal / jurisdictional authority, mission and responsibilities.
8. Develop and implement appropriate tactics and tactical operations / activities in order to effectively, efficiently and expeditiously achieve the Incident Objectives.
   a. Confer with Branch Director(s), Sector Supervisor(s), Group Supervisor(s) and / or Team Leader(s) in order to develop and implement appropriate tactics and tactical operations / activities.
   b. When appropriate, confer with the Primary Agency(ies), Supporting Agency(ies), Coordinating Agency and / or other appropriate involved governmental agencies, non-governmental organizations, and / or private entities / individuals regarding the tactics and tactical operations / activities.
   c. When appropriate, the tactics and tactical operations / activities should be capable of being implemented and completed within the designated "Operational Period."
9. Monitor tactical operations / activities at the incident.
   a. Evaluate performance and determine whether the tactics and tactical operations / activities are accomplishing the Incident Objectives in an effective, efficient and expeditious manner.
   b. Make appropriate modifications when necessary.
10. Ensure tactical operations are performed in a safe manner; and, that adequate force protection, security, health and safety measures are implemented.
11. Determine the required number, *Kind* and *Type* of resources; and, request the appropriate authority to have the required resources promptly respond to the designated location, i.e., Staging Area(s).
12. After proper "*Check-In*", appropriately organize arriving resources and resources that initially responded directly to the incident scene:
    a. Single Resources,
    b. Resource Teams,
    c. Special Response Teams.
13. Assign and deploy arriving resources and resources that initially responded directly to the incident scene to appropriate incident related tactical operations, functions and activities; and / or, retain them at the Staging Area(s) in an *Available status* awaiting assignment.
    a. Ensure there are adequate reserves.

OPERATIONS SECTION CHIEF (continued)

14. Organize the Operations Section based upon:
    a. Span of control; and / or
    b. Geographical boundaries; and / or
    c. Function; and / or
    d. Agency Core Competencies / functions; and / or
    e. Agency / jurisdictional responsibilities / authority.
15. When appropriate, organize the Operations Section in any of the following ways:
    a. Resources report directly to the Operations Section.
    b. Resources report to Sectors, and Sectors report to the Operations Section (geographical).
    c. Resources report to Groups, and Groups report to the Operations Section (functional).
    d. Resources report to Sectors and Groups; and, Sectors and Groups report to the Operations Section (functional / geographic).
    e. Sectors and / or Groups report to Branches; and, the Branches report to the Operations Section (Span of Control).
    f. Functional / Agency Core Competency Branches report to the Operations Section (functional).
    g. Agency / Jurisdiction Branches report to the Operations Section (Agency / jurisdictional responsibilities).
    h. Geographic Branches report to the Operations Section (geographical).
16. Manage appropriate tactical resources:
    a. Deploy existing resources.
    b. When appropriate, redeploy existing resources.
    c. Maintain adequate reserves.
    d. When necessary, request the appropriate authority to order / request additional resources to promptly respond to the designated location, i.e., Staging Area(s).
    e. Approve release of resources from active tactical assignments, but do not approve release / demobilization from the incident.
17. Continually monitor / evaluate the organizational structure and effectiveness of the Operations Section; and, the performance of the Deputy(ies), Branch Directors, Sector / Group Supervisors, Team Leaders, Managers and assigned personnel.
    a. Make appropriate modifications when necessary.
18. Maintain close communication with the Command Element.
19. Coordinate actions, maintain close liaison and continually communicate with the Intelligence / Investigations function.
    a. If an Intelligence / Investigations Section is activated, a member of the Operations Section should be assigned to the Intelligence / Investigations Section Post to act as a liaison; and, a member of the Intelligence / Investigations Section should be assigned to the Operations Section Post to act as a liaison.

OPERATIONS SECTION CHIEF (continued)

b. Depending upon the significance of the intelligence / investigative component of the incident and after conferral with the Intelligence / Investigations Section chief, the member of the Operations Section assigned to the Intelligence / Investigations Post and the member of the Intelligence / Investigations Section assigned to the Operations Section Post to act as liaisons may be supervisors.

20. Communicate and coordinate actions with the Command Staff, General Staff, Primary Agency(ies), Supporting Agency(ies), Coordinating Agency; and, appropriate governmental agencies, non-governmental organizations and private entities / individuals.

21. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.

22. Designate a Deputy or Deputies when necessary.
    a. The Deputy is the counterpart of the principal. Therefore, the Deputy should have the same qualifications, i.e., knowledge, skills, experience, as the principal; and, must be capable of assuming the principal's position.
    b. The role of the Deputy is flexible and the Deputy may:
        (1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.
        (2) Make important notifications, e.g., Bureau Chief, Patrol / Detective Borough Commander, Operations Unit, Emergency Operations Center if activated, Area Command if activated.
        (3) Function as a relief.
        (4) Be assigned specific tasks as requested by the principal.
    c. The Deputy may be member of a different Agency / Jurisdiction than the principal. For example, the Deputy may be a member of an Agency / Jurisdiction that:
        (1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,
        (2) Currently is, or after a period of time, may be significantly affected by the incident.

23. Participate in planning meetings when appropriate.

24. Assist in the development of the Incident Action Plan.
    a. Ensure that the tactical aspects of the Incident Action Plan are properly formulated and implemented.
    b. Provide advice to the Planning Section regarding the tactical aspects of the Demobilization Plan.

OPERATIONS SECTION CHIEF (continued)

25. Prepare and maintain appropriate records, forms, logs, reports, etc., regarding the Operations Section functions / activities.

26. Continually monitor performance, analyze data / information, evaluate incident operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Provide advice and make appropriate recommendations to the Command Element regarding incident related tactical and resource issues.
    b. Recommend to the Command Element, any necessary modifications to the current Incident Action Plan, including Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, etc.
    c. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.

27. Manage all law enforcement related operations, functions and activities including summonses, summons processing, arrests, prisoners, arrest verification, prisoner security / safeguarding, prisoner identification, arrest processing, photographing prisoners, prisoner confinement, prisoner transportation, prisoner release / arraignment, etc.

28. Activate and control all Staging Areas.
    a. A Staging Area is a temporary location / facility for situating and organizing resources that are in *Available status* and may be deployed to incident assignments. It may contain temporary fueling and sanitation facilities. **A Staging Area was formerly referred to as a Mobilization Point.**
    b. Pursuant to CIMS, there may be more than one Staging Area. However, absent unusual circumstances, there should be only one NYPD Staging Area for NYPD resources. Nevertheless, there may be more than one NYPD Staging Area if:
        (1) Specialized units, personnel, vehicles, equipment or other specialized resources are required at the incident, e.g., Emergency Services Unit, Mounted Unit, Highway District; or,
        (2) The incident area is extraordinarily large; or,
        (3) An extremely large number of personnel, vehicles, equipment or other resources are required at the incident; or,
        (4) A significant amount of large specialized equipment is required at the incident; or,
        (5) Confidential / sensitive resources are required at the incident; or,
        (6) There have been several Operational Periods and the incident has not been resolved and incident operations will continue for a prolonged period of time; or,
        (7) There are other circumstances that require the activation of more than one Staging Area.

OPERATIONS SECTION CHIEF (continued)

c. Pursuant to CIMS, depending upon the circumstances, different Agencies may have one or more separate Staging Areas; or, different functional / Core Competency Branches may have one or more separate Staging Areas.

d. Resources situated at a Staging Area(s) may be in *Available status* awaiting a tactical and / or investigative assignment, and should be prepared for assignment / deployment within three minutes. A Staging Area(s) should be used to organize Single Resources into Resource Teams and / or Special Response Teams.

e. *Out-of-Service* resources should not be situated at a Staging Area(s); and, Logistics functions should not be performed at a Staging Area(s).

f. When necessary, activate a Staging Area(s) for watercraft.

g. If more than one Staging Area is required then ensure an appropriate number of Staging Areas are activated; and, that the activities / functions occurring at each of the Staging Areas are performed in a coordinated manner.

h. A location will be chosen that is a reasonable and appropriate distance from the incident; and, will permit the expeditious deployment of staged resources to the incident and / or area of assignment; and, will provide for safety, health, security and force protection; and, will provide easy and expeditious access and egress; and, will provide adequate work space and utility / communications service; and, will permit continuous operations. The location chosen should be sufficiently large; and, should allow for expansion; and, should accommodate the responding resources and the required reserves; and if possible, should have sufficient space for expansion in order to accommodate a Level 3 or Level 4 mobilization.

i. A Staging Area(s) may be relocated when necessary.

j. A Staging Area(s) may be deactivated when appropriate.

k. Ensure adequate safety, health, security and force protection measures are implemented regarding the Staging Area(s).

l. When it is activated, a Staging Area(s) must be clearly marked and be readily identifiable. A Staging Area(s) will be given a name that describes its general location. A Staging Area(s) may be in the vicinity of or adjacent to other Incident Facilities; but, must have its own separate location and name.

m. The initial boundaries of the Staging Area(s) should be identified and communicated to the Command Element, Communications Section dispatcher and / or supervisor, Command Staff positions, General Staff Sections and each appropriate Supporting Agency / Agency Representative. Additionally, response routes / directions to the Staging Area(s) should be communicated to the responding resources by the Communications Section dispatcher and / or supervisor; or, when necessary, directly by the appropriate incident management organizational element / personnel; or, in any other appropriate manner.

OPERATIONS SECTION CHIEF (continued)

n. Determine the appropriate number, *Kinds* and *Types* of resources that will be situated at the Staging Area(s); and / or, retained / maintained as reserves at the Staging Area(s).

o. Retain / maintain adequate resource reserves at the Staging Area(s), and increase or decrease the reserves when necessary.

p. When necessary, request the appropriate authority to have additional required resources respond to the Staging Area(s) for deployment to incident related assignments, or to maintain adequate reserves, or for any other appropriate purposes.

q. Designate a Staging Area Manager to control each of the Staging Areas.

r. Inform each of the Staging Area Managers of the following:

(1) The number, *Kinds* and *Types* of resources that will be responding to the Staging Area(s).

(2) Communications procedures, devices, channels, equipment, frequencies and measures that will be utilized.

(3) Minimum number of resources and specific *Kinds* and *Types* of resources that must be retained / maintained as reserves at the Staging Area(s).

(4) Directions regarding organizing Single Resources into Resource Teams and / or Special Response Teams.

(5) Procedures for requesting / ordering additional resources.

(6) Estimated length of time the Staging Area(s) will be activated / utilized.

(7) Procedures for requesting / ordering logistics service and support.

s. Ensure that personnel arriving at the Staging Area(s) "*Check-In*" with the Resources Unit; and, supplies and equipment delivered to the Staging Area(s) are receipted for by the Supply Unit. If the Resources Unit and / or the Supply Unit are not activated, ensure that the Staging Area Manager(s) provides appropriate direction regarding arriving personnel and / or delivered supplies / equipment.

t. Each of the Staging Area Managers will:

(1) When appropriate and authorized, organize Single Resources into Resource Teams and / or Special Response Teams.

(2) Dispatch resources at the direction of the Operations Section chief, or the Command Element if the Operations Section has not been activated.

(3) Request / order Logistics Section service / support as necessary.

(4) Monitor and track the number, *Kinds*, *Types* and *status* of resources situated at the Staging Area.

OPERATIONS SECTION CHIEF (continued)

(5) Notify the Operations Section chief, or the Command Element if the Operations Section has not been activated, when additional resources should be ordered / requested in order to be deployed to incident related assignments, and / or to maintain adequate reserves, and / or for any other appropriate purposes.

(6) Ensure that adequate safety, health, security and force protection measures have been implemented regarding the Staging Area.

(7) Frequently inform the Operations Section chief, or the Command Element if the Operations Section has not been activated, regarding the activities / functions occurring at the Staging Area so as to enable the Operations Section chief, or the Command Element if the Operations Section has not been activated, to ensure that the activities / functions at each of the Staging Areas are performed in a coordinated manner.

29. Manage and direct tactical and logistical / support air operations and aviation / aircraft resources including helicopter (rotary-wing), airplane (fixed-wing) and blimp (air-ship) aircraft.

a. Ensure an appropriate number of Helibases are activated, and that the activities / functions occurring at each Helibase are performed in a coordinated manner, and that a NYPD Helibase Manager is designated to supervise and manage each Helibase.

(1) Ensure each Helibase is situated at an appropriate location and is properly managed;

(2) Ensure each Helibase Manager is situated and operates on the ground at the Helibase.

(3) Ensure adequate safety, health, security, and force protection measures are implemented regarding each Helibase.

(4) Absent extraordinary circumstances, only one Helibase will be activated; and it will be situated at the NYPD Chief of Special Operations, Aviation Unit located at Floyd Bennett Field, Brooklyn.

b. Ensure an appropriate number of Helispots are activated, and that the activities / functions occurring at each Helispot are performed in a coordinated manner, and that a NYPD Helispot Manager is designated to supervise and manage each Helispot.

(1) Ensure each Helispot is situated at an appropriate location and is properly managed;

(a) When appropriate, each Helispot may be deactivated and / or relocated.

(2) Absent unusual circumstances, ensure each NYPD Helispot Manager is either a Police Officer or supervisor assigned to the Emergency Services Unit.

OPERATIONS SECTION CHIEF (continued)

(a) Patrol Services Bureau personnel will be utilized to assist each Emergency Services Unit Helispot Manager.

(3) Ensure each Helispot Manager is situated and operates on the ground at the Helispot;

(4) Ensure adequate safety, health, security and force protection measures are implemented regarding each Helispot.

30. Coordinate the actions of the aviation / aircraft resources regarding rooftop observers; Field Observers; Weather Observers; ground units; surface and underwater marine units; Primary Agency(ies); Supporting Agency(ies); Coordinating Agency; and other appropriate resources at the incident, and when applicable, at appropriate off incident sites.

31. Implement Site Management Operations by organizing and deploying the appropriate number, *Kind* and *Type* of resources, e.g., personnel (uniformed, plainclothes and undercover), vehicles, (marked, unmarked, nondescript), barriers (fixed / moveable), watercraft, aircraft, equipment, etc., to create perimeters, roadblocks / checkpoints, security / guard posts, surveillance / counter surveillance teams, sniper / counter sniper teams, interdiction teams, heavy weapons teams, etc.

32. When implementing Site Management Operations:

a. Resources may be organized and deployed as Single Resources, Resource Teams and / or Special Response Teams; and,

b. Resources may be organized utilizing Sectors and / or Groups and / or Branches.

33. When appropriate, implement one or more of the following specific types of Site Management Operations:

a. <u>Force Protection / Security</u>

(1) Prevent intrusive and non-intrusive ("stay behind") attack(s) directed at incident personnel, e.g., improvised explosive devices, snipers, vehicle borne improvised explosive devices, suicide bombers, CBRN / HazMat devices, etc.

(2) Prevent unauthorized individuals from infiltrating into the incident site(s); and, when required, remove unauthorized persons.

(3) Prevent individuals from collecting intelligence, performing reconnaissance, conducting surveillance operations, etc., regarding strategic, operational, tactical, investigative, and support incident management plans, procedures, functions and activities.

(4) Specifically, provide security, safety and force protection at the Incident Command Post, Operations Section Post, Intelligence / Investigations Section Post, and any other General Staff Section Post(s) that are not co-located with the Incident Command Post.

OPERATIONS SECTION CHIEF (continued)

(5) Specifically provide security, safety and force protection at all activated Incident Facilities including all Staging Areas, all Helispots, Helibase(s) and any other appropriate types of Incident Facilities; and, if activated, the Incident Base and all Camps.

b. Site Access Control / Outer Perimeter

(1) Control vehicular traffic.

(a) Stop / divert vehicular traffic.

(b) Prevent unauthorized access of vehicles; and, when required, have unauthorized vehicles removed.

(c) Provide access / egress to properly identified emergency vehicles; and, other appropriate and necessary properly identified vehicles whose occupants are properly credentialed.

(2) Control pedestrian traffic.

(a) Stop / divert pedestrian traffic.

(b) Prevent unauthorized access of individuals; and, when required, remove unauthorized individuals.

(c) Provide access / egress to appropriate and necessary personnel who are properly credentialed.

c. Evacuation / Shelter

(1) When appropriate, evacuate individuals from an area, building, structure, watercraft, railcar, bus, mass transit station / stop / facility, or any other applicable structure / location.

(2) When appropriate, inform individuals to "shelter in place" or "take shelter" because evacuation would be hazardous.

d. Crowd Control

(1) When necessary, disperse and / or control loitering individuals, groups, crowds, etc., i.e., bystanders, onlookers, spectators.

(2) When appropriate, disperse and / or control disorderly individuals, groups, crowds, etc.

e. Investigative Perimeter

(1) Secure Crime Scene(s)

(2) Secure Investigative Scene(s).

f. Inner Perimeter

(1) Containment and security area established at one or more locations due to the presence of one or more threats / conditions involving a dangerous individual(s), device(s) and / or situation(s), e.g., sniper, hostage taker, improvised explosive device, barricaded person, CBRN / HazMat device, armed emotionally disturbed person, vehicle borne improvised explosive device.

OPERATIONS SECTION CHIEF (continued)

(2) No one will be permitted to enter the Inner Perimeter
(a) Without a protective vest, helmet and other necessary PPE appropriate for the actual or potential threat / condition; **and**,
(b) Without the approval of the
1. NYPD Incident Commander in a Single Command – Command Element, or NYPD Agency Incident Commander in a Unified Command – Command Element; or,
2. NYPD Operations Section chief in a Single Operations Section, or NYPD Agency Operations Section chief in a Unified Operations Section, if there is no NYPD Incident Commander or NYPD Agency Incident Commander; or,
3. NYPD Supporting Agency / Agency Representative if there is no NYPD Incident Commander or NYPD Agency Incident Commander and no NYPD Operations Section chief or NYPD Agency Operations Section chief;

g. Safety Perimeter
(1) CBRN / Haz-Mat exclusion zones, i.e., hot zone, warm zone, cold zone.
(2) Health hazards exclusion zones, e.g., decaying human remains, unsafe air quality, body fluids, vectors, infectious diseases, polluted water, etc.
(3) Physical hazards exclusion zones, e.g., falling debris, explosives, weakened structures, exposed electrical wires, unstable rubble, slippery surfaces, confined spaces, etc.

h. Property Security Perimeter
(1) Secure and protect areas, buildings, premises, structures, personal property, merchandise, vehicles, etc., from theft, vandalism, looting and other loss, damage or destruction.

34. When necessary, request the appropriate mass transit Agency(ies) to:
a. Stop mass transit from entering the incident area(s).
b. Have mass transit continue to travel through the incident area(s), but avoid one or more designated mass transit stations, stops, facilities, etc.
c. Discharge and / or board passengers at one or more designated mass transit stations, stops, facilities, etc., either within the incident area(s) or outside of the incident area(s).
d. Reroute mass transit to avoid entering the incident area(s).

35. When necessary, request the appropriate Agency(ies) to stop all vehicular / pedestrian traffic from entering one or more designated bridges and / or tunnels.

OPERATIONS SECTION CHIEF (continued)

36. When appropriate, request the Operations Unit, or if activated, the NYPD Emergency Operations Center, to have Transportation Bureau resources, other appropriate Department resources, and / or resources from any appropriate governmental agencies, non-governmental organizations and private entities / individuals deployed outside of the Site Access Control / Outer Perimeter in order to:
    a. Direct traffic away from the incident area(s); and, prevent and / or minimize traffic congestion that may be caused by the incident.
    b. Establish access and egress routes for emergency personnel, vehicles, equipment, etc., responding to or leaving from the incident area(s).
    c. When necessary, provide an escort and establish, post, staff, safeguard, secure, etc., appropriate routes to and / or from the incident area(s) to one or more designated areas and / or facilities located at an off incident site(s), e.g., airport, Police Laboratory, Bomb Squad Explosives Disposal facility, NYC Department of Health and Mental Hygiene Public Health Laboratory, military base.
37. Implement Emergency Credentialing / Site Access Control procedures and operations after consultation with the Primary Agency(ies) and OEM.
38. Implement the Corporate Emergency Access System (CEAS) when directed by the Mayor.

NYPD

PURPOSE To outline the duties of the Planning Section chief in CIMS.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Planning Section chief are:

PLANNING SECTION CHIEF

1. Assume command as the Planning Section chief as part of the Incident Management Team; and, manage strategic, operational and tactical planning activities.
2. When applicable, evaluate the current Incident Action Plan, and if necessary, recommend to the Command Element any required modifications.
3. Determine whether the planning process is adequate for the current Operational Period and the subsequent Operational Period(s), and if necessary, implement any required modifications.
4. To ensure that the required resources and support will be available, and the Incident Action Plan is completed and disseminated / distributed at an appropriate time prior to the start of each subsequent Operational Period, establish a Planning Cycle; and, develop a Planning Schedule / Sequence; and, commence the planning process for each subsequent Operational Period at an appropriate time.
   a. The Planning Cycle and /or Planning Schedule / Sequence may change as the incident / event progresses and evolves; and, the length of the current Operational Period and the next subsequent Operational Period(s) change
5. Confer with the Command Element, General Staff, Command Staff, each appropriate Supporting Agency / Agency Representative, Coordinating Agency and appropriate governmental agencies, non-governmental organizations and private entities / individuals regarding relevant planning activities and the preparation of the Incident Action Plan for each Operational Period.
6. Conduct, facilitate and direct planning meetings.
   a. Identify appropriate planning meeting attendees in consultation with the Command Element.
   b. Ensure maps, charts, matrices, photos / images, timelines, spreadsheets and other planning aids and tools are available.
   c. Ensure briefing is provided regarding current:
      (1) Incident situation, conditions and occurrences;
      (2) Operational activity, i.e., Life Safety, Site Management, Investigations, Recovery / Restoration;
      (3) Resources and support;
      (4) Environmental conditions;
      (5) Appropriate intelligence / information / data.
   d. Ensure that threat and risk assessment information is provided.

PLANNING SECTION CHIEF (continued)

e. Ensure resource and support needs / requirements are provided.

f. Ensure all relevant policy, legal, administrative, fiscal, jurisdictional constraints and limitations are provided.

g. Provide estimates / forecasts regarding future incident related conditions / occurrences; future incident related issues / problems; the development / evolution of the incident; the effects of incident management operations; incident potential; environmental conditions; etc.

h. Assist in the formulation of the Incident Objectives, Strategies, Tactical Direction, tactics and assignments.

i. Assist in determining the required resources and support.

j. Assist in identifying priorities.

k. Develop contingency / alternative Strategies and Tactical Direction.

l. Assist in determining appropriate locations to situate Incident Facilities.

m. Prepare and maintain the Planning Matrix.

n. Plot all appropriate information on a map(s) of the incident area(s), e.g., Sector / Group / Branch boundaries and assignments, Incident Facilities, Site Management Operations perimeters, emergency egress/ access routes.

o. Provide information regarding inter-agency interoperable communications procedural and technological measures.

7. When necessary, develop contingency and alternative plans.

8. When appropriate, conduct long range planning beyond the next several subsequent Operational Periods.

9. Supervise preparation of the Incident Action Plan for each Operational Period.

a. The Incident Action Plan may be verbal or written.

(1) The Incident Action Plan must be written if there:

(a) Is a Unified Command – Command Element; or,

(b) Will be more than one Operational Period.

b. The length of an Operational Period is determined by the length of time needed to achieve the Incident Objectives; and, may change as the incident develops, progresses and evolves.

c. Ensure that the Incident Action Plan:

(1) Adequately addresses the mission, jurisdiction, policies, constraints, responsibilities, etc., of each of the Primary Agencies that are a part of the Unified Command - Command Element; and,

(2) Provides adequate coordination between the Primary Agency(ies), Supporting Agency(ies), Coordinating Agency and other appropriate governmental agencies, non-governmental organizations and private entities / individuals.

PLANNING SECTION CHIEF (continued)

d. Ensure that the Incident Action Plan includes:
   (1) Statement of Incident Objectives.
      (a) When appropriate describe Strategies and Tactical direction.
   (2) Organization
      (a) Incident management organizational elements, i.e., Organizational Chart, and
      (b) Identities of the specific management and supervisory personnel.
   (3) Tactics, assignments, resources, reserves and support; and required resources / support.
   (4) Map(s) and Supporting Plans and Supporting Material / Attachments
      (a) Map(s) of the appropriate area(s).
      (b) Supporting Plans, e.g., Medical Plan, Health and Safety Plan, Communications Plan, Traffic Plan, Intelligence / Investigations Plan, Logistics Plan, Prisoner Processing Plan, Air Operations Plan.
      (c) Supporting Material, e.g., risk assessments, threats, medical surveillance information, structural design information, geological data, meteorological data, utilities design / operations data, public works design / operations data, criminal intelligence, geospatial data and, when appropriate, unclassified intelligence community information.
      (d) Supporting Attachments, e.g., additional maps, spreadsheets, charts, photos / images, timelines, matrices.
      (e) Ensure that the Incident Action Plan incorporates applicable incident management "Best Practices" and "Lessons Learned."

10. Have the approved Incident Action Plan prepared and reproduced for each Operational Period.

11. Prior to the start of each Operational Period, disseminate and / or distribute the Incident Action Plan for each Operational Period to all supervisors and other appropriate personnel in the appropriate manner, i.e., verbal briefings and / or distribution of a written document.

12. Continually monitor performance, analyze data / information, evaluate incident operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
   a. Provide advice and make appropriate recommendations to the Command Element regarding incident related planning, current situation, resource *Check-In / status*, information collection / dissemination, documentation, demobilization and Technical Specialist issues.

PLANNING SECTION CHIEF (continued)

b. Recommend to the Command Element any necessary modifications to the current Incident Action Plan, including Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, planning activities, documentation, demobilization, information collection / dissemination, etc.

c. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.

13. Continually monitor / evaluate the organizational structure and effectiveness of the Planning Section; and, the performance of the Deputy(ies), Unit Leaders and assigned personnel.
    a. Make appropriate modifications when necessary.
14. Select an appropriate location to establish the Planning Section.
    a. Absent unusual circumstances, the Planning Section will be located at the Incident Command Post.
15. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.
16. Designate a Deputy or Deputies when necessary.
    a. The Deputy is the counterpart of the principal. Therefore, the Deputy should have the same qualifications, i.e., knowledge, skills, experience as the principal; and, must be capable of assuming the principal's position.
    b. The role of the Deputy is flexible and the Deputy may:
        (1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.
        (2) Make important notifications, e.g., Bureau Chief, Patrol / Detective Borough Commander, Operations Unit, Emergency Operations Center if activated, Area Command if activated.
        (3) Function as a relief.
        (4) Be assigned specific tasks as requested by the principal.
    c. The Deputy may be a member of a different Agency / Jurisdiction than the principal. For example, the Deputy may be a member of an Agency / Jurisdiction that:
        (1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,
        (2) Currently is, or after a period of time, may be significantly affected by the incident.
17. Manage the *"Check-In"* of all resources including arriving resources and resources that initially responded directly to the incident scene.
    a. Assign *"Check-In Recorders"* to all locations and / or facilities where resources may *Check-In*:

PLANNING SECTION CHIEF (continued)

(1) Staging Area(s)
(2) Incident Command Post
(3) When applicable, Intelligence / Investigations Section Post. When applicable, investigative resources will *Check-In* at the Intelligence / Investigations Section Post.
(4) Helibase(s). Absent extraordinary circumstances, *Check-In* will not occur at a Helibase(s).
(5) Incident Base. Absent extraordinary circumstances an Incident Base will not be activated in NYC.
(6) Camp(s). Absent extraordinary circumstances a Camp(s) will not be activated in NYC.

b. Pursuant to CIMS, absent extraordinary circumstances, resources must formally *Check-In* before reporting to the Operations Section or Sectors or Groups or Branches for assignment.

c. Ensure resources that *Check-In* are properly recorded on **DETAIL ROSTER / ASSIGNMENT SHEETS (PD406-141)** or other appropriate *Check –In* forms, logs, records, etc.

d. Efforts should be made to electronically record / document resources that *Check-In*.

e. Determine the frequency and implement a schedule for the *Check-In Recorders* to provide / report *Check-In* information to the appropriate incident management organizational element / personnel.

18. Collect, process, organize, analyze, evaluate, document, monitor, prepare summaries, display and disseminate resource related information / data including the number, *Type* and *Kind* of *Assigned*, *Available*, *Out of Service*, requested, allocated, responding, required, etc., resources.

19. Implement a conventional, analog or digital system to document, monitor and track the current location, *status*, quantity, *Kind*, *Type*, assignment, etc., of all resources.

20. Maintain conventional, analog or digital records, documents and files, indicating the location, *status*, quantity, *Kind*, *Type*, assignment, etc., of all resources.

a. Maintain a "master list" of all resources.

21. Determine the current and estimate / forecast future needs and requirements regarding routine and specialized resources.

22. Identify and collect required current situation information including information involving the condition / progress of the incident, incident operations and environmental conditions.

a. Utilize Field Observers, Weather Observers, Intelligence / Investigations Liaison, Technical Specialists, and any other appropriate incident personnel or personnel located at off incident sites.

b. Maintain close liaison with the Public Information officer.

c. Maintain close liaison with other Command Staff positions and General Staff Sections.

d. Utilize appropriate technical methods / techniques.

MARKED

PLANNING SECTION CHIEF (continued)

e. Utilize any other appropriate incident resources or resources located at off incident sites.

23. Process, organize, analyze, evaluate, document, monitor, prepare summaries, display and disseminate all current situation information.

24. Identify and collect from various sources required routine and specialized information, intelligence and data, including risk assessments, threats, medical surveillance information, structural design information, geological data, meteorological data, utilities design / operations data, public works design / operations data, criminal intelligence, geospatial data and, when appropriate, intelligence community information.
    a. Maintain close liaison with the Intelligence / Investigations function irrespective of whether it is organized as a Section, Branch, Group or Command Staff position.
    b. Utilize Field Observers, Weather Observers, Intelligence / Investigations Liaison, Technical Specialists, and any other appropriate incident personnel or personnel located at off incident sites.
    c. Maintain close liaison with the Public Information officer.
    d. Maintain close liaison with other Command Staff positions and General Staff Sections.
    e. Utilize appropriate technical methods / techniques.
    f. Utilize any other appropriate incident resources or resources located at off incident sites.

25. Process, organize, analyze, evaluate, document, monitor, prepare summaries, display and disseminate appropriate incident related information, intelligence and data.

26. Coordinate with the Operations Section, the Intelligence / Investigations function and other appropriate General Staff Sections and Command Staff positions to ensure that all planning activities are reconciled with and do not compromise intelligence, investigative, support, operational, etc., confidentiality or security.

27. Implement procedures, plans, activities, etc., to ensure:
    a. Classified information is
        (1) Appropriately transmitted, received, documented, recorded, safeguarded, filed, maintained, secured, stored, etc.; and,
        (2) Communicated to and received by personnel specifically selected by the Command Element who have the appropriate "clearance level" / "access", i.e., Top Secret, Secret, SCI, and authorization, i.e., "need to know".
    b. Information that is restricted unclassified information, e.g., Law Enforcement Sensitive (LES), Official Use Only (OUO), Sensitive But Unclassified (SBU), personal, originator controlled, export controlled, personnel related, proprietary, etc., is

UNITED

PLANNING SECTION CHIEF (continued)

(1) Appropriately transmitted, received, documented, recorded, safeguarded, filed, maintained, secured, stored, etc; and,

(2) Communicated to and received by appropriate authorized personnel.

28. Confer with the Command Element and, when appropriate, the Intelligence / Investigations function, regarding the development, implementation and management of intelligence / information / data security and operational security procedures, plans, activities, etc.
29. Report any significant changes in the current incident situation, or the incident progress, development and evolution.
30. Maintain records / documents and prepare analyses, evaluations, summaries and displays concerning estimates / forecasts regarding future incident related conditions / occurrences; future incident related issues / problems; the development / evolution of the incident; the effects of incident management operations; incident potential; environmental conditions; etc.
31. Provide duplication services for incident personnel.
32. Ensure required incident related records / documents are prepared and the incident and all appropriate incident related activity is properly documented utilizing appropriate conventional, analog and digital techniques / methods.
    a. Prepare and maintain required conventional, analog and digital incident related documents, reports, forms, logs, records, files, etc.
    b. Maintain records / documents regarding the major steps taken to resolve the incident.
33. Ensure that conventional, analog and digital incident records / documents are properly prepared, maintained, safeguarded, filed, secured, stored, etc., for analytical, historical, legal and other appropriate purposes.
34. Maintain Incident Command Post Log containing:
    a. Summary of personnel deployment.
    b. Chronological listing of significant occurrences, conditions, operations, activities, etc.
    c. Chronological listing of essential information, e.g., crimes, arrests, injuries, fatalities.
    d. Results of periodic survey of incident area(s).
    e. Transfer(s) of Command.
    f. Information regarding the significant operations, actions, decisions, activities, etc., taken to resolve the incident.
    g. Other appropriate information / data.
35. Maintain maps, status boards, spreadsheets, matrices, charts, photos / images, timelines and other appropriate displays / visual aids regarding:
    a. Sector boundaries and Group deployments.
    b. Current resource deployments and estimated / forecasted future deployments.

PLANNING SECTION CHIEF (continued)

c. Locations of Incident Facilities, i.e., Incident Command Post, Operations Section Post, Intelligence / Investigations Post, Staging Area(s), Helispots, etc.

d. Locations of past, current and estimated / forecasted future major incidents / events, e.g., disorderly groups, building collapses, fires, power outages.

e. Perimeters implemented as part of Site Management Operations.

f. Critical infrastructure, hazardous locations, sensitive locations and other appropriate areas / facilities.

g. Appropriate emergency access / egress, evacuation, traffic, etc., routes.

h. If applicable, appropriate mass transportation stations, terminals, routes, facilities, etc.

i. CBRN / HazMat exclusion zones, if applicable.

j. Current resources and estimated / forecasted future resource needs.

k. Any other relevant or necessary information that could be better understood or analyzed if it was visually displayed.

36. Supervise preparation of the Demobilization Plan.

a. Ensure Demobilization planning commences at an appropriate time during the incident.

b. Recommend Demobilization release priorities to the Command Element for approval based upon continuing resource / support needs and requirements both at the incident, and when applicable, at appropriate off incident sites.

c. Include specific instructions for all personnel and resources that will be demobilized.

d. Ensure the Demobilization Plan is expeditiously disseminated / distributed in the appropriate manner at the incident, and when applicable, at appropriate off incident sites.

37. Manage the utilization, assignment and deployment of Technical Specialists, e.g., meteorologist, chemist, engineer, computer technician, epidemiologist, accountant, attorney, veterinarian, toxicologist, biologist, criminalist, physicist, medical doctor, etc.

a. Technical Specialists may:

(1) Report directly to the Planning Section chief;

(2) Report to any activated Unit / function within the Planning Section;

(3) Be assigned to a separate specific Technical Specialists Unit within the Planning Section;

(4) Be assigned to one or more General Staff Sections;

(5) Be assigned to one or more Command Staff positions as an Assistant(s);

(6) Be designated as one or more additional separate Command Staff officers.

`PLANNING SECTION CHIEF (continued)

38. Determine whether to activate or deactivate a Unit within the Planning Section. If a Unit is not activated or is deactivated, the Planning Section chief is responsible for performing / managing that Unit's functions.
    a. The number of personnel assigned to a particular Unit will be determined by the Planning Section chief after conferring with the Command Element, and will depend upon the nature, size, complexity, location, duration, etc., of the incident.
39. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.
40. Prepare and maintain appropriate records, forms, logs, reports, etc., regarding the Planning Section functions / activities.
41. When necessary, activate or deactivate any of the following Units:
    a. Resources Unit
    b. Situation Unit
    c. Documentation Unit
    d. Demobilization Unit.

FORMS AND REPORTS

DETAIL ROSTER / ASSIGNMENT SHEETS (PD406-141)

NYPD

PURPOSE To outline the duties of the Logistics Section chief in CIMS.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Logistics Section chief are:

LOGISTICS SECTION CHIEF

1. Assume command as the Logistics Section chief as part of the Incident Management Team; and, with the exception of logistics / support air operations and aviation / aircraft resources, manage all logistics service and support functions at the incident, and when applicable, at appropriate off incident sites.
2. Determine whether to activate or deactivate a Unit within the Logistics Section. If a Unit is not activated or is deactivated, the Logistics Section chief is responsible for performing / managing that Unit's functions. The number of personnel assigned to a particular Unit will be determined by the Logistics Section chief after conferring with the Command Element, and will depend upon the nature, size, complexity, location, duration, etc., of the incident.
3. Ensure logistics "Service" functions are properly performed.
   a. Communications
      (1) Manage all incident related communications functions and activities, i.e., voice / audio, data, image, text.
      (2) Engage in communications planning functions / activities; and, prepare the Communications Plan. The Communications Plan may be verbal or written.
      (3) When necessary, activate, operate and supervise the Incident Communications Center.
      (4) Request / order, obtain, receive, document, process, provide, record, install, test, distribute, maintain, service, safeguard, repair, replace, secure, store, recover, etc., analog and digital, and mobile / wireless and wire / landline, communications devices, equipment, systems and networks, i.e., voice / audio, data, image, text, including radios; landline telephones; wireless cellular and push-to-talk telephones; desk top, lap top and handheld digital computer communications hardware, software, peripherals, accessories, etc.; public address devices / systems; bullhorns; facsimile devices; pagers; mobile digital terminals; blackberries; pocket digital assistants; etc.
      (5) Identify and provide necessary NYPD Borough / Citywide "repeated" radio frequencies and / or tactical "point-to-point" radio frequencies for operational, command, tactical, investigative, support, aviation, etc., communications; and, provide any other additional required NYPD radio frequencies.

LOGISTICS SECTION CHIEF (continued)

(6) Provide inter-agency interoperable communications procedural and technological measures; and when appropriate, provide Borough / Citywide "repeated" interoperable radio frequencies, and / or tactical "point-to-point" interoperable radio frequencies.

(7) When appropriate and necessary, provide the NYC Agencies' Citywide "repeated" interoperable 800 MHz radio frequency.

(8) When appropriate, provide radio / mobile phone interconnect systems at incidents requiring additional support to ensure interoperable / shared communications.

(9) Provide all required communication links to appropriate off incident sites.

NOTE *Logistics Section Chief may have to work with other agencies communications.*

b. Medical

(1) Generally not activated in NYC. However, a Medical Unit may be activated during a large incident that will continue for a significant period of time, or for a CBRN / HazMat incident.

(2) Responsible for all medical service / support involving incident personnel at the incident, and when applicable, at appropriate off incident sites including providing medical care / treatment; vaccinations; prophylaxis; medical information; appropriate decontamination measures / treatment; emergency medical care / treatment; emergency and non-emergency transportation to appropriate medical facilities; mental, psychological, emotional and behavioral health services; privacy / security for hospitalized incident personnel; occupational health services; vector control / mitigation measures; assistance regarding personal and mortuary affairs for deceased incident personnel; required initial base-line physical / psychological medical examinations at the incident; required on-going physical / psychological medical monitoring / surveillance at the incident, etc.

(3) Ensure that the condition, location, treatment, prognosis, etc., of sick / injured incident personnel are monitored, documented, evaluated and tracked as they move from point of origin, to one or more care facilities and to the final destination / disposition.

(4) Collect, document, format, analyze, evaluate, secure / safeguard and file / store incident related health and safety data / information regarding injuries, illnesses, fatalities, accidents, CBRN /HazMat exposures, etc.; and, properly disseminate the data / information in compliance with applicable confidentiality / security procedures, policies, rules, regulations, statutes, etc., to the appropriate governmental agencies, non-governmental organizations and private entities / individuals.

LOGISTICS SECTION CHIEF (continued)

(5) Ensure post-incident medical physical and psychological health monitoring / surveillance, assessment /evaluation, treatment / counseling and assistance / support is provided when necessary.

(6) Prepare the Medical Plan including ground / air emergency medical transportation; countermeasures regarding actual / potential hazardous, unhealthy and unsafe activities and conditions; medical assistance capabilities at the incident and at appropriate off incident sites; and procedures, treatment / care and resources required to resolve emergency and non-emergency medical problems.

c. Food

(1) Generally not activated in NYC. However, a Food Unit may be activated during an extremely large incident that will continue for a significant period of time.

(2) Responsible for all food and water service / support involving incident personnel at the incident, and when applicable, at appropriate off incident sites including determining required routine and specialized food / water resources, service and support; planning menus; cooking / serving food; dispensing water; maintaining food / water service areas; ensuring food / water safety, health and security measures are implemented; etc.

(3) Manage, control and coordinate the activities, functions and efforts of the General Staff, Command Staff, Primary Agency(ies), Supporting Agency(ies), Coordinating Agency; and, appropriate governmental agencies, non-governmental organizations and private entities / individuals regarding providing food and water resources, service and support to incident personnel at the incident, and when applicable, at appropriate off incident sites.

4. Ensure logistics "Support" functions are properly performed.

a. Supply

(1) Request / order personnel resources. When applicable, personnel resources will be ordered from appropriate off incident sites.

(2) Except for aviation / aircraft resources, request / order, obtain, receive, document, process, provide, distribute, record, safeguard, store, secure, replace, recover, etc., incident related expendable and non-expendable tactical and support non-personnel resources including tools, supplies, vehicles, watercraft and equipment. When applicable, non-personnel resources will be ordered from appropriate off incident sites.

(3) Except for mobile ground equipment, vehicles and aviation / aircraft resources, maintain, service, fuel and repair incident related expendable and non-expendable tactical and support non-personnel resources including tools, supplies, watercraft and equipment.

LOGISTICS SECTION CHIEF (continued)

b. Ground Support

(1) Maintain, safeguard, store, secure, service, repair and fuel all mobile ground equipment and vehicles.

(2) Prepare required documentation and records regarding appropriate mobile ground equipment and vehicles at the incident, and when applicable, at appropriate off incident sites.

(3) Provide ground transportation for personnel, supplies, and equipment. When appropriate, maintain a transportation pool consisting of vehicles suitable for transporting personnel, e.g., cars, vans, buses.

(4) Record "usage time", and prepare required maintenance, service and repair records and any other required documentation / records regarding appropriate mobile ground equipment and vehicles at the incident, and when applicable, at appropriate off incident sites.

(5) When necessary, develop and implement the Traffic Plan.

c. Facilities

(1) Activate, maintain and demobilize Incident Facilities except the Helibase(s); Helispot(s); and incident management related airplane, blimp and other aviation / aircraft resource air field(s) not located at a conventional airport. Incident Facilities include:

(a) Incident Command Post.

(b) Staging Area(s).

(c) Operations Section Post.

(d) Intelligence / Investigations Section Post.

(e) Incident Base. Absent extraordinary circumstances an Incident Base will not be activated in NYC. However, an Incident Base might be activated during an extremely large incident that will continue for an extended period of time.

(f) Camp(s). Absent extraordinary circumstances a Camp(s) will not be activated in New York City. However, a Camp(s) might be activated during an extremely large incident that that will require incident personnel to be lodged for an extended period of time in the vicinity of the incident.

(g) Any other facilities situated at the incident, and when applicable, at appropriate off incident sites that will be used for providing food / water, lodging, shower, sanitation, etc., services to incident personnel;

LOGISTICS SECTION CHIEF (continued)

(h) Any other facilities situated at the incident, and when applicable, at appropriate off incident sites that will be used for conducting appropriate support and / or service functions and activities, e.g., Mass Care (Triage / Treatment / Transportation), Mass Casualty Management, Mass Fatality Management / Temporary Morgue, Mass Decontamination, Family Assistance.

(2) When appropriate, existing structures in the vicinity of the incident may be used either partially or entirely as Incident Facilities.

5. When necessary, activate or deactivate any of the following Service Units:
   a. Communications Unit
   b. Medical Unit
   c. Food Unit.
6. When necessary, activate or deactivate any of the following Support Units:
   a. Supply Unit
   b. Ground Support Unit
   c. Facilities Unit.
7. When necessary, activate a Support Branch to manage Support Units and / or a Service Branch to manage Service Units at the incident, and when applicable, at appropriate off incident sites.
   a. Assign Branch Directors.
8. Communicate and coordinate with the NYPD Chief of Special Operations, Aviation Unit regarding logistics / support air operations and aviation / aircraft resources.
   a. In NYC, pursuant to CIMS, logistics / support air operations and aviation / aircraft resources are managed and controlled by a NYPD Air Operations Branch Director if an Air Operations Branch has been activated. If an Air Operations Branch has not been activated or there is no NYPD Air Operations Branch Director, than logistics / support air operations and aviation / aircraft resources will be managed and controlled by the:
      (1) NYPD Operations Section chief in a Single Operations Section, or NYPD Agency Operations Section chief in a Unified Operations Section, if the Operations Section has been activated; or,
      (2) NYPD Incident Commander in a Single Command – Command Element, or NYPD Agency Incident Commander in a Unified Command – Command Element, if the Operations Section has not been activated; or,
      (3) NYPD Supporting Agency / Agency Representative if there is no NYPD Incident Commander or NYPD Agency Incident Commander; **and,** no NYPD Operations Section chief or NYPD Agency Operations Section chief.

LOGISTICS SECTION CHIEF (continued)

b. Outside of NYC, logistics / support air operations and aviation / aircraft resources are managed and controlled by the:
   (1) Air Support Group Supervisor if an Air Support is activated; or,
   (2) Air Operations Branch Director if the Air Support Group is not activated but an Air Operations Branch is activated; or,
   (3) Operations Section chief if the Air Operations Branch is not activated.

9. Participate in planning meetings when appropriate.
10. Assist in the development of the Incident Action Plan.
    a. When necessary, prepare the Communications Plan, Medical Plan, Traffic Plan and any other required logistics service / support related plans.
    b. Ensure that the logistic service and support aspects of the Incident Action Plan are properly formulated and implemented.
    c. Provide advice to the Planning Section regarding the logistic service and support aspects of the Demobilization Plan.
11. Continually monitor performance, analyze data / information, evaluate incident operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Provide advice and make appropriate recommendations to the Command Element regarding incident related logistics service and support issues.
    b. Recommend to the Command Element any necessary modifications to the current Incident Action Plan, including Incident Objectives, Strategy, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, logistics service / support activities, communications, etc.
    c. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.
12. Continually monitor / evaluate the organizational structure and effectiveness of the Logistics Section, and the performance of the Deputy(ies), Unit Leaders, Managers and assigned personnel.
    a. Make appropriate modifications when necessary.
13. Confer with the Primary Agency(ies), Supporting Agency(ies), Coordinating Agency and other appropriate governmental agencies, non-governmental organizations and private entities / individuals to determine current and estimate / forecast future routine and specialized required logistic service and support at the incident, and when applicable, at appropriate off incident sites.
14. Expeditiously provide routine and specialized required logistic service and support at the incident, and when applicable, at appropriate off incident sites.
15. Prepare and maintain appropriate records, forms, logs, reports, etc., regarding the Logistics Section functions / activities.

LOGISTICS SECTION CHIEF (continued)

16. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource status changes must be approved by the appropriate authority and communicated through the established Chain of Command.
17. Designate a Deputy or Deputies when necessary.
    a. The Deputy is the counterpart of the principal. Therefore, the Deputy should have the same qualifications, i.e., knowledge, skills, experience, as the principal; and, must be capable of assuming the principal's position.
    b. The role of the Deputy is flexible and the Deputy may:
        (1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.
        (2) Make important notifications, e.g., Bureau Chief, Patrol / Detective Borough Commander, Operations Unit, Emergency Operations Center if activated, Area Command if activated.
        (3) Function as a relief.
        (4) Be assigned specific tasks as requested by the principal.
    c. The Deputy may be member of a different Agency / Jurisdiction than the principal. For example, the Deputy may be a member of an Agency / Jurisdiction that:
        (1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,
        (2) Currently is, or after a period of time, may be significantly affected by the incident.
18. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.
19. Confer with the Deputy Commissioner, Information Technology, Life – Safety Systems Division, Information Technology Services Division, Communications Division, Communications Section, Electronics Section, Telecommunications Unit, Technical Assistance and Response Unit, Counterterrorism Division, other appropriate NYPD Units; and, any appropriate governmental agencies, non-governmental organizations and / or private entities / individuals regarding communications functions and activities.
20. Ensure effective and efficient communications service and support is provided, i.e., voice / audio, data, image, text, at the incident, and when applicable, at appropriate off incident sites:
    a. Provide necessary analog and digital, and mobile / wireless and wire / landline, communications devices, equipment, systems and networks, i.e., voice / audio, data, image, text.

LOGISTICS SECTION CHIEF (continued)

b. Prepare the Communications Plan
   (1) Depending upon the circumstances, the Communications Plan may be verbal or written.

c. When necessary, request the activation of a "Dual Dispatch System" and confer with the Communications Section supervisor regarding the appropriate notification protocols.
   (1) A Dual Dispatch System involves the routing of calls for service at the incident to incident personnel if it is high priority and to non incident personnel, i.e., precinct personnel, if it is low priority.

d. Ensure that the Communications Section Platoon Commander is notified regarding all Emergency Public Information and all recommended public health, safety and security related protective measures, e.g., evacuate, shelter in place, change clothes, wash, etc.; and, any other information that would be vital to disseminate to 911 callers, 311 callers, involved individuals, incident personnel, governmental agencies, non-governmental organizations and / or private entities / individuals.

e. Ensure borrowed or issued equipment / devices are returned at the appropriate time.

f. Confer with Deputy Commissioner, Information Technology, Life – Safety Systems Division, Information Technology Services Division, Communications Division, Communications Section, Electronics Section, Telecommunications Unit, Technical Assistance and Response Unit, Counterterrorism Division, other appropriate NYPD Units; and, any appropriate governmental agencies, non-governmental organizations and / or private entities / individuals regarding:
   (1) Required incident related communications service and / or support, e.g., Cell-on-Wheels (COW), priority cellular phones.
   (2) Any other appropriate voice / audio, image, text or data communications technical and / or non-technical needs, requirements, information, procedures, functions, issues, suggestions, problems, etc.

21. When appropriate, activate, operate and supervise the Incident Communications Center.

a. The Incident Communications Center is used solely by resources at the incident, and when applicable, at appropriate off incident sites.

b. The Message Center is a component of and is co-located with the Incident Communications Center.

c. An Incident Dispatcher will be assigned and will be responsible for:
   (1) Assigning / dispatching resources at the incident, and when applicable, at appropriate off incident sites; and,
   (2) Receiving and transmitting radio, telephone, facsimile, computer, etc., messages; and,

LOGISTICS SECTION CHIEF (continued)

(3) Providing analog and digital, and mobile / wireless and wire / landline voice / audio, image, data, text, etc. communications service / support; and,

(4) Providing other required incident dispatch services.

d. If established, the Incident Communications Center should be located at the Incident Command Post.

22. Ensure that all requested resources respond promptly to the appropriate location. If requested resources have not promptly responded notify:
    a. Patrol Borough Office, Borough of occurrence when appropriate.
    b. Operations Unit.
    c. NYPD Emergency Operations Center if activated.

23. Select an appropriate location to establish the Logistics Section.
    a. Absent unusual circumstances, the Logistics Section will be located at the Incident Command Post.
    b. Outside of NYC, the Logistics Section is usually located at the Incident Base. However, absent extraordinary circumstances an Incident Base will not be established in NYC.

NYPD

PURPOSE To outline the duties of the Finance / Administration Section chief in CIMS.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Finance / Administration Section chief are:

FINANCE / ADMINISTRATION SECTION CHIEF

1. Assume command as the Finance / Administration Section chief as part of the Incident Management Team; and, manage all financial and administrative activities.
   a. The Finance / Administration function may be performed by a Technical Specialist assigned to the Planning Section instead of activating the Finance / Administration Section, if minimal Finance / Administration activity is required, e.g., tracking overtime costs and ensuring overtime is properly coded.
2. Collect, process, organize, analyze, evaluate, record, monitor, prepare summaries, display and disseminate financial, administrative, time, overtime, personnel records, procurement, contract / agreement obligation, compensation / claims and cost related information, statistics and data as needed.
3. When necessary, identify current and estimate / forecast future incident related financial, administrative, time, overtime, personnel records, procurement, contract / agreement obligation, compensation / claims and cost related requirements, issues, needs, problems, advantages, etc.
4. Manage the "Compensation for Injury" function involving all financial and administrative activities regarding incident related injuries, illnesses and / or deaths of incident personnel.
5. Manage the "Claims" function involving all financial and administrative activities regarding incident related damage to property owned, rented, leased, etc., by a Primary Agency(ies), a Supporting Agency(ies), Coordinating Agency and / or other governmental agency, non-governmental organization or private entity / individual involved in incident management operations, functions or activities.
6. Ensure proper and expeditious preparation, collection, processing and transmittal of incident related personnel time and overtime records.
7. Ensure proper overtime codes are being used by incident personnel.
8. When necessary, ensure proper preparation, maintenance and transmittal of applicable "personnel records" for incident personnel.
9. When appropriate, establish and operate an incident Commissary and designate a Commissary Manager.
10. Ensure that required resources are efficiently and expeditiously procured and manage all procurement related activities.
11. Manage all financial and administrative activities related to:
    a. Vendor contracts, obligations, leases, rental agreements, and other financial or administrative agreements.

INTERNET

FINANCE / ADMINISTRATION SECTION CHIEF (continued)

b. Inter-agency and inter-jurisdictional Memoranda of Understanding, Mutual Aid Agreements, Memoranda of Agreement and other compacts, agreements, obligations, grants, contracts, etc.

12. Record equipment "usage time," and costs involving equipment, fuel, parts, maintenance, service, repairs, etc.
13. Ensure all incident related contract / agreement obligation documents are properly prepared, approved, and executed.
14. Participate in planning meetings when appropriate.
15. Assist in the development of the Incident Action Plan.
    a. Prepare any required financial / administrative related plans.
    b. Ensure that the financial and administrative aspects of the Incident Action Plan are properly formulated and implemented.
    c. Provide advice to the Planning Section regarding the financial and administrative aspects of the Demobilization Plan.
16. Continually monitor performance, analyze data / information, evaluate incident operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Provide advice and make appropriate recommendations to the Command Element regarding incident related financial and administrative issues.
    b. Recommend to the Command Element any necessary modifications to the current Incident Action Plan, including Incident Objectives, Strategy, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, financial and administrative activity.
    c. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.
17. Continually monitor / evaluate the organizational structure and effectiveness of the Finance / Administration Section, and the performance of the Deputy(ies), Unit Leaders, Managers and assigned personnel.
    a. Make appropriate modifications when necessary.
18. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.
19. Meet with each Supporting Agency / Agency Representative when necessary; and comply with each Supporting Agencies':
    a. Time, overtime, personnel records and other related financial and administrative policies and procedures.
    b. Equipment usage and other applicable equipment records/ documentation related financial and administrative policies and procedures.
    c. Compensation for injury and property claims related financial and administrative policies and procedures.
    d. Procurement and contract / agreement obligation related financial and administrative policies and procedures.

FINANCE / ADMINISTRATION SECTION CHIEF (continued)

e. Cost related financial and administrative policies and procedures.

f. Applicable and appropriate financial and administrative policies and procedures.

20. Confer with the Planning Section and Logistics Section to ensure that operational records are consistent with related financial and administrative records.

21. When necessary, collect, process, organize, evaluate, analyze, record, monitor, prepare summaries, display and disseminate appropriate incident related cost information, statistics and data.

22. When necessary, monitor costs to ensure compliance with applicable statutes, regulations, contracts, memoranda of understanding, grants, mutual aid agreements, etc.

23. When necessary, ensure that all activities involving financial reimbursements / obligations to and financial support / funds from one or more governmental agencies, non-governmental organizations and private entities / individuals are properly managed.

24. When necessary, provide immediate and contemporaneous, i.e., "real-time," monitoring of designated incident costs in order to determine any required additional funds that must be obtained in order to avoid adversely affecting overall or specific incident management operations, functions or activities.

25. Determine the current and estimate / forecast future incident related costs when requested.

26. If possible, identify current and future cost saving measures.

27. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.

28. Prepare and maintain appropriate records, forms, logs, reports, etc., regarding the Finance / Administration Section functions / activities.

29. When necessary, confer with appropriate Agency / Headquarters finance / administrative personnel regarding incident related financial, administrative, procurement, contract / agreement obligation, time, overtime, personnel records, cost and compensation / claims information, data, problems, needs, requirements, issues, etc.

30. Select appropriate location for Finance / Administration Section.

a. Finance / Administration Section may be located at the Incident Command Post; or,

b. Finance / Administration Section may be situated at an off incident site, e.g., NYPD Headquarters – Office of the Deputy Commissioner Management and Budget, NYPD Operations Unit, NYPD Emergency Operations Center if activated.

FINANCE / ADMINISTRATION SECTION CHIEF (continued)

31. Designate a Deputy or Deputies when necessary.
    a. The Deputy is the counterpart of the principal. Therefore, the Deputy should have the same qualifications, i.e., knowledge, skills, experience, as the principal; and, must be capable of assuming the principal's position.
    b. The role of the Deputy is flexible and the Deputy may:
        (1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.
        (2) Make important notifications, e.g., Bureau Chief, Patrol / Detective Borough Commander, Operations Unit, Emergency Operations Center if activated, Area Command if activated.
        (3) Function as a relief.
        (4) Be assigned specific tasks as requested by the principal.
    c. The Deputy may be a member of a different Agency / Jurisdiction than the principal. For example, the Deputy may be a member of an Agency / Jurisdiction that:
        (1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,
        (2) Currently is, or after a period of time, may be significantly affected by the incident.
32. Determine whether to activate or deactivate a Unit within the Finance / Administration Section. If a Unit is not activated or is deactivated, the Finance / Administration Section chief is responsible for performing / managing that Unit's functions.
    a. The number of personnel assigned to a particular Unit will be determined by the Finance / Administration Section chief after conferring with the Command Element, and will depend upon the nature, size, complexity, location, duration, etc., of the incident.
33. When necessary, activate or deactivate any of the following Units:
    a. Time Unit
    b. Procurement Unit
    c. Compensation / Claims Unit
    d. Cost Unit.

ADDITIONAL DATA

If there is a Single Command – Command Element, the Incident Commander will designate the one Finance / Administration Section chief. When the NYPD is the Primary Agency in a Single Command - Command Element, if the Finance / Administration Section is activated, absent unusual circumstances, the Incident Commander will have a member of the NYPD designated as the Finance / Administration Section chief; or if that is not possible, designated as a Deputy to a non-NYPD Finance / Administration Section chief. Whenever possible, the Incident Commander should designate a member of service assigned to the Office of the Deputy Commissioner, Management and Budget to perform the functions of the Finance / Administration Section chief; or if that is not possible, to perform the functions of a Deputy to a non-NYPD Finance / Administration Section chief.

ADDITIONAL DATA (continued)

If there is a Unified Command – Command Element, all of the Agency Incident Commanders will jointly designate the one Finance / Administration Section chief. When the NYPD is one of the one Primary Agencies in a Unified Command – Command Element, if the Finance / Administration Section chief position is activated, absent unusual circumstances, the NYPD Agency Incident Commander should make every effort to have a member of the NYPD designated as the Finance / Administration Section chief; or if that is not possible, designated as a Deputy to a non-NYPD Finance / Administration Section chief. Whenever possible, the NYPD Agency Incident Commander should designate a member of service assigned to the Office of the Deputy Commissioner, Management and Budget to perform the functions of the Finance / Administration Section chief; or if that is not possible, to perform the functions of a Deputy to a non-NYPD Finance / Administration Section chief.

NYPD

SCOPE

ORGANIZATION OF INTELLIGENCE / INVESTIGATIVE FUNCTIONS

The investigative and intelligence aspects of incident management are significantly different from the tactical aspects and are not adequately addressed by the traditional Incident Command System (ICS) organizational model. Therefore, when there is a considerable investigative or intelligence component to the management or resolution of an incident, the Command Element should activate an Intelligence / Investigations Section as part of the General Staff.

In unusual situations, when the Intelligence / Investigations function is not a considerable component of the management or resolution of an incident, it may be organized as a Branch or Group within the Operations Section rather than as a separate General Staff Section. In extremely unusual situations when the Intelligence / Investigations function is minimal, it may be organized as a Command Staff position or Planning Section / Situation Unit function.

The Intelligence / Investigations function should be organized as a Section when the NYPD is the Primary Agency in a Single Command – Command Element, or when the NYPD is one of the Primary Agencies in a Unified Command – Command Element.

PURPOSE

To outline the duties of the Intelligence / Investigations Section chief in CIMS.

PROCEDURE

Upon arriving at the scene of an incident, the responsibilities of the Intelligence / Investigations Section chief are:

INTELLIGENCE / INVESTIGATIONS SECTION CHIEF

1. Assume command as the Intelligence / Investigations Section chief as part of the Incident Management Team; and, manage investigative and intelligence operations.
2. Establish the Intelligence / Investigations Section Post at an appropriate location.
   a. The Intelligence / Investigations Section Post is the location where the Intelligence / Investigations Section chief, Deputy(ies) and appropriate staff will remain and manage / direct all of the intelligence and investigative functions, operations and activities.
   b. The Intelligence / Investigations Section Post generally will not be co-located with the Operations Section Post or the Incident Command Post. The Intelligence / Investigations Section Post will be established at a secure location within a reasonable distance from the Operations Section Post and the Incident Command Post.

INTELLIGENCE / INVESTIGATIONS SECTION CHIEF (continued)

c. Choose a location that is a reasonable and appropriate distance from the incident; and, will provide for safety, health, security and force protection; and, will provide easy and expeditious access and egress; and, is sufficiently large and will allow for expansion; and, will permit continuous operations; and, will provide adequate workspace and utility / communications service. Generally, the Intelligence / Investigations Section Post will be located within the Site Access Control / Outer Perimeter.

d. If necessary, the Intelligence / Investigations Section Post may be relocated.

e. The Intelligence / Investigations Section Post can be any type of facility that is available and appropriate, e.g., vehicle, trailer, tent, open area, room in a building.

f. Ensure that adequate safety, health, security and force protection measures are implemented.

3. Ensure appropriate investigative techniques are utilized.

4. Ensure assigned investigative leads / tasks are properly recorded.

5. Ensure assigned investigative leads / tasks are properly performed.

6. Ensure all appropriate follow-up actions are promptly identified, assigned, recorded and properly performed.

7. Ensure Investigative Scenes and Crime Scenes are identified, secured and processed.

a. Determine the number, location, size, boundaries, configuration, etc., of the Crime Scenes and / or Investigative Scenes. The size of the Crime Scenes and / or Investigative Scenes will depend upon the circumstances of the incident. However, initially the size of the Crime Scenes and/ or Investigative Scenes should be large, and as time progresses and additional facts are discovered they may be reduced in size.

b. In order to minimize / avoid the alteration, loss, contamination, degradation, destruction, etc., of physical evidence, ensure access to the Crime Scenes, and if applicable, the Investigative Scenes, are strictly controlled. Absent extraordinary circumstances and /or circumstances involving the life or safety of involved persons or the public, only appropriately trained and equipped personnel who are involved in the investigation of the incident and have an absolute need to enter will be allowed access within the Crime Scenes, and if applicable, the Investigative Scenes. Civilians and personnel representing involved governmental agencies, non-governmental organizations and private entities / individuals who are unauthorized or unnecessary, including unnecessary NYPD personnel, will not be allowed access within the Crime Scenes, and if applicable, the Investigative Scenes.

c. When appropriate authorize the release and relinquishment of control of the Crime Scenes and / or Investigative Scenes.

INTELLIGENCE / INVESTIGATIONS SECTION CHIEF (continued)

8. Ensure forensic evidence and conventional, analog and / or digital investigative evidence (documents / text, images / photos, audio, data) are properly and expeditiously collected, vouchered and analyzed / examined.
9. Ensure all investigative activity associated with telephone, computer and other types of electronic communications is properly performed.
10. Ensure intelligence information is collected in a timely manner.
11. Ensure threat information is expeditiously identified, processed, analyzed, evaluated, documented and disseminated to the Command Element, Operations Section, and appropriate Command Staff positions, General Staff Sections, governmental agencies, non-governmental organizations, private entities / individuals.
    a. Recommend appropriate alerting or non-alerting prevention, interdiction, disruption, denial, etc., countermeasures / techniques to the Command Element and Operations Section.
12. Ensure investigative and intelligence information is processed, organized, analyzed, evaluated, documented and appropriately disseminated.
    a. Implement procedures, plans, activities, etc., to ensure:
        (1) Classified information is:
            (a) Appropriately transmitted, received, documented, recorded, safeguarded, filed, maintained, secured, stored, etc.; and,
            (b) Communicated to and received by personnel specifically selected by the Command Element who have the appropriate "clearance level" / "access", i.e., Top Secret, Secret, SCI, and authorization, i.e., "need to know."
        (2) Information that is restricted unclassified information, e.g., Law Enforcement Sensitive (LES), Official Use Only (OUO), Sensitive But Unclassified (SBU), personal, originator controlled, export controlled, personnel related, proprietary, etc., is:
            (a) Appropriately transmitted, received, documented, recorded, safeguarded, filed, maintained, secured, stored, etc.; and,
            (b) Communicated to and received by appropriate authorized personnel.
    b. Confer with the Command Element and, when appropriate, the Planning Section, regarding the development, implementation and management of intelligence / information / data security and operational security procedures, plans, activities, etc.
13. Ensure intelligence and investigative information is processed, documented, organized, recorded, summarized, presented and displayed in a manner that allows it to be easily visualized, analyzed, evaluated and understood, e.g., link analysis charts, organization / hierarchy charts, matrices, spreadsheets, maps, images / photos, charts, timelines, etc.

INTELLIGENCE / INVESTIGATIONS SECTION CHIEF (continued)

14. Ensure all investigative activity associated with missing persons, unidentified aided persons and human remains is properly performed.
15. Ensure all operational and support resources are being efficiently and effectively utilized.
16. Ensure required legal advice, services and process, e.g., warrants, subpoenas, court orders, etc., are expeditiously obtained.
17. Ensure a chronological account of the significant investigative and, when appropriate, intelligence information, actions and results, is appropriately recorded, documented and displayed.
    a. Confer and coordinate with the Planning Section.
18. Develop and implement accountability, safety, health, force protection and security measures for personnel, vehicles, equipment, facilities and other resources.
19. Interact with any position within the incident management organization; however absent emergency circumstances, direction may only be given through the established Chain of Command. Additionally, absent extraordinary circumstances, resource orders / requests and resource *status* changes must be approved by the appropriate authority and communicated through the established Chain of Command.
20. Ensure appropriate records, forms, logs, reports, etc., regarding the Intelligence / Investigations Section functions / activities are properly prepared and maintained.
21. Ensure appropriate investigative and intelligence information is expeditiously communicated to the Command Element, Operations Section, Planning Section / Situation Unit and any other appropriate General Staff Sections and Command Staff positions:
    a. When the Intelligence / Investigations Section is activated, a member of the Operations Section should be assigned to the Intelligence / Investigations Section Post to act as a liaison; and, a member of the Intelligence / Investigations Section should be assigned to the Operations Section Post to act as a liaison.
    b. Depending upon the significance of the intelligence / investigative component of the incident and after conferral with the Operations Section chief, the member of the Operations Section assigned to the Intelligence / Investigations Section Post and the member of the Intelligence / Investigations Section assigned to the Operations Section Post to act as liaisons may be supervisors.
22. Direct and coordinate investigative and intelligence operations, functions and activities regarding all involved governmental agencies, non-governmental organizations and private entities / individuals, e.g., FBI, USSS, ATF, ICE, Customs and Border Patrol, US Park Police, US Postal Inspection Service, National Transportation Safety Board, Coast Guard, US DOD police / investigators, NYS Police, NYS DEC, MTAPD, PAPD, FDNY Fire Marshals, NYC DEP, NYC DPR Urban Park Service, NYC DS Police, NYC DOC, NYC DOHMH Epidemiologists, NYC Health and Hospitals Corporation security, private security, private investigators.

INTELLIGENCE / INVESTIGATIONS SECTION CHIEF (continued)

23. Ensure investigative and intelligence activity is coordinated with the appropriate Command Staff positions and General Staff Sections.
    a. In particular, maintain close liaison, frequently communicate and continually coordinate tactical investigative and intelligence activity with the Operations Section, e.g., warrant executions, arrests, evidence searches / seizures, physical surveillance, electronic surveillance, surreptitious entries, non-alerting / ruse detentions, confidential informant / undercover operations, etc.
24. Participate in planning meetings when appropriate.
25. Assist in the development of the Incident Action Plan.
    a. Ensure that Investigative / Intelligence Operations and considerations, particularly those involving the processing of Crime Scenes and Investigative Scenes, are included in the Incident Objectives.
    b. Prepare the Intelligence / Investigations Plan and any other required intelligence / investigations related plans.
    c. Ensure that the intelligence and investigative aspects of the Incident Action Plan are properly formulated and implemented.
    d. Provide advice to the Planning Section regarding the investigative and intelligence aspects of the Demobilization Plan.
26. Continually monitor performance, analyze data / information, evaluate operations and resources, assess the current situation and evaluate the implementation of the Incident Action Plan.
    a. Provide advice and make appropriate recommendations to the Command Element regarding incident related intelligence and investigative issues.
    b. Recommend to the Command Element any necessary modifications to the current Incident Action Plan, including Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, resources, incident management operations, communications, Investigative / Intelligence Operations, etc.
    c. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.
27. Continually monitor / evaluate the organizational structure and effectiveness of the Intelligence / Investigations Section, and the performance of the Deputy(ies), Group Supervisors and assigned personnel.
    a. Make appropriate modifications when necessary.
28. Designate a Deputy or Deputies when necessary.
    a. The Deputy is the counterpart of the principal. Therefore, the Deputy should have the same qualifications, i.e., knowledge, skills, experience, as the principal; and, must be capable of assuming the principal's position.
    b. The role of the Deputy is flexible and the Deputy may:
        (1) Collect incident related information, monitor performance, evaluate incident operations / resources and communicate with the principal, i.e., be the "eyes and ears" of the principal.

INTELLIGENCE / INVESTIGATIONS SECTION CHIEF (continued)

(2) Make important notifications, e.g., Bureau Chief, Patrol / Detective Borough Commander, Operations Unit, Emergency Operations Center if activated, Area Command if activated.

(3) Function as a relief.

(4) Be assigned specific tasks as requested by the principal.

c. The Deputy may be member of a different Agency / Jurisdiction than the principal. For example, the Deputy may be a member of an Agency / Jurisdiction that:

(1) Currently has, or after a period of time, may have significant resources involved in the incident management effort; or,

(2) Currently is, or after a period of time, may be significantly affected by the incident.

29. Determine whether to activate or deactivate a Group within the Intelligence / Investigations Section. If a Group is not activated or is deactivated, the Intelligence / Investigations Section chief is responsible for performing / managing that Group's functions.

a. The number of personnel assigned to a particular Group will be determined by the Intelligence / Investigations Section chief after conferring with the Command Element, and will depend upon the nature, size, complexity, location, duration, etc., of the incident.

30. When necessary, activate or deactivate the following Groups.

a. Investigative Operations Group
b. Intelligence Group
c. Forensic Group
d. Electronic Communications, Surveillance and Evidence Group
e. Missing / Unidentified Persons and Human Remains Group
f. Investigative Support Group

ADDITIONAL DATA

Depending upon the circumstances, personnel assigned to the Intelligence / Investigations Section may utilize some or all of the following investigative techniques:

a. Conduct canvasses, technical and non-technical.
b. Perform interviews and interrogations.
c. Process Crime Scenes and Investigative Scenes.
d. Collect, voucher and examine / analyze forensic evidence and conventional, analog and / or digital investigative evidence (documents / text, images / photos, audio, data.)
e. Collect, process and analyze intelligence, i.e., unclassified, classified, open source.
f. Conduct physical and electronic surveillance.
g. Conduct searches and seizures.
h. Conduct apprehensions.
i. Conduct alerting and non-alerting stops / detentions.
j. Request directed enforcement operations, e.g., criminal, regulatory, civil, parole, probation.
k. Conduct identification procedures, i.e., lineups, photo arrays, PhotoManager photos.

ADDITIONAL DATA (continued)

l. Query Databases / Records.

m. Obtain, analyze and exploit telephone, computer and other types of electronic communications information / records, both historical and real time.

n. Utilize mail covers and trash covers.

o. Obtain and examine relevant records maintained by the NYPD and other governmental agencies, non-governmental organizations and private entitles/individuals (e.g., 911 tapes, 311 tapes, Communications Division tapes, ICAD Event Information reports, Investigative Case folders, Administrative Case folders, DMV photos).

p. Debrief prisoners.

q. Conduct undercover and confidential informant operations.

r. Utilize appropriate event / timeline reconstruction techniques.

s. Perform behavioral analysis and psychological profiling.

t. Conduct financial analyses.

u. When necessary, disseminate appropriate investigative information to other law enforcement agencies, the media and the public.

v. Utilize public "Hotlines / Tiplines."

w. Utilize polygraph examinations.

<u>INVESTIGATIVE SCENES AND CRIME SCENES</u>

An Investigative Scene is an area or areas where investigative information may be obtained by identifying / interviewing witnesses; performing canvasses; examining conventional, analog and digital documents / text, images / photos, audio and / or data; performing identification techniques; etc.

A Crime Scene is an area or areas that contain physical evidence that may have forensic, investigative, demonstrative or other probative value.

Crime Scenes and Investigative Scenes include:

a. "Body Collection Points" where human remains are gathered for investigative and forensic evidence processing.

b. "Casualty Collection Points" where ill / injured individuals are gathered for triage, emergency treatment, and transportation to the hospital.

c. Decontamination areas where individuals are decontaminated using mass / gross, technical, emergency, etc., decontamination procedures.

d. Areas where forensic evidence or conventional, analog and / or digital investigative evidence (documents / text, images / photos, audio, data) is collected, processed, examined / analyzed, stored , safeguarded, etc.

All personnel assigned to the governmental agencies, non-governmental organizations and private entities / individuals involved in incident management activities are responsible for avoiding or minimizing disturbance of Investigative / Intelligence Operations, particularly the processing of Crime Scenes and Investigative Scenes. Individuals who are unauthorized or unnecessary, including unnecessary NYPD personnel, will not be allowed access within the Investigative Scene(s) and / or Crime Scene(s).

PURPOSE To understand the roles of a Supporting Agency / Agency Representative in CIMS.

DEFINITIONS SUPPORTING AGENCY - a governmental agency, non-governmental organization, and / or private entity whose resources, i.e., personnel, vehicles, equipment, subject matter expertise, etc., are deployed to an incident to support incident operations, and to assist the Primary Agency(ies) successfully resolve the incident. A Supporting Agency assists the Primary Agency(ies) accomplish the Incident Objectives by providing resources to the incident management efforts.

A Supporting Agency is not a Primary Agency in a Single Command – Command Element; nor is it one of the Primary Agencies in a Unified Command - Command Element. However, each Supporting Agency retains responsibility for it's resources; and retains its' jurisdictional, legal, functional, administrative, etc., authority.

There are two types of Supporting Agencies:

a. ASSISTING AGENCY - an Agency providing personnel, services or other resources to the Agency with direct responsibility for incident management; and / or, an Agency directly contributing tactical or service resources to another Agency, e.g., NYPD, FDNY, EMS, DSNY, DEP.

b. COOPERATING AGENCY - an Agency that supports the incident management efforts by providing assistance other than tactical resources; and / or, an Agency that supplies assistance other than direct operational or support functions or resources to the incident management efforts, e.g., Salvation Army, American Red Cross.

SUPPORTING AGENCY / AGENCY REPRESENTATIVE - each Supporting Agency will designate a "Supporting Agency / Agency Representative." A Supporting Agency / Agency Representative is an individual who has been given authority by the Supporting Agency to make decisions on matters affecting that Agency's efforts to assist the Command Element successfully resolve the incident. The Supporting Agency / Agency Representative must have the authority to make decisions, give direction and commit resources on behalf of their Supporting Agency. The Supporting Agency / Agency Representative is **not** a member of the Command Element.

PROCEDURE Upon arriving at the scene of an incident, the responsibilities of the Supporting Agency / Agency Representative are:

SUPPORTING AGENCY/ AGENCY REPRESENTATIVE

1. Assume the position of Supporting Agency / Agency Representative; and, report to the Liaison officer, or if not activated, the Command Element and obtain briefing.

SUPPORTING AGENCY/ AGENCY REPRESENTATIVE (continued)

2. Ensure all Supporting Agency resources have completed *Check-In* at the appropriate location(s).
3. Inform Supporting Agency personnel assigned to the incident that a Supporting Agency / Agency Representative has been designated; and, identify self as the designated Supporting Agency/ Agency Representative.
4. Attend planning meetings when appropriate; and, when applicable, assist in the development of the Incident Action Plan.
5. Inform the Liaison officer, or if not activated, the Command Element of current, anticipated or potential inter-organizational or inter-agency issues, problems, conflicts, etc.
6. Cooperate with the Command Element, Command Staff and General Staff regarding Supporting Agency involvement at the incident.
7. Assist the Primary Agency(ies) regarding the implementation of the Incident Action Plan.
8. Ensure accountability, safety, health, force protection and security measures are developed and implemented for personnel, vehicles, equipment, facilities, and other Supporting Agency resources assigned to the incident.
9. Inform the Liaison officer, or if not activated, the Command Element, of any special Supporting Agency specific needs, requirements, restrictions, limitations, etc.
10. Absent unusual circumstances, establish a work location at or in the vicinity of the Incident Command Post.
11. Inform the Liaison officer regarding:
    a. Current *status* of the Supporting Agencies' resources,
    b. Current number, *Kind*, *Type*, capabilities, limitations, etc., of the Supporting Agencies' resources,
    c. Availability of the Supporting Agencies' resources regarding current, anticipated or potential resource requests.
12. Report to the Supporting Agency Dispatcher and / or Headquarters on a pre-arranged schedule.
13. Ensure all required Supporting Agency records, forms, logs, reports, and documents are properly prepared.
14. When demobilization occurs, ensure:
    a. All of the Supporting Agencies' resources are properly accounted for and released.
    b. All incident related operations, assignments, tasks, etc., have been completed.
    c. All incident related logistics service and support functions and activities have been completed.
    d. All required incident related records, forms, logs, reports and other administrative activity have been completed.
    e. All borrowed equipment is returned to the appropriate location/Unit.
15. Attend debriefing session with the Liaison officer, or if not activated, the Command Element, prior to departure from the incident due to reassignment, end of tour, demobilization, etc.

PURPOSE To understand the role of the Coordinating Agency in CIMS.

SCOPE The New York City Office of Emergency Management (OEM) is the designated Coordinating Agency. OEM may respond to multi-agency incidents and participate in a Unified Command or Single Command incident management organization.

PROCEDURE At multi-agency incidents OEM will:

OFFICE OF EMERGENCY MANAGEMENT

1. Ensure a CIMS incident management organization is implemented.
2. Coordinate resources supplied by Agencies involved in incident related response and recovery operations, functions and activities.
3. Provide information to the OEM Emergency Operations Center and to the Mayor.
4. Support logistics and communications needs.
5. Obtain subject matter expertise.
6. Facilitate transition of command.
7. Facilitate resolution of interagency differences.
8. Coordinate and support Recovery / Restoration Operations.

ADDITIONAL DATA

DO NOT wait for a representative from OEM to arrive at the incident site to begin inter-agency coordination.

In complex incidents where the Primary Agency designation is unclear, or the incident is not listed in the Primary Agency Matrix, or the Primary Agency designation changes as some or all of the Incident Objectives are achieved, OEM, based upon the CIMS Protocol, will identify the appropriate Primary Agency or Agencies.

NYPD

Section: Citywide Incident Management		Procedure No: 220-16	
CIMS: INTEGRATED COMMUNICATIONS			
DATE ISSUED: 08/01/13	DATE EFFECTIVE: 08/01/13	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To ensure proper communications integration takes place between this Department and other agencies at an incident.

SCOPE Effective, efficient, integrated communications are essential in order to successfully resolve emergency incidents. Agencies participating in emergency response in New York City have implemented several procedural and technological measures to ensure that effective, efficient and integrated on-scene inter-agency communications can be achieved. Agencies will continue to evaluate communications best practices and evolving voice, image, text and data communications technologies to improve tactical and citywide inter-agency communications.

MEASURES

Procedural Measures

1. Ensuring that all ranking Agency members manage the incident from one single Incident Command Post;
2. Ensuring that Agency personnel operating at an incident use clear text for inter-agency communications, i.e., no agency-specific codes or jargon; and, communicate using standard CIMS terminology;
3. Ensuring that all incident personnel observe strict radio / telephone communications discipline and limit communications to essential information only;
4. Establishing criteria for implementing Borough / Citywide "repeated" interoperable radio frequencies and tactical "point-to-point" interoperable radio frequencies for coordination at the incident scene.

Technological Measures

1. Ensuring that all Agencies participating in emergency responses in NYC may utilize the NYC Agencies' Citywide "repeated" interoperable 800 MHz radio frequency;
2. Ensuring that first responder Agencies have other first responder Agencies' Borough / Citywide "repeated" interoperable radio frequencies in their command vehicles and their aviation and marine assets; and, that the Borough / Citywide "repeated" interoperable radio frequencies are appropriately utilized.
3. Utilizing tactical "point-to-point" interoperable radio frequencies for coordination at the incident scene; and
4. Deploying radio / mobile phone interconnect systems to incidents requiring additional support to ensure interoperable / shared communications.

MEASURES (continued)

Communications Plan

The Command Element will implement a Communications Plan that will identify the tactical "point-to-point" interoperable radio frequencies and Borough / Citywide "repeated" interoperable radio frequencies that will be used to manage the incident. The plan may be written or verbal depending upon the nature, location, size, complexity and duration of the incident.

The Communications Plan will be part of the Incident Action Plan for each Operational Period and will be disseminated / distributed to all Agencies participating in the response. When applicable, CIMS ICS form 205 may be used to assist in the formulation of the Communications Plan.

NYPD

PURPOSE To describe the formal Transfer of Command process at an incident.

PROCEDURE Upon arriving at the scene of an incident, the ranking member of the service will either:

RANKING MEMBER OF THE SERVICE

1. Assume command if there is no Command Element; or,
2. Assume command from the current Command Element; or,
3. Make no change regarding the current Command Element; or,
4. Designate a third party to assume command from the current Command Element

NOTE *When there is a change in the Command Element, there must be a formal Transfer of Command process.*

TRANSFER OF COMMAND

5. "*Transfer of Command*" may take place:
   a. When a higher ranking person arrives at the scene and elects or has been appropriately designated to assume command. This is often associated with an expanding incident that recently occurred and is still in its initial stages of development. In this situation, because of the outgoing Command Element's specific knowledge / experience regarding the incident, the incoming Command Element may assign the outgoing Command Element to perform / manage a different incident related function, e.g., Operations Section chief.
   b. By transferring command to a less senior or less experienced person when an incident is stabilized, or has been reduced in size or severity, or is close to final mitigation, or will demobilize after a short period of time.
   c. When needed because personnel have been appropriately designated to assume command for a new Operational Period(s).
   d. To allow the Command Element to be dismissed at the end of the designated tour.
6. Over the course of an incident, as emergency conditions change or Incident Objectives are completed, the Primary Agency designation may also change and there may be a *Transfer of Command* from one or more Primary Agencies to a different Primary Agency or Agencies. The Primary Agency Matrix will be used to identify the appropriate Agency or Agencies to which command will be transferred.
7. *Transfer of Command* also involves the replacement of the General Staff Section chiefs and Command Staff officers, e.g., Operations Section chief, Planning Section chief, Public Information officer.

TRANSFER OF COMMAND (continued)

Transfer of Command Process

8. The *Transfer of Command* process must include a briefing that captures all of the essential information required to ensure continuing effective and efficient command. This information should be recorded and displayed for easy retrieval and subsequent briefings.
9. A *Transfer of Command* checklist should be used and it should include at least the following:
   a. Has an appropriate CIMS incident management organization been implemented, and is appropriate CIMS terminology being used at the incident?
   b. Has one single Incident Command Post been established?
   c. If possible, will *Transfer of Command* take place face-to-face?
   d. If possible, will the incoming Command Element personally perform a detailed assessment of the incident situation with the outgoing Command Element?
   e. Will the outgoing Command Element provide a comprehensive briefing to the incoming Command Element?
   f. Has an appropriate time been chosen for the formal *Transfer of Command* to occur?
   g. Has the incoming Command Element formally accepted command?
   h. Have notifications been made to the appropriate entities, i.e., General Staff, Command Staff, Primary Agencies, Coordinating Agency, Supporting Agencies, Communications Section dispatcher and / or supervisor, all incident supervisors, etc.?
10. The *Transfer of Command* briefing should include:
   a. Concise history of the incident.
   b. Current incident situation status.
   c. Incident Objectives, Strategy and priorities.
   d. Incident Action Plan.
   e. Current organizational structure.
   f. Resource assignments.
   g. Resources enroute, ordered and / or required.
   h. Status of current and planned tactical operations / activities.
   i. Status of current and planned investigative operations / activities.
   j. Current incident related intelligence including any threat information and / or risk assessments.
   k. Status of Incident Facilities.
   l. Status of communications and Communications Plan.
   m. Any operational constraints or limitations.
   n. Current concerns, problems, issues, etc.
   o. Estimate / prediction of the future progress of the incident and potential concerns, problems, issues, etc.
   p. "Delegation of Authority" issues.

PURPOSE To describe the general CIMS Incident Sequence.

PROCEDURE When responding to an incident, generally, the following Incident Sequence will occur:

CIMS INCIDENT SEQUENCE

1. Depending upon the incident type, one or more Agencies will respond. The first arriving units assess the scene and, if capable, initiate Life Safety and Site Management Operations. The Command Element (Single or Unified) is established with the Primary Agency or Agencies determined by the Primary Agency Matrix. The Command Element assumes overall incident management responsibility; establishes an Incident Command Post at a safe and secure location near the incident site; and establishes General Staff Sections (Operations, Planning, Logistics, etc.) and / or Command Staff positions as needed.

2. If an Operations Section is activated, an Operations Section Post is established to direct tactical operations including Life Safety Operations and Site Management Operations.

3. If a Unified Command - Command Element is managing the incident, then a Unified Operations Section is established. At every CBRN / HazMat incident a Unified Operations Section will be established.

4. If there is a CBRN / HazMat incident, until the NYPD determines that there is no actual or suspected criminal activity or terrorism, the NYPD will be the Primary Agency and will establish a Single Command – Command Element. If the NYPD determines that there is no actual or suspected criminal activity or terrorism, then a Unified Command – Command Element will be established, and the NYPD will designate an Agency Incident Commander. When determining whether there is actual or suspected criminal activity or terrorism, comply with the procedures contained in Patrol Guide 212-101, "Processing Unknown Substances Suspected of Being Chemical, Biological, Radiological, Nuclear (CBRN) / Hazardous Materials Evidence."

5. Absent extraordinary emergency circumstances including unacceptable personnel safety risks, operating personnel will continue rescue operations to completion, or until relief is required due to fatigue, equipment failure or need for additional resources.

NOTE *The Coordinating Agency will ensure that the Incident Command Post and Operations Section Post are established and appropriately staffed.*

CIMS INCIDENT SEQUENCE (continued)

6. Investigative Operations may be initiated concurrently with Life Safety Operations. However, absent extraordinary emergency circumstances, life safety concerns will take precedence over investigative considerations until Life Safety Operations are concluded.

7. During Investigative Operations, Recovery / Restoration Operations may be delayed to minimize disturbance to Investigative Scenes, Crime Scenes and other investigative / intelligence operations, activities, functions, etc. However, with the approval of the Command Element, in consultation with the Investigating Agency, Recovery / Restoration Operations may be initiated concurrently with Investigative Operations.

8. As part of Site Management Operations, the NYPD will consult with the Primary Agency(ies) directing Life Safety Operations and / or Investigative Operations. Based upon that consultation, the NYPD will establish appropriate perimeters as needed, and will exclude non-essential personnel from the incident site.

9. Recovery / Restoration Operations include final mitigation of the incident, and a return to non-emergency conditions. Recovery / Restoration Operations can be initiated concurrently with Life Safety and / or Investigative Operations with the approval of the Command Element.

NOTE *The Coordinating Agency will facilitate and support Recovery / Restoration Operations.*

10. Upon completion of Recovery / Restoration and Site Management Operations, the Operations Section Post and the Incident Command Post are demobilized and the incident is concluded.

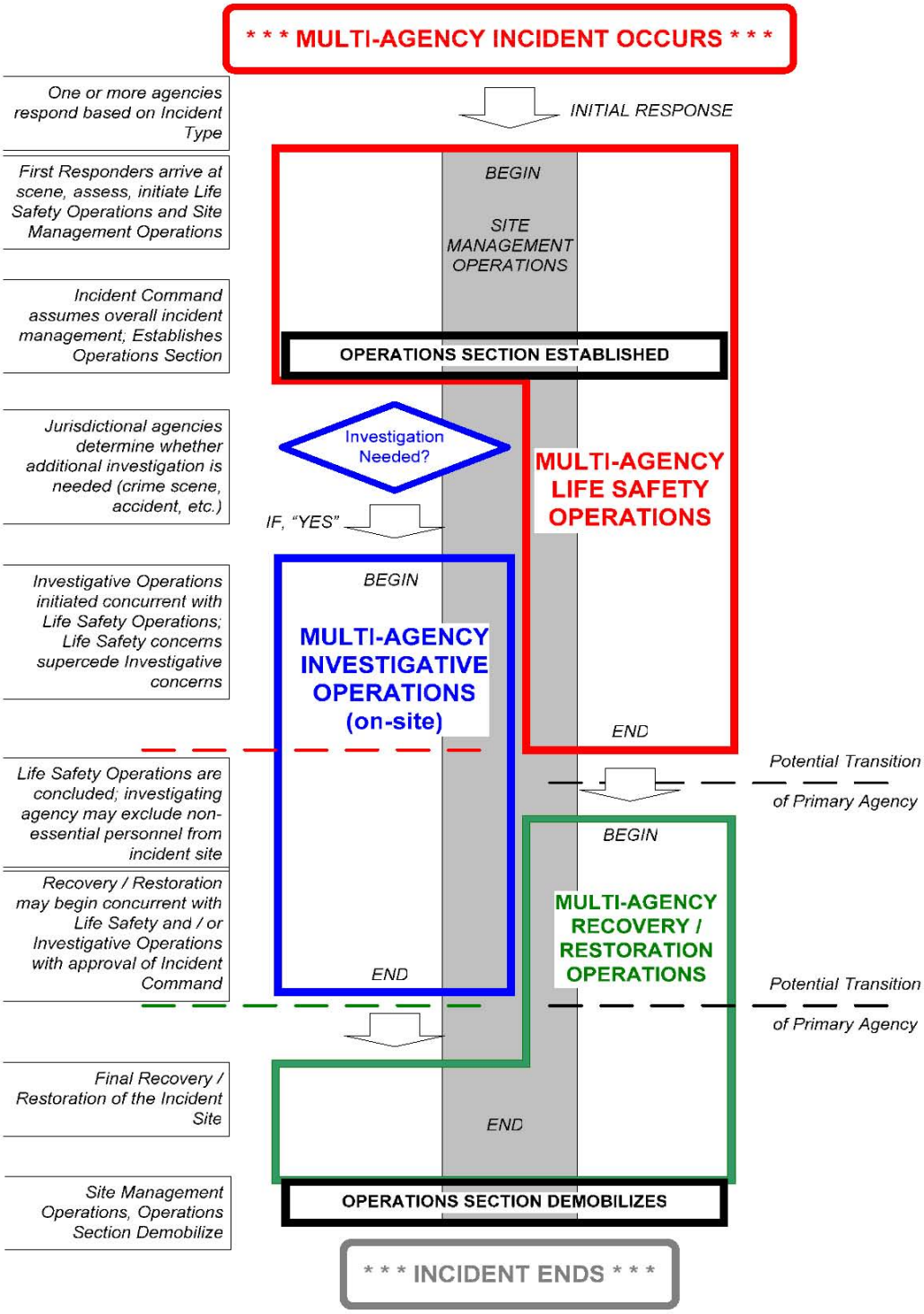
ADDITIONAL DATA *In practice, there may be further overlap between the various phases of the incident. For example, some Recovery / Restoration activities, such as restoration of power or telephone service, may begin concurrently with Life Safety and Investigative Operations, provided that the Recovery / Restoration Operations support and do not conflict with other incident site operations.*

Appendix "A" on the following page is a diagram illustrating the CIMS Incident Sequence.

NYPD

ADDITIONAL DATA (continued)

Appendix "A"



PURPOSE To define and describe CIMS Incident Facilities.

PROCEDURE When responding to an incident where CIMS has been implemented, Incident Facilities will be defined and described as follows:

DEFINITIONS

INCIDENT COMMAND POST

The Incident Command Post is the location where the Command Element, i.e., Single Command, Incident Commander or Unified Command, Agency Incident Commanders, will **remain** and perform the command function. The Incident Command Post provides a central coordination point from which the Command Element, Command Staff, each appropriate Supporting Agency / Agency Representative, Coordinating Agency, General Staff planning functions and certain General Staff support functions will normally operate.

The Command Element, necessary members of the Command Staff, necessary members of the General Staff, each required Supporting Agency / Agency Representative and Coordinating Agency, will report to the Incident Command Post as soon as possible; **remain together**; develop the Incident Objectives, Strategies, Tactical Direction, tactics, assignments, priorities, etc.; and, formulate one single Incident Action Plan.

Depending upon the nature, size, complexity, location, duration, etc., of the incident, some members of the General Staff may be situated / operating at other locations. However, they will attend planning meetings conducted at the Incident Command Post and will remain in close contact with the Command Element.

There is only one single Incident Command Post for an incident irrespective of whether there is a Single Command – Command Element or a Unified Command – Command Element. The Incident Command Post will be identified by the name of the incident.

The Command Element will select an appropriate location to establish the Incident Command Post (ICP). If there is a Unified Command - Command Element, Agency Incident Commanders will jointly select an appropriate location to establish the Incident Command Post.

Initially, the Incident Command Post will be wherever the Command Element is located. The Incident Command Post can be any type of facility that is available and appropriate, e.g., vehicle, trailer, tent, open area, room in a building. The Incident Command Post should be large enough to provide adequate work space for the assigned personnel. The Incident Command Post should contain situation information and resource *status* displays and other planning related information. Adequate safety, health, security and force protection measures will be implemented regarding the Incident Command Post.

DEFINITIONS (continued)

The Incident Communications Center is often located within or adjacent to the Incident Command Post.

A location will be chosen for the Incident Command Post that is a reasonable and appropriate distance from the incident site; and, will provide for safety, health, security and force protection; and, will provide easy and expeditious access and egress; and, is sufficiently large and will allow for expansion; and, will permit continuous operations; and, will provide adequate workspace and utility / communications service. Generally, the Incident Command Post will be located within the Site Access Control / Outer Perimeter.

Whenever possible, the Incident Command Post should not be relocated. However, it may be necessary to relocate the Incident Command Post if the incident evolves / progresses and circumstances or conditions change. For example, during the initial stages of an incident the situation may rapidly change and the Incident Command Post may have to be relocated one or more times; or, the Incident Command Post may have to be relocated if an Operations Section Post is activated; or, a change in incident size / location may require relocation of the Incident Command Post in order to improve command, operations, communications, etc.; or, relocation of the Incident Command Post may be required in order to resolve safety, health, security or force protection issues.

Outside of NYC, under NIMS ICS, the Incident Command Post may be located at the Incident Base. However, absent extraordinary circumstances, in NYC an Incident Base will not be established.

Once the Incident Command Post is established, appropriate notifications will be made regarding the location of the Incident Command Post. Additionally, a flag, banner, beacon, sign or other distinctive marker will be used to identify the location of the Incident Command Post.

OPERATIONS SECTION POST

The Operations Section Post is the location where the Operation Section chief / Agency Operations Section chiefs, Deputy(ies) and appropriate staff will remain and manage / direct all of the tactical functions, operations and activities.

If there is a Unified Operations Section, Agency Operations Section chiefs will jointly select an appropriate location to establish the Operations Section Post

The Operations Section Post can be any type of facility that is available and appropriate, e.g., vehicle, trailer, tent, open area, room in a building. Adequate safety, health, security and force protection measures will be implemented regarding the Operations Section Post.

DEFINITIONS (continued)

The Operations Section Post generally will not be co-located with the Intelligence / Investigations Section Post or the Incident Command Post. The Operations Section Post will be established at a secure location within a reasonable distance from the Intelligence / Investigations Section Post and the Incident Command Post.

A location will be chosen for the Operations Section Post that is a reasonable and appropriate distance from the incident site; and, will provide for safety, health, security and force protection; and will provide easy and expeditious access and egress; and, is sufficiently large and will allow for expansion; and, will permit continuous operations; and, will provide adequate work space and utility / communications service. Generally, the Operations Section Post will be located within the Site Access Control / Outer Perimeter.

If necessary, the Operations Section Post may be relocated.

INTELLIGENCE / INVESTIGATIONS SECTION POST

The Intelligence / Investigations Section Post is the location where the Intelligence / Investigations Section chief, Deputy(ies) and appropriate staff will remain and manage / direct all of the intelligence and investigative functions, operations and activities.

The Intelligence / Investigations Section Post can be any type of facility that is available and appropriate, e.g., vehicle, trailer, tent, open area, room in a building. Adequate safety, health, security and force protection measures will be implemented regarding the Intelligence / Investigation Section Post.

The Intelligence / Investigations Section Post generally will not be co-located with the Operations Section Post or the Incident Command Post. The Intelligence / Investigations Section Post will be established at a secure location within a reasonable distance from the Operations Section Post and the Incident Command Post.

A location will be chosen for the Intelligence / Investigations Section Post that is a reasonable and appropriate distance from the incident site; and, will provide for safety, health, security and force protection; and, will provide easy and expeditious access and egress; and, is sufficiently large and will allow for expansion; and, will permit continuous operations; and, will provide adequate work space and utility / communications service. Generally, the Intelligence / Investigations Section Post will be located within the Site Access Control / Outer Perimeter.

If necessary, the Intelligence / Investigations Section Post may be relocated.

DEFINITIONS (continued)

INCIDENT BASE

Absent extraordinary circumstances, an Incident Base will not be activated in NYC. However, an Incident Base might be activated during an extremely large incident that will continue for an extended period of time.

Outside of NYC, under NIMS ICS, the Incident Base is the central location where all incident primary logistic service and support activities are situated and performed. Normally, the Incident Base is the facility where all uncommitted *Out-of-Service* personnel, equipment and tactical resources are located; and, support operations are situated.

If activated, there is only one Incident Base established for an incident. Adequate safety, health, security and force protection measures will be implemented regarding the Incident Base. The Incident Base will be identified by the name of the incident.

Absent unusual circumstances, the Incident Base will not be relocated.

When appropriate, the Incident Base may be deactivated.

If an Incident Base is activated, an Incident Base Manager will be designated. The Incident Base Manager will ensure that appropriate sanitation and facility management services are being provided at the Incident Base; and, that adequate safety, health, security and force protection measures have been implemented regarding the Incident Base.

The Incident Base Manager reports to the Facilities Unit Leader, or if that position is not activated, to the Logistics Section chief.

CAMP

Absent extraordinary circumstances, a Camp(s) will not be activated in NYC. However, one or more Camps might be activated during an extremely large incident that will require incident personnel to be lodged for an extended period of time in the vicinity of the incident.

Outside of NYC, under NIMS ICS, a Camp is a temporary location within the general incident area that is equipped and staffed to provide food, water, sanitation, shower and related lodging services to incident personnel. A Camp is separate and distinct from and will not be located at the Incident Base. However, all CIMS functional Unit activities that may be performed at the Incident Base may also be performed at a Camp.

There may be more than one Camp. If activated, each Camp will be identified by a geographic name or a number. Adequate safety, health, security and force protection measures will be implemented regarding each of the Camps.

DEFINITIONS (continued)

A Camp(s) may be at the same location for several days or for the entire duration of the incident. When necessary and depending upon the circumstances of the incident, a Camp(s) may be relocated.

When appropriate, a Camp(s) may be deactivated.

If activated, each Camp will have a Camp Manager assigned. Each Camp Manager is responsible for managing the activities occurring in the Camp, providing non-technical coordination, and coordinating the actions of all of the organizational Units situated within the Camp. Additionally, each Camp Manager will ensure that adequate safety, health, security and force protection measures have been implemented regarding the Camp.

One or more Logistics Section Units may be situated at one or more Camps. If a Logistics Section Unit(s) is situated at a Camp(s), it would be managed by an Assistant. Initially, personnel required to staff one or more Logistics Section Units situated at one or more Camps will be determined by the General Staff based upon the nature, size, complexity, location, duration, etc., of the incident and anticipated operations at the involved Camp(s). However, after a Camp(s) is activated, additional required personnel and support will be determined by the Camp Manager.

The Camp Manager(s) reports to the Facilities Unit Leader, or if that position is not activated, to the Logistics Section chief.

OTHER INCIDENT FACILITIES

Depending upon the circumstances, other additional Incident Facilities may be activated and situated within the incident area. These other additional Incident Facilities may be used for:

1. Conducting appropriate support and / or service functions and activities, e.g., Mass Care (Triage / Treatment / Transportation), Mass Casualty Management, Mass Fatality Management / Temporary Morgue, Family Assistance, Mass Decontamination.
2. Providing food, water, lodging, shower, sanitation, etc., services to incident personnel.

PURPOSE To define and describe CIMS Incident Facilities – Staging Area.

PROCEDURE When responding to an incident where CIMS has been implemented, Incident Facilities - Staging Area will be defined and described as follows:

DEFINITIONS

STAGING AREA

A Staging Area is a temporary location / facility for situating and organizing resources that are in *Available status* and may be deployed to incident assignments. It may contain temporary fueling and sanitation facilities.

NOTE ***A Staging Area was formerly referred to as a Mobilization Point.***

Pursuant to CIMS, there may be more than one Staging Area. However, absent unusual circumstances, there should be only one NYPD Staging Area for NYPD resources. Nevertheless, there may be more than one NYPD Staging Area if:

1. Specialized units, personnel, vehicles, equipment or other specialized resources are required at the incident, e.g., Emergency Services Unit, Mounted Unit, Highway District; or,
2. The incident area is extraordinarily large; or,
3. An extremely large number of personnel, vehicles, equipment or other resources are required at the incident; or,
4. A significant amount of large specialized equipment is required at the incident; or,
5. Confidential / sensitive resources are required at the incident; or,
6. There have been several Operational Periods and the incident has not been resolved and incident operations will continue for a prolonged period of time; or,
7. There are other circumstances that require the activation of more than one Staging Area.

Pursuant to CIMS, depending upon the circumstances, different Agencies may have one or more separate Staging Areas; or, different functional / Core Competency Branches may have one or more separate Staging Areas.

If more than one Staging Area is required then the Operations Section chief, or Command Element if the Operations Section is not activated, will ensure that an appropriate number of Staging Areas are activated; and, that the activities / functions occurring at each of the Staging Areas are performed in a coordinated manner.

DEFINITIONS (continued)

Resources situated at a Staging Area(s) may be in *Available status* awaiting a tactical and / or investigative assignment, and should be prepared for assignment / deployment within three minutes. A Staging Area(s) should be used to organize Single Resources into Resource Teams and / or Special Response Teams. *Out-of-Service* resources should not be situated at a Staging Area(s). Logistics functions should not be performed at a Staging Area(s).

A Staging Area(s) can be situated at any appropriate location in the incident area. The following factors should be considered when choosing a location to situate a Staging Area(s):

1. The need to be a reasonable and appropriate distance from the incident.
2. The need to have staged resources prepared for expeditious deployment to the incident and / or area of expected assignment. Absent unusual conditions and depending upon the circumstances of the incident, generally, a Staging Area(s) should be located approximately five minutes travel time to an area of anticipated need, assignment, deployment, etc.
3. The need to have a sufficiently large area in order to accommodate the responding resources and the required reserves; and, to have sufficient space to allow for expansion; and, if possible, to have sufficient space for expansion in order to accommodate a Level 3 or Level 4 mobilization.
4. The need to provide adequate workspace and utility / communications service.
5. The need to permit continuous operations.
6. The need to have sufficient access and egress routes and to be easily accessible.
7. The ability to effectively and efficiently implement safety, health, security and force protection measures.

When a Staging Area(s) is activated it must be clearly marked and be readily identifiable. Adequate safety, health, security and force protection measures will be implemented regarding the Staging Area(s).

A Staging Area(s) will be given a name that describes its general location.

A Staging Area(s) may be in the vicinity of or adjacent to other Incident Facilities; but, must have its own separate location and name.

The initial boundaries of the Staging Area(s) should be identified and communicated to the Command Element, Communications Section dispatcher and / or supervisor, Command Staff positions, General Staff Sections and each appropriate Supporting Agency / Agency Representative. Additionally, response routes / directions to the Staging Area(s) should be communicated to the responding resources by the Communications Section dispatcher and / or supervisor; or, when necessary, directly by the appropriate incident management organizational element / personnel; or, in any other appropriate manner.

DEFINITIONS (continued)

A Staging Area(s) may be established for watercraft.

A Staging Area(s) may be relocated when necessary. A Staging Area(s) may also be deactivated when appropriate.

All Staging Areas are under the direction and control of the Operations Section chief, or the Command Element if the Operations Section has not been activated. The Operations Section chief will ensure that the activities / functions occurring at each of the Staging Areas are performed in a coordinated manner.

The Operations Section chief will:

a. Determine the appropriate number, *Kinds* and *Types* of resources that will be situated at the Staging Area(s); and / or, retained and maintained as reserves at the Staging Area(s).
b. Retain and maintain adequate resource reserves at the Staging Area(s), and increase or decrease the reserves when necessary to meet current needs and / or anticipated demands and / or unanticipated contingencies.
c. When necessary, request the appropriate authority to have additional required resources respond to the Staging Area(s) for deployment to incident related assignments, or to maintain adequate reserves, or for any other appropriate purposes.

The Operations Section chief will ensure that adequate safety, health, security and force protection measures will be implemented regarding the Staging Area(s).

The Operations Section chief will designate a Staging Area Manager to control each of the Staging Areas. The Operations Section chief will inform each of the Staging Area Managers of the following:

a. The number, *Kinds* and *Types* of resources that will be responding to the Staging Area(s).
b. Communications procedures, devices, channels, equipment, frequencies and measures that will be utilized.
c. Minimum number of resources and specific *Kinds* and *Types* of resources that must be retained and maintained as reserves at the Staging Area(s).
d. Directions regarding organizing Single Resources into Resource Teams and / or Special Response Teams.
e. Procedures for requesting / ordering additional resources.
f. Estimated length of time the Staging Area(s) will be activated / utilized.
g. Procedures for requesting / ordering logistics service and support.

Each of the Staging Area Managers will:

a. When appropriate and authorized, organize Single Resources into Resource Teams and / or Special Response Teams.
b. Dispatch resources at the direction of the Operations Section chief, or the Command Element if the Operations Section has not been activated.

DEFINITIONS (continued)

c. Request / order Logistics Section service / support as necessary.

d. Ensure adequate safety, health, security and force protection measures are implemented regarding the Staging Area.

e. Monitor and track the number, *Kinds*, *Types* and *status* of resources situated at the Staging Area.

f. Notify the Operations Section chief, or the Command Element if the Operations Section has not been activated, when additional resources should be ordered / requested in order to be deployed to incident related assignments, and / or maintain adequate reserves, and / or for any other appropriate purposes.

g. Frequently inform the Operations Section chief, or the Command Element if the Operations Section has not been activated, regarding the activities / functions occurring at the Staging Area so as to enable the Operations Section chief, or the Command Element if the Operations Section has not been activated, to ensure that the activities / functions at each of the Staging Areas are performed in a coordinated manner.

Personnel arriving at the Staging Area(s), will "*Check-In*" with the Resources Unit, and supplies and equipment delivered to the Staging Area(s), will be receipted for by the Supply Unit. If the Resources Unit and / or the Supply Unit are not activated, the Staging Area Manager(s) will give appropriate direction regarding arriving personnel and / or delivered supplies / equipment.

NYPD

PURPOSE To define and describe CIMS Incident Facilities – Air Operations.

PROCEDURE When responding to an incident where CIMS has been implemented, Incident Facilities – Air Operations will be defined and described as follows:

DEFINITIONS

HELIBASE

The main location within the general incident area that will be utilized for:

1. Parking, fueling, repairing, servicing, storing, maintaining, safeguarding / securing, etc., helicopters; and,
2. Loading and unloading helicopters with personnel, equipment, supplies and / or other resources required for incident operations, functions and activities; and,
3. Filling helicopters with water, insecticides, retardants, pesticides, chemicals and / or other substances required for incident operations, functions and activities.

The NYPD will activate and manage all Helibases. Absent extraordinary circumstances, only one Helibase will be activated; and, it will be situated at the NYPD Chief of Special Operations, Aviation Unit facility located at Floyd Bennett Field, Brooklyn. However, pursuant to CIMS and depending upon the circumstances, more than one Helibase may be activated, e.g., very large incidents; incidents with a significant number of aviation / aircraft resources; incidents that require a substantial number of tactical and logistical / support air operations. The NYPD will ensure that an appropriate number of Helibases are activated; and, that the activities / functions occurring at each Helibase are performed in a coordinated manner. The NYPD will ensure that each Helibase is properly situated at an appropriate location and that adequate health, safety, security and force protection measures are implemented regarding each Helibase.

If more than one Helibase is activated, usually each additional Helibase will be situated at a location that is pre-designated and approved by the NYPD Aviation Unit, e.g., JFK airport, LaGuardia airport, Police Academy Firearms and Tactics Section Rodmans Neck Range facility, Brooklyn Navy Yard Development Corporation facilities. However, if more than one Helibase is activated, each additional Helibase may be situated at any appropriate location approved by the NYPD Aviation Unit that will:

1. Provide easy and expeditious approach, departure, landing and takeoff helicopter flight paths / routes that do not intrude into or over sensitive, restricted, prohibited, unsafe, etc., areas / airspace; and,
2. Provide safe, flat, clean, unobstructed, conspicuous, etc., landing and takeoff areas; and,
3. Provide adequate work space and utility / communications service; and,

DEFINITIONS (continued)

4. Permit continuous operations; and,
5. Allow for expansion; and,
6. Provide easy and expeditious access and egress regarding Logistics Section service and support; and,
7. Provide adequate safety, health, security and force protection; and
8. Be large enough to accommodate the required aviation / aircraft resources and reserves; and, the required service / support related personnel, equipment, vehicles, supplies and resources.

If there is only one Helibase activated, the Helibase will be identified by the name of the incident. If there is more than one Helibase activated, each Helibase will be identified by the name of the incident and a number.

Absent unusual circumstances, a Helibase(s) will not be relocated.

A Helibase(s) may be deactivated when appropriate.

A NYPD "Helibase Manager" will be designated to manage and supervise each Helibase. Each NYPD Helibase Manager will be designated by and report directly to the NYPD Air Operations Branch Director if an Air Operations Branch has been activated. If an Air Operations Branch has not been activated or there is no NYPD Air Operations Branch Director, then each NYPD Helibase Manager will be designated by and report directly to the:

1. NYPD Operations Section chief in a Single Operations Section, or NYPD Agency Operations Section chief in a Unified Operations Section, if the Operations Section has been activated; or,
2. NYPD Incident Commander in a Single Command – Command Element, or NYPD Agency Incident Commander in a Unified Command – Command Element, if the Operations Section has not been activated; or,
3. NYPD Supporting Agency / Agency Representative if there is no NYPD Incident Commander or NYPD Agency Incident Commander; **and,** no NYPD Operations Section chief or NYPD Agency Operations Section chief.

Each NYPD Helibase Manager will:

1. Be situated and operate on the ground at the Helibase;
2. Implement adequate safety, health, security and force protection measures regarding the Helibase;
3. Review and evaluate the Incident Action Plan including the Air Operations Plan and, if applicable, the *Air Operations Summary Worksheet – ICS 220*;
   a. When appropriate, recommend any necessary modifications to the current Incident Action Plan;
   b. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.

DEFINITIONS (continued)

4. When appropriate, participate in planning meetings and assist in the development of the Incident Action Plan particularly the Air Operations Plan and, if applicable, the *Air Operations Summary Worksheet – ICS 220*.
5. Ensure the Helibase is situated at an appropriate location;
6. Be responsible for all helicopters during takeoff and landing activities at the Helibase, and while situated on the ground at the Helibase;
7. Manage personnel, equipment, vehicles, supplies and other resources situated at the Helibase;
8. Document, monitor and track the number, *Kinds*, *Types* and *status* of resources situated at the Helibase;
9. Ensure required routine and specialized resources are requested from the appropriate authority and are expeditiously provided;
10. Ensure required Logistics Section service / support is provided;
11. Ensure appropriate communications procedures, devices, protocols, equipment, frequencies, systems, networks, etc., are utilized, and proper communications technological and procedural measures are implemented;
12. Implement measures to identify and prevent / eliminate actual and potential hazards and unsafe activities, functions and conditions;
13. Ensure the operations, functions and activities of the pilots, ground personnel, other appropriate incident personnel, and when applicable, personnel located at appropriate off incident sites are properly coordinated.
14. Implement appropriate night flight / aviation procedures and measures;
15. Implement appropriate air traffic control procedures and measures;
16. Ensure helicopter landing and takeoff procedures and measures are properly implemented;
17. Ensure helicopter parking, fueling, repairs, service, storage, maintenance, safeguarding / security is properly performed;
18. Ensure the loading and unloading of helicopters with personnel, equipment, supplies and / or other resources is properly performed
    a. Ensure the sling / net loading and unloading of helicopters is properly performed;
19. Ensure the filling of helicopters with water, insecticides, retardants, pesticides, chemicals and / or other substances is properly performed;
20. Implement adequate crash, fire suppression, rescue and other safety related procedures and measures;
21. Ensure appropriate records, forms, logs, reports, etc. are prepared;
22. Ensure helicopter "flight / operating / usage time" is accurately documented in compliance with the appropriate specific procedures of the involved Agency(ies);
23. Ensure aviation / aircraft resources related procedures, functions, occurrences, conditions, protocols, measures, activities, etc., are frequently discussed with pilots, ground personnel, other appropriate incident personnel, and when applicable, personnel located at appropriate off incident sites; and, comments and recommendations are obtained and documented; and, any required actions are expeditiously implemented.

DEFINITIONS (continued)

When necessary, each NYPD Helibase Manager may activate and supervise the following additional NIMS ICS Helibase subordinate incident management positions and designate the NYPD personnel who will perform the duties of each position:

a. Deck Coordinator
b. Loadmaster
c. Parking Tender
d. Takeoff and Landing Controller
e. Helibase Radio Operator
f. Helicopter Timekeeper.

When necessary, a NYPD Helibase Manager(s) will activate one or more Helispots; and, designate a NYPD Helispot Manager to manage and supervise each Helispot. A NYPD Helibase Manager(s) will ensure that an appropriate number of Helispots are activated; and, that the activities / functions occurring at each Helispot are performed in a coordinated manner. A NYPD Helibase Manager(s) will ensure that each Helispot is properly situated at an appropriate location; and, ensure that adequate safety, health, security and force protection measures will be implemented regarding each Helispot.

HELISPOT

A Helispot is a temporary location at the incident where helicopters can land and take off in order to load and unload personnel, equipment, supplies and / or other resources required for incident operations, functions and activities.

The NYPD will activate and manage all Helispots. There may be more than one Helispot. The NYPD will ensure that an appropriate number of Helispots are activated; and, that the activities / functions occurring at each Helispot are performed in a coordinated manner. The NYPD will ensure that each Helispot is properly situated at an appropriate location; and, that adequate safety, health, security and force protection measures will be implemented regarding each Helispot.

Usually, each Helispot that is activated will be situated at a location that is pre-designated and approved by the NYPD Aviation Unit. However, when necessary, each Helispot that is activated may be situated at any appropriate location approved by the Aviation Unit that will:

1. Provide easy and expeditious approach, departure, landing and takeoff helicopter flight paths / routes that do not intrude into or over sensitive, restricted, prohibited, unsafe, etc., areas / airspace; and,
2. Provide safe, flat, clean, unobstructed, conspicuous, etc., landing and takeoff areas; and,
3. Provide adequate safety, health, security and force protection; and
4. Be large enough to accommodate the required aviation / aircraft resources and reserves; and, the required service / support related personnel, equipment, vehicles, supplies and resources.

DEFINITIONS (continued)

Each Helispot will be identified by a name or a number.

Each Helispot may be relocated when necessary.

Each Helispot may be deactivated when appropriate.

A NYPD "Helispot Manager" will be designated to manage and supervise each Helispot. Each NYPD Helispot Manager will be designated by and report directly to a NYPD Helibase Manager if a Helibase(s) has been activated. If a Helibase(s) has not been activated or there is no NYPD Helibase Manager(s), then each NYPD Helispot Manager will be designated by and report directly to the NYPD Air Operations Branch Director if an Air Operations Branch has been activated. If an Air Operations Branch has not been activated or there is no NYPD Air Operations Branch Director then each NYPD Helispot Manager will be designated by and report directly to the:

1. NYPD Operations Section chief in a Single Operations Section, or NYPD Agency Operations Section chief in a Unified Operations Section, if the Operations Section has been activated; or,
2. NYPD Incident Commander in a Single Command – Command Element, or NYPD Agency Incident Commander in a Unified Command – Command Element, if the Operations Section has not been activated; or,
3. NYPD Supporting Agency / Agency Representative if there is no NYPD Incident Commander or NYPD Agency Incident Commander; **and,** no NYPD Operations Section chief or NYPD Agency Operations Section chief.

Absent unusual circumstances, each NYPD Helispot Manager will be either a Police Officer or supervisor assigned to the Emergency Services Unit. Usually, Patrol Services Bureau personnel will be utilized to assist each Emergency Services Unit Helispot Manager. Each NYPD Helispot Manager will ensure adequate health, safety, security and force protection measures are implemented regarding the Helispot.

Each NYPD Helispot Manager will:

1. Be situated and operate on the ground at the Helispot;
2. Implement adequate safety, health, security and force protection measures regarding the Helispot;
3. When necessary, review and evaluate the Incident Action Plan including the Air Operations Plan and, if applicable, the *Air Operations Summary Worksheet – ICS 220*;
   a. When appropriate, recommend any necessary modifications to the current Incident Action Plan;
   b. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate

DEFINITIONS (continued)

4. Ensure the Helispot is situated at an appropriate location;
5. Be responsible for all helicopters during takeoff and landing activities at the Helispot, and while situated on the ground at the Helispot;
6. Manage personnel, equipment, vehicles, supplies and other resources situated at the Helispot;
7. Ensure required routine and specialized resources are requested from the appropriate authority and are expeditiously provided;
8. Ensure required Logistics Section service / support is provided;
9. Ensure appropriate communications procedures, devices, protocols, equipment, frequencies, systems, networks, etc., are utilized, and proper communications technological and procedural measures are implemented;
10. Implement measures to identify and prevent / eliminate actual and potential hazards and unsafe activities, functions and conditions;
11. Ensure the operations, functions and activities of the pilots, ground personnel, other appropriate incident personnel, and when applicable, personnel located at appropriate off incident sites are properly coordinated.
12. Implement appropriate air traffic control procedures and measures;
13. Implement appropriate night flight / aviation procedures and measures;
14. Ensure helicopter landing and takeoff procedures and measures are properly implemented;
15. Ensure the loading and unloading of helicopters with personnel, equipment, supplies and / or other resources is properly performed
    a. Ensure the sling / net loading and unloading of helicopters is properly performed;
16. Implement adequate crash, fire suppression, rescue and other safety related procedures and measures;
17. Ensure appropriate records, forms, logs, reports, etc. are prepared;
18. Ensure aviation / aircraft resources related procedures, functions, occurrences, conditions, protocols, measures, activities, etc., are frequently discussed with pilots, ground personnel, other appropriate incident personnel, and when applicable, personnel located at appropriate off incident sites; and, comments and recommendations are obtained and documented; and, any required actions are expeditiously implemented.

INCIDENT MANAGEMENT RELATED AIRPLANE, BLIMP AND OTHER AVIATION / AIRCRAFT RESOURCE AIR FIELD THAT IS NOT LOCATED AT A CONVENTIONAL AIRPORT

The NYPD supervisor managing and directing the tactical and logistical / support air operations and aviation / aircraft resources function will ensure each incident management related airplane, blimp and other aviation / aircraft resource air field that is not located at a conventional airport is situated at an appropriate location; and, is properly managed; and, adequate safety, health, security and force protection measures are implemented.

PURPOSE To effectively and efficiently demobilize NYPD resources at an incident / event.

PROCEDURE When demobilizing NYPD resources from an incident / event:

COMMAND ELEMENT

1. Prior to demobilizing NYPD resources, direct Operations Section chief to have the incident area and associated areas surveyed and:
   a. Report results to the Command Element.
   b. Enter results in the Incident Command Post Log.

OPERATIONS SECTION CHIEF

2. Prior to demobilizing NYPD personnel and resources, obtain approval from:
   a. The Command Element
   b. If appropriate, the Operations Unit; or if activated, the NYPD Emergency Operations Center.
3. Notify NYPD:
   a. Operations Unit, or if activated, the NYPD Emergency Operations Center.
   b. Precinct Desk Officer.
   c. Patrol Borough Command concerned.
   d. Communications Section. Notify Communications Section Dispatcher and / or Supervisor regarding:
      (1) Dual dispatching system / procedures that have been in effect; or,
      (2) Citywide and / or tactical interoperable / shared radio frequencies that have been activated and / or utilized.
      (3) Other relevant information.
4. Ensure accountability by having a return roll call conducted for all assigned NYPD personnel.

NOTE *Generally, prior to release from the incident, Resource Teams and Special Response Teams that were created / organized at the incident from responding Single Resources, should be disassembled; and, the Single Resources should be restored to their original resource designation, configuration and organization. This will assist in accounting for all resources by ensuring that resources are released from the incident with the same resource designation, configuration and organization they had upon arrival.*

5. Ensure all incident related operations, functions, assignments, tasks, etc., have been completed.
6. Ensure all required incident related forms, reports and documents have been prepared, and other administrative activity has been completed.
7. Have a summary of enforcement activity prepared.
8. Have personnel identified who have performed in a substandard manner or an exceptional manner, and document the performance for subsequent action.
9. Have personnel directed to return borrowed equipment to the appropriate location / Unit.

OPERATIONS SECTION CHIEF (continued)

10. Have NYPD personnel directed to turn their portable radios from the detail frequency back to their standard frequency.
11. Have NYPD personnel debriefed and instructed regarding dismissal procedures. Have NYPD personnel directed to:
    a. Report directly to their respective desk officers for reassignment; or,
    b. Conclude their tour if appropriate; or,
    c. Confer with their incident / event supervisor and / or permanent command supervisor, if there are any questions or problems regarding dismissal procedures or post dismissal actions.

COMMAND ELEMENT

12. Conduct After-Action Review of operations with appropriate members of the Command Staff and General Staff in order to identify and document:
    a. Successes and failures.
    b. Tactics that were successful or require evaluation / modification.
    c. Required changes to Department procedures, the Citywide Incident Management System and / or inter-Agency procedures involving command, tactics, operations, support, investigations, aviation, communications, etc.
    d. Incident management "Best Practices" and "Lessons Learned."
13. Have appropriate entries made in the Incident Command Post Log and ensure all appropriate forms, summaries, reports and other appropriate documentation is prepared.
14. Ensure all appropriate equipment, supplies, vehicles, etc., are properly accounted for and returned to the appropriate units; or, if appropriate, properly discarded, i.e., expendable supplies.
15. Have Incident Command Post Log, Incident Command Post vehicle(s), Incident Command Post flag / banner / beacon, appropriate Incident Command Post equipment / supplies, Incident Action Plan(s), **DETAIL ROSTER / ASSIGNMENT SHEETS (PD406-141)**, **UNUSUAL OCCURRENCE REPORTS (PD370-152)** and other incident related forms, reports, logs, documents, etc., delivered / returned to the appropriate Unit(s).
16. Provide Operations Unit, or if activated, the NYPD Emergency Operations Center, with a summary of the significant incident related occurrences.
17. When appropriate, confer with the Office of the Chief of Department, Operations Division, regarding the need to conduct a NYC Office of Emergency Management (OEM), multi-agency "Joint After-Action Review."
18. Order demobilization of Incident Facilities, including the Operations Section Post, and if activated, the Intelligence / Investigations Post.
19. Order the demobilization of the Command Staff positions and General Staff Sections, as appropriate.
20. Demobilize the Incident Command Post and the Command Element.

FORMS AND REPORTS

DETAIL ROSTER / ASSIGNMENT SHEET (PD406-141)
UNUSUAL OCCURRENCE REPORT (PD370-152)

PURPOSE To describe Air Operations in CIMS.

PROCEDURE In NYC, the NYPD directs incident management related tactical and logistical/support air operations involving helicopter, airplane, blimp and other aviation / aircraft resources. Therefore, absent unusual circumstances, in NYC, the NIMS ICS Air Operations Branch structure will not be utilized. However, during major incidents to which state and / or federal aviation resources are deployed, the NIMS ICS Air Operation Branch structure, or other appropriate organizational structure, may be used to integrate state and federal aviation resources with NYPD tactical and logistical / support air operations and aviation / aircraft resources.

In NYC, tactical and logistical / support air operations and aviation / aircraft resources will be managed and directed by the:

(1) NYPD Operations Section chief in a Single Operations Section, or NYPD Agency Operations Section chief in a Unified Operations Section, if the Operations Section has been activated; or,

(2) NYPD Incident Commander in a Single Command – Command Element, or NYPD Agency Incident Commander in a Unified Command – Command Element, if the Operations Section has not been activated; or

(3) NYPD Supporting Agency / Agency Representative if there is no NYPD Incident Commander or NYPD Agency Incident Commander; **and,** no NYPD Operations Section chief or NYPD Agency Operations Section chief.

Upon arriving at the scene of an incident that requires Air Operations or aviation / aircraft resources, the following procedures will be followed:

OPERATIONS SECTION CHIEF

1. Manage and direct tactical and logistical /support air operations and aviation / aircraft resources including helicopter (rotary-wing), airplane (fixed-wing) and blimp (airship) aircraft.

2. When necessary, activate an Air Operations Branch within the Operations Section and designate a NYPD Air Operations Branch Director to manage and direct tactical and logistical / support air operations and aviation / aircraft resources.

   a. A NYPD Air Operations Branch Director will select an appropriate location to remain and manage / direct all of the tactical and logistical / support air operations and aviation / aircraft resources, functions and activities:

      (1) Be situated and operate on the ground at the incident;

      (2) Absent unusual circumstances, be situated at the Operations Section Post.

   b. When necessary, a NYPD Air Operations Branch Director may designate a Deputy or Deputies.

      (1) The Deputy is the counterpart of the principal;

OPERATIONS SECTION CHIEF (continued)

(2) The Deputy may be member of a different Agency / Jurisdiction than the principal.

c. If unusual circumstances exist, when necessary, additional Air Operations Branch subordinate incident management organizational elements may be activated, e.g., Air Tactical Group, Air Support Group; and, additional NYPD Air Operations Branch subordinate incident management positions may be designated, e.g., Air Tactical Group Supervisor, Air Support Group Supervisor, Helicopter Coordinator(s), Fixed-Wing Coordinator(s).

3. Request tactical and logistical / support air operations and aviation / aircraft resources in accordance with the applicable NYPD procedures in the following manner:
   a. A request for assistance that requires an immediate response to support the incident management related operations, functions and activities of the NYPD, will be made to the Communications Section dispatcher and / or supervisor.
   b. A request for assistance that does not require an immediate response to support the incident management related operations, functions and activities of the NYPD, will be made to the Operations Unit or, if activated, the NYPD Emergency Operations Center.
   c. If exigent circumstances exist, a request for assistance to support the incident management related operations, functions and activities of the FDNY, DEP, DOHMH and / or other appropriate governmental agencies, non-governmental organizations and / or private entities / individuals, will be made to the Communications Section dispatcher and / or supervisor.
   d. If no exigent circumstances exist, a request for assistance to support the incident management related operations, functions and activities of the FDNY, DEP, DOHMH and / or other appropriate governmental agencies, non-governmental organizations and / or private entities / individuals, will be made to the Operations Unit or, if activated, the NYPD Emergency Operations Center.
4. Ensure adequate safety, health, security and force protection measures are implemented regarding the tactical and logistical / support air operations and aviation / aircraft resources.
5. When necessary, notify the Operations Unit, or if activated, the NYPD Emergency Operations Center, and request one or more appropriate Temporary Flight Restrictions (TFRs) be approved / implemented by the Federal Aviation Administration (FAA).
6. Ensure an appropriate number of Helibases are activated, and that the activities / functions occurring at each Helibase are performed in a coordinated manner, and that a NYPD Helibase manager is designated to supervise and manage each Helibase.
   a. Ensure each Helibase is situated at an appropriate location and is properly managed;

OPERATIONS SECTION CHIEF (continued)

b. Ensure each Helibase Manager is situated and operates on the ground at the Helibase;

c. Ensure adequate safety, health, security and force protection measures are implemented regarding each Helibase;

d. Absent extraordinary circumstances, only one Helibase will be activated; and, it will be situated at the NYPD Chief of Special Operations, Aviation Unit facility located at Floyd Bennett Field, Brooklyn.

7. Ensure an appropriate number of Helispots are activated, and that the activities / functions occurring at each Helispot are performed in a coordinated manner, and that a NYPD Helispot Manager is designated to supervise and manage each Helispot.

a. Ensure each Helispot is situated at an appropriate location and is properly managed;

(1) When appropriate, each Helispot may be deactivated and / or relocated.

b. Absent unusual circumstances, ensure each NYPD Helispot Manager is either a Police Officer or supervisor assigned to the Emergency Services Unit.

(1) Patrol Services Bureau personnel will be utilized to assist each Emergency Services Unit Helispot Manager.

c. Ensure each Helispot Manager is situated and operates on the ground at the Helispot.

d. Ensure adequate safety, health, security and force protection measures are implemented regarding each Helispot.

8. Ensure each incident management related airplane, blimp and other appropriate aviation / aircraft resource air field that is <u>not</u> located at a conventional airport is situated at an appropriate location and is properly managed;

a. Ensure adequate safety, health, security and force protection measures are implemented.

9. Maintain a liaison and coordinate with each incident management related airplane, blimp and other appropriate aviation / aircraft resource air base that is located at a conventional airport.

10. Review and evaluate the Air Operations Plan and, if applicable, the *Air Operations Summary Worksheet – ICS 220*;

a. When appropriate, recommend any necessary modifications;

b. Modifications may be implemented during the current Operational Period or prior to the start of the subsequent Operational Period as appropriate.

11. Ensure there are sufficient helicopter, airplane, blimp and other appropriate aviation / aircraft resources;

a. Estimate / forecast <u>future</u> helicopter, airplane, blimp and other appropriate aviation / aircraft resources requirements.

12. Ensure there are sufficient personnel, equipment, supplies and other routine and / or specialized resources, service and support;

OPERATIONS SECTION CHIEF (continued)

a. Estimate / forecast <u>future</u> personnel, equipment, supplies and other routine and / or specialized resources, service and support requirements.

13. Ensure adequate aviation / aircraft resource reserves are maintained, and the resource reserves are increased or decreased when necessary.
14. Ensure the number, *Kinds* and *Types* of aviation / aircraft resources; and, the *status*, capabilities and limitations of aviation / aircraft resources is accurately documented, monitored and tracked.
15. Ensure appropriate communications procedures, devices, protocols, equipment, frequencies, systems, networks, etc., are utilized, and proper communications technological and procedural measures are implemented.
16. Implement measures to identify and prevent / eliminate actual and potential hazards and unsafe activities, functions and conditions.
17. Implement adequate crash, fire suppression, rescue and other safety related procedures and measures.
18. Ensure appropriate air traffic control procedures and measures are implemented.
19. Ensure aviation / aircraft resource flight, approach, departure, landing, takeoff, loading, unloading, filling, parking, fueling, repairs, service, storage, maintenance, safeguarding / security, etc., procedures and measures are properly implemented.
20. Ensure tactical and logistical / support air operations and aviation / aircraft resources are properly coordinated at the incident, and when applicable, at appropriate off incident sites.
21. Ensure sufficient aviation / aircraft resources are continuously available to perform emergency operations, functions and activities.
22. When necessary, ensure only approved / authorized non incident management related aviation aircraft resources are permitted to enter the incident areas / airspace.
23. Investigate incidents and resolve conflicts regarding tactical and logistical / support air operations and aviation / aircraft resources.
24. Ensure any incident related aviation / aircraft resource accidents and / or potential accidents that were barely avoided, i.e., “near misses” are properly investigated.
25. Ensure appropriate records, forms, logs, reports, etc. are prepared.
26. Ensure aviation / aircraft resource “flight / operating / usage time” is accurately documented in compliance with the appropriate specific procedures of the involved Agency(ies).
27. Continually monitor / evaluate the organizational structure and effectiveness of the tactical and logistical / support air operations and aviation / aircraft resources function, and the performance of the Deputy(ies), Managers, Supervisors, Coordinators and assigned personnel.
    a. Make appropriate modifications when necessary.

DRAFT

PURPOSE To describe the *"Check In"* process at an event.

PROCEDURE When responding to an incident, the following *"Check In"* process will be followed:

DEFINITION *"CHECK-IN"* PROCESS-

1. The *"Check-In"* process formally records personnel and equipment as being present at and assigned to the incident; and, provides important basic information that will be used for tracking the number, location and *status* of the resources. The *Check-In* process assists the Command Element by enhancing the incident management organization's ability to easily:
   a. Ensure resource accountability.
   b. Track and identify the number, location and *status* of resources.
   c. Assign and reassign resources.
   d. Locate personnel for emergency notifications.
   e. Prepare accurate time and overtime records.
   f. Plan for demobilization.
   g. Demobilize and release resources.

2. The Resources Unit will perform the *Check-In* function at designated incident locations. If the Resources Unit has not been activated, the Planning Section chief will perform the *Check-In* function. If the Planning Section has not been activated, the Command Element will perform the *Check-In* function.

3. A *"Check-In Recorder"* will be assigned to each location where Resources will *Check-In*. The *Check-In Recorder*:
   a. Must have an adequate supply of *Check-In* forms / **DETAIL ROSTER / ASSIGNMENT SHEETS (PD406-141),** or other appropriate *Check-in* forms, logs, records, etc.
   b. Must be informed regarding the frequency and schedule for providing / reporting *Check-In* information to the Resources Unit.
   c. Should determine if resources that *Check-In* can be electronically recorded / documented.

4. Within NYC pursuant to CIMS, there are four locations where *Check-In* may occur:
   a. Staging Area(s)
      Resources should *Check-In* with the Resources Unit at the Staging Area(s). If the Resources Unit is not activated, resources should *Check-In* with the Staging Area Manager.

DEFINITION (continued)

b. Incident Command Post
Resources should *Check-In* with the Resources Unit at the Incident Command Post.

c. When applicable, Intelligence / Investigations Section Post.
When applicable, investigative resources will *Check-In* at the Intelligence / Investigations Section Post with the Resources Unit that will be co-located with the Investigative Support Group, if activated. If the Resources Unit is not activated, investigative resources will *Check-In* at the Intelligence / Investigations Section Post with the Investigative Support Group, if activated, if neither the Resource Unit nor the Investigative Support Group are activated, investigative resources should *Check-In* with the Intelligence / Investigations Section chief.

d. Helibase(s)
In NYC, *Check-In* may be performed at a Helibase(s); however absent extraordinary circumstances, *Check-In* will not occur at a Helibase(s).

5. Outside NYC, under NIMS ICS, there are an additional two locations where *Check-In* may occur:

a. Incident Base
Absent extraordinary circumstances an Incident Base will not be activated in New York City.

b. Camp(s)
Absent extraordinary circumstances a Camp(s) will not be activated in New York City.

6. Pursuant to CIMS, absent extraordinary circumstances, resources must formally *Check-In* before reporting to the Operations Section or Sectors or Groups or Branches for assignment.

FORMS AND REPORTS ***DETAIL ROSTER / ASSIGNMENT SHEETS (PD406-141)***

NYPD

PURPOSE To define and describe CIMS Resources.

PROCEDURE When responding to an incident, Resources will be defined and described as follows:

DEFINITIONS RESOURCES - personnel, teams, equipment, supplies, vehicles, aircraft, watercraft and facilities that are available or potentially available for assignment or allocation to support incident management and emergency response activities.

NOTE *Non-law enforcement resources, particularly firefighting resources, have been formally categorized by "Kind" and "Type." Law enforcement resources have NOT been formally categorized by "Kind" and "Type." However, an effort currently is underway to develop appropriate metrics and to formally categorize law enforcement resources by Kind and Type.*

a. "Kind": Kind refers to broad classes that characterize similar resources, such as teams, personnel, equipment, supplies, vehicles, watercraft, facilities and aircraft. The term may also be used to specifically categorize a particular resource, e.g., marked patrol car, unmarked car, nondescript car, undercover car, van, truck, tractor trailer, two wheeled scooter, three wheeled scooter or motorcycle.

b. "Type": Refers to the level of resource capability based upon its power, size or capacity. Resource *Type* is designated by a Roman numeral with I representing the greatest capability and IV representing the least capability. The *Type* assigned to a resource or a Component is based on a minimum level of capability described by the identified metric(s) for that resource. In some cases, a resource may have less than or more than four *Types*; and, additional *Types* will be identified or the *Type* will be described as "not applicable."

Resources are categorized as:

SINGLE RESOURCE – A Single Resource may perform a particular assignment and includes:

Single resources include:
a. A single vehicle including the operator / crew;
b. A single watercraft including the operator / crew;
c. A single aircraft including the operator / crew;
d. A single item of equipment including the operator / crew;
e. Single personnel;
f. Single personnel and an animal, i.e., dog, horse;
g. A formally pre-designated "team" of two or more personnel, including an identified work supervisor, i.e., "Squad", "Mobile Field Force."

NOTE *Appendix "A", lists examples of NYPD Single Resources.*

DEFINITIONS (continued)

RESOURCE TEAM - a combination of the **same** "*Kinds*" and "*Types*" of Single Resources assembled to perform a particular tactical assignment.

A Resource Team must have:
a. A designated Leader; and,
b. Appropriate transportation if necessary; and,
c. Common communications between
   (1) The respective resources, and
   (2) The respective resources and the Leader, and
   (3) The Leader and the Leader's designated supervisor, e.g., Group Supervisor, Sector Supervisor, Branch Director, Section chief.

NOTE *When assembling a Resource Team, CIMS Span of Control principles should not be violated.*

SPECIAL RESPONSE TEAM - any combination and number of **different** "*Kinds*" and "*Types*" of Single Resources assembled to perform a particular tactical assignment.

A Special Response Team must have:
a. A designated Leader; and,
b. Appropriate transportation if necessary; and,
c. Common communications between:
   (1) The respective resources, and
   (2) The respective resources and the Leader, and
   (3) The Leader and the Leader's designated supervisor, e.g., Group Supervisor, Sector Supervisor, Branch Director, Section chief.

NOTE *When assembling a Special Response Team(s), CIMS Span of Control principles should not be violated.*

STATUS CONDITIONS
In order to maintain accurate current information regarding resource utilization and resource needs, all resources must be assigned a specific defined "*status*" condition. The three specific *status* conditions that are used for tracking resources at an incident are:

1. *Assigned*: Resources (personnel that have *Checked-In* and equipment that has been receipted for) assigned to an incident that are performing work tasks at the incident under the direction of a supervisor; or, in the case of equipment and facilities, resources that are performing a function supporting incident operations.
2. *Available*: Resources (personnel that have *Checked-In* and equipment that has been receipted for) assigned to an incident that are ready for an assignment / deployment; or, in the case of equipment and facilities,

DEFINITIONS (continued)

resources that are ready for a specific function. Resources in "*Available*" *status* awaiting a tactical or investigative assignment should be ready for deployment within three minutes.

3. *Out-of-Service*: Resources (personnel that have *Checked-In* and equipment that has been receipted for) assigned to an incident, that are not able to be assigned to a work task / function or *Available* for assignment to a work task / function due to mechanical, rest, illness, injury, staffing, environmental, financial, etc., reasons; or, because their condition makes them unusable. An *Out-of-Service* resource is not ready / capable of being in the *Available* or *Assigned status*.

RESOURCE *STATUS* CHANGES - Resource *status* is maintained and changed by the supervisor to whom the respective resource is assigned. Changes in resource *status* may be made by:

1. Command Element
2. Operations Section chief(s)
3. Branch Director(s)
4. Sector Supervisor(s)
5. Group Supervisor(s)
6. Resource Team and / or Special Response Team Leader(s)
7. When applicable Intelligence / Investigations Section chief
8. When applicable Intelligence / Investigations Section Group Supervisor(s)
9. Unit Leader(s)
10. Manager(s)

NOTE *Any change in resource status that is longer than several minutes must be communicated to the appropriate CIMS organizational element. Absent extraordinary circumstances, the individual changing the status of the resource will ensure that the status change is promptly communicated through the appropriate chain of command to the individual or incident management organizational element responsible for maintaining / tracking the status of resources assigned to the incident.*

RESOURCE STATUS TRACKING SYSTEMS

a. Manual Records / Forms
b. Pre-formatted Resource Information Cards
c. Magnetic Symbols and Maps
d. Magnetic Symbols and Status Boards
e. Electronic Status Boards
f. Computer Applications, i.e., Spreadsheets, Databases, etc.

PLANNING SECTION / RESOURCES UNIT - All changes in the number, location and *status* of resources are promptly reported to the Resources Unit; or if not activated, the Planning Section chief; or if not activated, the Command Element.

ADDITIONAL DATA

Appendix "A"
Examples of NYPD Single Resources:

Non-Supervisory uniformed member of the service, i.e., Officer

Supervisory uniformed member of the service, i.e., Sergeant, Lieutenant, Captain, etc.

Non-Supervisory civilian member of the service, i.e., School Safety Officer, Traffic Enforcement Agent, Motor Vehicle Operator, Police Administrative Aide, Police Communications Technician, etc.

Supervisory civilian member of the service, i.e., Traffic Supervisor Level I, Traffic Supervisor Level II, School Safety Agent Level III, Supervisor of School Security, Associate Supervisor of School Security, Senior Police Administrative Aide, Principal Administrative Associate, etc.

Squad: 1 Sergeant + 8 Police Officers

Mobile Field Force: 2 Squads to 6 Squads

Strategic Response Group / Mobile Field Force

Radio Motor Patrol Auto (RMP) + 2 Officers

Marked Van + crew

Scooter + operator

Patrol Wagon + crew

NYPD Ambulance + crew

Highway RMP + crew (1 Highway District Officer or 2 Highway District Officers)

Highway Motor Carrier Safety Unit RMP + crew

Motorcycle + operator

Motorcycle Squad: Usually 1 Highway District Sergeant + 5 Highway District Officers on Motorcycles

Mounted Unit Horse + Mounted Unit Officer

Mounted Unit Squad: Usually 1 Mounted Unit Sergeant + 5 Mounted Unit Officers on horses

Patrol Canine + K-9 Officer

Narcotics Detecting Canine + handler

ADDITIONAL DATA (continued)

Appendix "A" (continued)

Explosives Detecting Canine (EDC) + handler

Bomb Squad Robot / Remote Mobile Investigator (RMI) + crew

Total Containment Vessel (TCV): 1 ESU REP + crew towing 1 TCV

Bomb Squad Response Team: Van + 2 Bomb Squad Officers + EDC + Bomb Squad RMI

ESU Radio Emergency Patrol Vehicle (REP) + 2 ESU Officers

ESU Truck + crew

ESU Breathing Apparatus Truck (BAT) + crew

ESU Mobile Light Generator Truck (MLG) + crew

ESU Mobile Alternative Light Truck (MALT) + crew

ESU Photo Observation Truck (POT) + crew

ESU Construction Accident Response Vehicle (CARV) + crew

ESU Bearcat Armored Vehicle + crew

ESU Peace Keeper Armored Vehicle + crew

ESU Entry Team: 1 ESU Sergeant and 7 to 8 ESU Officers + appropriate vehicle(s)

ESU Counter Assault Car (CAT Car): Non descript Suburban vehicle + 1 ESU Sergeant and 4 ESU Officers

ESU Apprehension Team (A Team): Unmarked Truck + 1 ESU Sergeant and 7 to 10 ESU Officers

ESU Tactical Robot / Remote Mobile Investigator (RMI) + 2 ESU Officers

Aviation Unit Helicopter + crew

Harbor Unit Launch + crew

Technical Assistance Response Unit (TARU) Vehicle + crew

Barrier Truck + crew

Box Truck + crew

Tractor Trailer + crew

PURPOSE To specify where arriving resources will initially be assigned at an incident.

PROCEDURE **<u>After formal *"Check In"*,</u>** arriving resources will initially be assigned to the following locations at an incident:

STAGING AREA

<u>Assignment to a Staging Area(s)</u>

1. After formal *Check-In*, incoming resources may be assigned to a Staging Area(s) for the following reasons:
   a. Resources may be assigned / deployed during the current Operational Period.
   b. Resources are needed to provide a reserve.
   c. Single Resources may be organized into Special Response Teams and / or Resource Teams prior to assignment / deployment.
2. As part of the planning process, the Operations Section chief will decide what number, *Kinds* and *Types* of resources will be situated at the Staging Area(s). This decision is based upon the need to retain and maintain adequate reserves to meet current needs and / or anticipated demands and / or unanticipated contingencies.
3. The Operations Section chief will brief the Staging Area Manager(s) regarding how the Staging Area(s) should be managed. This briefing should include:
   a. The number, *Kinds* and *Types* of resources that will be responding to the Staging Area(s).
   b. Communications procedures, devices, frequencies and measures that will be used.
   c. Minimum number of resources and specific *Kinds* and *Types* of resources that must be retained and maintained as reserves.
   d. Procedures for ordering / requesting additional resources.
   e. Estimated length of time the Staging Area(s) will be activated / utilized.
   f. Procedures for ordering / requesting logistics service and support.
4. The Staging Area Manager(s) must monitor the *status* of resources in the Staging Area(s), and inform the Operations Section chief :
   a. When minimum levels of resources are about to be reached;
   b. If any additional resources should be requested / ordered.
5. The Operations Section chief must be concerned about the cost, morale, and political implications of retaining and maintaining resources for long periods of time at one or more Staging Areas. This is particularly true regarding expensive equipment and personnel that have been rented / leased from private entities and resulting significant costs may possibly be incurred.

NYPD

STAGING AREA (continued)

6. After Check-In at a Staging Area, Single Resources will often be organized into Resource Teams and / or Special Response Teams, and deployed / assigned to incident related functions, operations and activities. The number, composition and deployments / assignments of the Resource Teams and Special Response Teams may continue for the entire incident, or they may change based upon incident needs.
7. Resource Teams and Special Response Teams created / organized at the incident should always be disassembled prior to release from the incident. In order to ensure proper resource accountability, each resource should be demobilized and leave the incident with the same resource designation, configuration and organization that the resource had upon arrival.

SECTORS OR GROUPS

Assignment to Sectors or Groups or Branches

1. After formal *Check-In*, during rapidly expanding incidents, tactical resources may immediately be assigned to the Operations Section; or, if activated, Sectors or Groups or Branches. In these situations, the tactical resources must always immediately report to the Operations Section chief or a designated Sector Supervisor or designated Group Supervisor or designated Branch Director to be given a specific assignment.
2. Outside of NYC, under NIMS ICS, during rapidly expanding incidents, prior to formal *Check-In*, tactical resources may be assigned directly to the Operations Section; or, if activated, directly to Sectors or Groups or Branches. In these situations, the tactical resources must report directly to a designated Sector Supervisor or designated Group Supervisor or designated Branch director to be given a specific assignment; and, formal *Check-In* will occur at a later time when the resource is assigned to a Staging Area or is in *Out-of Service status*. NIMS ICS acknowledges that this is not the preferred way of deploying arriving additional resources.

INCIDENT BASE

Assignment to the Incident Base

1. Absent extraordinary circumstances, an Incident Base will not be activated in New York City.
2. Outside of NYC, under NIMS ICS, after formal *Check-In*, tactical resources are often assigned to the Incident Base when the resources are not scheduled for use during the current Operational Period.
3. Outside of NYC, under NIMS ICS, for resources that have traveled a significant distance, are assigned to the Incident Base in an *Out-of-Service status* in order to provide time for briefings and rest / rehabilitation prior to being deployed to an assignment during the subsequent Operational Period.

UNITED

CITYWIDE INCIDENT MANAGEMENT SYSTEM (CIMS) - 201 INCIDENT BRIEFING FORM (ICS FORM 201)

PURPOSE To properly document the response and summarize the actions taken at the scene of an emergency incident in which the Citywide Incident Management System (CIMS) has been implemented.

SCOPE Proper preparation of the **CIMS 201 Incident Briefing Form** (see Appendix "A" and form attached) provides basic information regarding the emergency incident and the resources allocated to the emergency incident. The Form will serve as a reference document for the initial emergency incident response, summarize the actions taken at the scene and will be the source document that will be used to prepare a written Incident Action Plan (IAP), if a written IAP is necessary. The Incident Briefing Form will not be a component of the IAP for preplanned events.

PROCEDURE When managing an emergency incident under *Patrol Guide 220 Series, "Citywide Incident Management System"*:

INCIDENT COMMANDER

1. Direct and ensure the **CIMS 201 Incident Briefing Form** is prepared on all emergency incidents when:
   a. Directed by a captain or above based on the magnitude, type, severity and duration of the emergency incident
   b. It is likely that the emergency incident will extend beyond one "Operational Period"
   c. The response to emergency incident exceeds four hours and results in the allocation of significant resources and or personnel
   d. A Unified Command-Command Element is established
   e. The NYPD is the Incident Commander in a Single Command-Command Element; and several Supporting Agencies are significantly involved in the emergency incident management efforts
   f. An Incident Management Team (IMT) is activated to manage the emergency incident.
2. Attach a copy of the **CIMS 201 Incident Briefing Form** to the **UNUSUAL OCCURRENCE REPORT (PD370-152)** or **Typed Letterhead**, if prepared.
   a. If **UNUSUAL OCCURRENCE REPORT** or **Typed Letterhead** is not prepared, file **CIMS 201 Incident Briefing Form** at the precinct of occurrence.

NOTE *The information from the **CIMS 201 Incident Briefing Form** can be used as a reference or source document for the preparation of a written **Incident Action Plan (IAP)**.*

*The following describes how the four pages of the **CIMS 201 Incident Briefing Form** can be used in future forms or documents:*

Page 1- *Map/Sketch: may be used as the Situation Map.*

NOTE (continued)

Page 2- *Incident Objectives: may be used to prepare **CIMS 202 Incident Objectives Form**.*
*Summary of Current Actions: may be used to continue tracking the response actions and as a reference document for the **CIMS 215 Operational Planning Worksheet**.*

Page 3- *Current Organization: may be used as a reference document for the **CIMS 203 Organization Assignment List** and/or **CIMS 207 Organizational Chart**.*

Page 4- *Resources Summary: may be used to continue tracking resources assigned to the incident.*

ADDITIONAL DATA

*After the initial briefing of the Command Element (Single or Unified), Command Staff officers and General Staff Section chiefs, the **CIMS 201 Incident Briefing Form** shall be duplicated and distributed as necessary to the Branch Directors, Sector/Group Supervisors and appropriate Planning and Logistics Section Unit Leaders.*

*The sketch map and summary of current action portions (pages 1, 2) of the **CIMS 201 Incident Briefing Form** will be provided to the Planning Section / Situation Unit, if activated.*

The Current Organization and Resources Summary portions (pages 3, 4) will be provided to the Planning Section / Resource Unit, if activated.

*All completed original forms **MUST** be forwarded to the Planning Section / Documentation Unit, if activated.*

*Copies of all **Incident Action Plans** will be forwarded to and archived at the Office of the Chief of Patrol.*

RELATED PROCEDURES

Citywide Incident Management System (CIMS) (P.G. 220 Series)
Unusual Occurrence Reports (P.G. 212-09)

FORMS AND REPORTS

CIMS 201 Incident Briefing Form (ICS Form 201)
CIMS 202 Incident Objectives Form
CIMS 203 Organization Assignment List
CIMS 207 Organizational Chart
CIMS 215 Operational Planning Worksheet
Incident Action Plan (IAP)
Typed Letterhead
UNUSUAL OCCURRENCE REPORT (PD370-152)

APPENDIX "A"

Preparation of CIMS 201 Incident Briefing Form (ICS Form 201)

Caption #	Caption Title	Instructions
1.	Incident Name	Enter the name assigned to the incident.
2.	Date	Enter date prepared (month, day, and year).
3.	Time	Enter time of incident.
4.	Incident Location	Enter incident location.
5.	Precinct	Enter Precinct of incident.
6.	Box	Fire box number and location.
7.	Map/Sketch	Show the total Area of Operations, the incident site, etc.
8.	Prepared by	Enter the name and position of the person completing the form.
9.	Date Time	Enter date prepared (month, day, and year). Enter time prepared (24-hour clock).
10.	Initial Incident Objectives	Enter short, clear, concise statements of the objectives, for managing the initial response.
11.	Summary of Current Actions	Enter the actions taken in response to the incident, including the time and note any significant events or specific problem areas.
12.	Current Organization	Enter, on the organization chart, the names of the individuals assigned to each position. Modify the chart as necessary, using additional boxes in the space provided under the Sections. Utilize the blank lines provided for a Unified Command for adding other agencies or responsible parties.
13.	Resource Summary	Enter the following information about the resources allocated to the Incident:
	Resources Needed	Description of the resource needed.
	Time Ordered	Time ordered (24-hour clock).
	Resource Identifier	Identifier for the resource (e.g., radio call-sign, vessel name, vendor name, license plate, etc.).
	ETA	Estimated time for the resources to arrive at the staging area.
	On-Scene	"X" Upon the resource's arrival.
	Location/Assignment	Location of the resource, the actual assignment, the status of the resource (if other than working) and the contact name and number of resource.

NOTE *Additional pages may be added to the **CIMS 201 Incident Briefing Form**, if needed. All copies of the **CIMS 201 Incident Briefing Form** should be attached to the **UNUSUAL OCCURRENCE REPORT**.*

INCIDENT BRIEFING

CIMS
Citywide Incident Management System

1. Incident Name	2. Date	3. Time
4. Incident Location	5. Precinct	6. Box

7. Map Sketch
(Include maps drawn here or attached, showing the total area of operations, the incident site / area, affected areas and / or other graphics depicting situational and response status)

8. Prepared By	9. Date / Time Prepared

1. Incident Name	2. Date	3. Time
4. Incident Location	5. Precinct	6. Box

10. Initial Incident Objectives

11. Summary of Current Actions	
Time	Action / Note

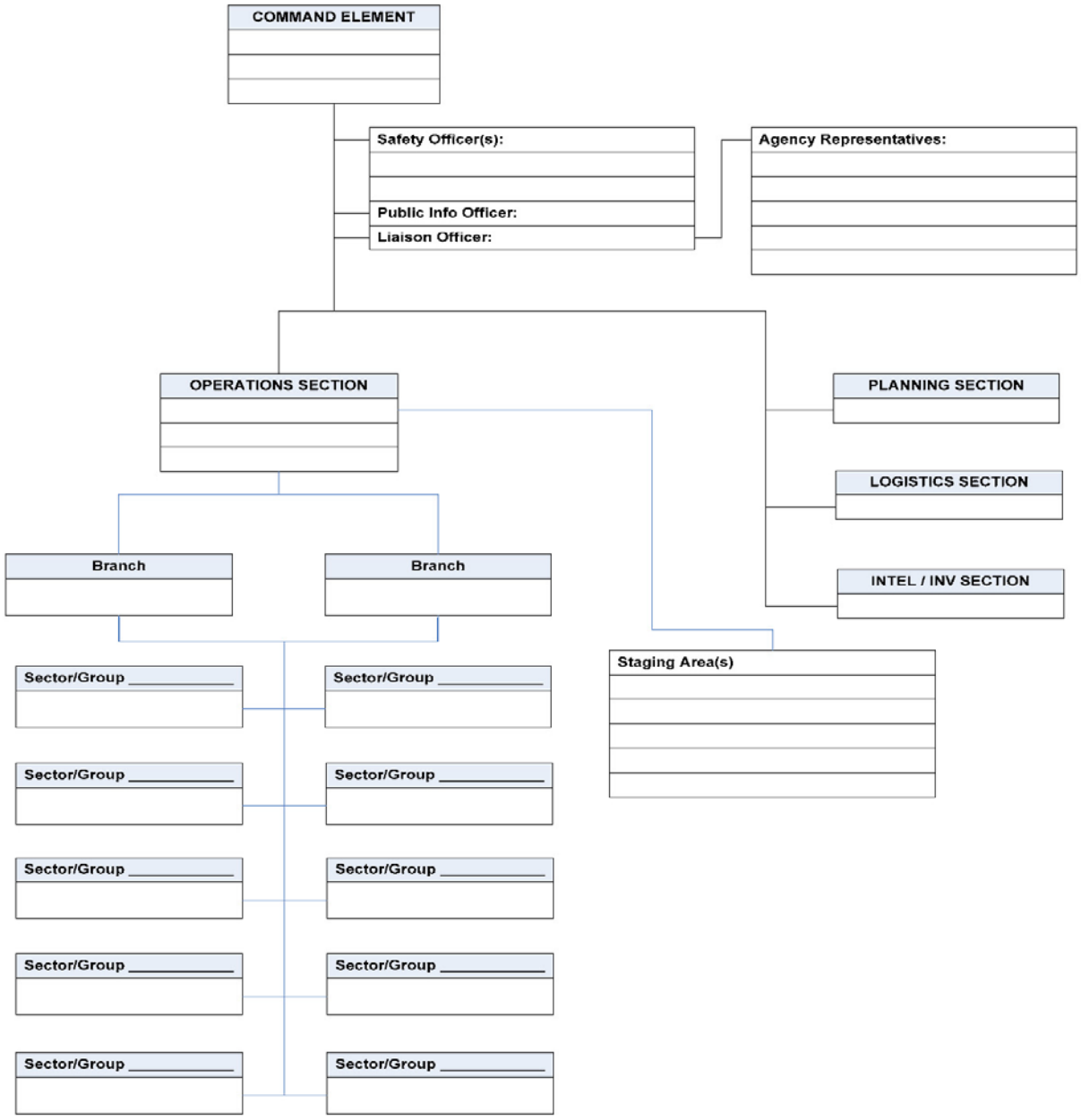
8. Prepared By	9. Date / Time Prepared

INCIDENT BRIEFING
Page 2 of 4

ICS 201
December 2005

1. Incident Name	2. Date	3. Time
4. Incident Location	5. Precinct	6. Box

12. Current Organization



8. Prepared By	9. Date / Time Prepared

1. Incident Name	2. Date	3. Time
4. Incident Location	5. Precinct	6. Box

13. Resources Summary

Resources Ordered	Resource Identification	ETA	On-Scene ☑	Location / Assignment

CITYWIDE INCIDENT MANAGEMENT SYSTEM (CIMS) INCIDENT MANAGEMENT TEAM (IMT) ACTIVATION/DEPLOYMENT PROTOCOL

PURPOSE To activate and deploy an Incident Management Team (IMT) at an emergency incident or planned event.

SCOPE When managing an emergency incident or planned event under *Patrol Guide 220 Series, "Citywide Incident Management System:"*

a. A NYPD Citywide Incident Management Team may be activated by the Police Commissioner, First Deputy Commissioner or the Chief of Department, based on the size, complexity and duration of the emergency incident or planned event.

b. A NYPD Borough Incident Management Team may be activated by the Chief of Patrol, or Patrol Borough Commander concerned, for an emergency incident or planned event occurring within their jurisdiction, or in his / her absence the Duty Chief, based on the size, complexity and duration of the emergency incident or planned event.

c. A NYPD Transit Bureau Incident Management Team may be activated by the Chief of Transit concerning an emergency incident or planned event occurring within the Transit jurisdiction, or in his / her absence the Duty Chief, based on the size complexity and the duration of the emergency incident or planned event.

d. A NYPD Housing Bureau Incident Management Team may be activated by the Chief of Housing concerning an emergency incident or planned event occurring within the Housing jurisdiction, or in his / her absence the Duty Chief, based on the size, complexity and the duration of the emergency incident or planned event.

DEFINITIONS INCIDENT MANAGEMENT TEAM (IMT) – The Command Element and the appropriate Command Staff and General Staff personnel assigned to an incident. (NIMS)

COMMAND ELEMENT – The individual(s) responsible for performing the Command function in an incident management organization. (CIMS)

COMMAND STAFF – The Command Staff consists of:

- Public Information officer
- Safety officer
- Liaison officer

DEFINITIONS (continued)

GENERAL STAFF – The General Staff consists of:

- Operations Section chief
- Planning Section chief
- Logistics Section chief
- Finance / Administration Section chief
- Intelligence / Investigations Section chief

INCIDENT ACTION PLAN (IAP) – Contains Incident Objectives reflecting the overall incident strategy and specific tactical actions and supporting information for the next Operational Period. The Plan may be oral or written. When written, the Plan may have a number of forms as attachments (e.g., traffic plan, safety plan, communications plan, map, etc.).

OPERATIONAL PERIOD – The period of time scheduled for execution of a given set of operation actions as specified in the Incident Action Plan. Operational Periods can be of various lengths, although usually not over twenty-four hours. (CIMS)

ADDITIONAL DATA

The following is a list of situations that may require the activation / deployment of a Citywide, Borough or Bureau IMT:

a. The Department activates "Stand Alone" protocols according to the type, severity and the anticipated duration of an emergency incident or planned event. The Police Commissioner may activate the Citywide IMT to act as the Area Command at the Emergency Operations Center (ECO), and the affected Borough(s) or Bureau(s) may activate their Borough or Bureau IMT(s).

b. It is likely an emergency incident or planned event will extend into multiple Operational Periods (beyond twenty-four hours). A formal written Incident Action Plan (IAP) will be required.

NOTE *In all cases where emergency incident or planned event extends into multiple Operational Periods (beyond twenty-four hours), a formal written Incident Action Plan (IAP) will be required.*

c. A Unified Command – Command Element is established, utilizing resources from multiple agencies in the mitigation of an incident and the duration is expected to exceed twenty-four hours.

d. A Declaration of Disaster has been made, as defined in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288) as amended.

e. A National Special Security Event is scheduled to occur in New York City (e.g., UNGA, RNC).

ADDITIONAL DATA (continued)

f. An Incident of National Significance occurs outside New York City that could have a substantial impact on New York City (e.g., terrorist attack, prolonged utility outages in the surrounding region, mass transportation interruptions).

g. Substantial resources are required from city, state and / or federal agencies to manage an emergency incident.

h. A natural disaster occurs that affects New York City or the surrounding areas and requires the coordination of substantial resources (e.g., hurricane, floods).

i. An incident occurs that creates a significant health risk to a large segment of the population of New York City or the surrounding areas (e.g., Pandemic Influenza, HazMat, CBRN).

j. A civil disturbance type incident occurs and requires significant Department resources to manage the incident.

RELATED PROCEDURES

Mobilizations/Emergency Incidents (P.G. 213 Series)
Rapid Mobilization (P.G. 213-03)
Citywide Incident Management System (CIMS) (P.G. 220 Series)
CIMS: Command Element (P.G. 220-05)
CIMS: Public Information Officer (P.G. 220-06)
CIMS: Safety Officer (P.G. 220-07)
CIMS: Liaison Officer (P.G. 220-08)
CIMS: Operations Section Chief (P.G. 220-09)
CIMS: Planning Section Chief (P.G. 220-10)
CIMS: Logistics Section Chief (P.G. 220-11)
CIMS: Finance/Administration Section Chief (P.G. 220-12)
CIMS: Intelligence/Investigations Section Chief (P.G. 220-13)

FORMS AND REPORTS

Incident Action Plan (IAP)

NYPD

SCOPE

<u>The primary duty of all members of the service (MOS) is to protect human life, including the lives of individuals being placed in police custody.</u> Force may be used when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or to prevent escape from custody. In all circumstances, any application or use of force must be reasonable under the circumstances. All members of the service at a police incident must use reasonable force, employ less lethal alternatives, and prioritize de-escalation, whenever possible. If the force used is unreasonable under the circumstances, it will be deemed excessive and in violation of Department policy.

All members of the service must, when in a position to do so, intervene to stop another member of the service or members of other law enforcement agencies (e.g., agencies with shared or concurrent jurisdictions, etc) from using excessive force. Failure to intervene in the use of excessive force, or report excessive force, or failure to request or to ensure timely medical treatment for an individual is serious misconduct that may result in criminal and civil liability and will result in Department discipline, up to and including dismissal. If a member of the service becomes aware of the use of excessive force or failure to request or to ensure timely medical treatment for an individual, the member must report such misconduct to the Internal Affairs Bureau Command Center.

In determining whether the use of force is reasonable, members of the service should consider the following:

a. The nature and severity of the crime/circumstances
b. Actions taken by the subject
c. Duration of the action
d. Immediacy of the perceived threat or harm to the subject, members of the service, and/or bystanders
e. Whether the subject is actively resisting custody
f. Whether the subject is attempting to evade arrest by flight
g. Number of subjects in comparison to the number of MOS
h. Size, age, and condition of the subject in comparison to the MOS
i. Subject's violent history, if known
j. Presence of hostile crowd or agitators
k. Subject apparently under the influence of a stimulant/narcotic which would affect pain tolerance or increase the likelihood of violence.

All MOS are responsible and accountable for the proper use of force. The application of force <u>must</u> be consistent with existing law and with the New York City Police Department's policies, even when Department policy is more restrictive than state or federal law. Depending upon the circumstances, both federal and state laws provide for criminal sanctions and civil liability against MOS when force is deemed excessive, wrongful, or improperly applied.

SCOPE (continued)

Excessive force will not be tolerated. MOS who use excessive force will be subject to Department discipline, up to and including dismissal.

Failure to intervene in the use of excessive force, or report excessive force, or failure to request or to ensure timely medical treatment for an individual is serious misconduct that may result in criminal and civil liability and will result in Department discipline, up to and including dismissal. If a member of the service becomes aware of the use of excessive force or failure to request or to ensure timely medical treatment for an individual, the member must report such misconduct to the Internal Affairs Bureau Command Center. This report can be made anonymously.

NOTE

Obtaining a Confidential Identification Number from the Command Center investigator will satisfy the member's reporting responsibility, if the information is accurate and complete. Subsequent or ongoing reporting is encouraged to ensure the information is timely and complete and may be made by referencing the Confidential Identification Number.

DEFINITIONS

DE-ESCALATION - Taking action in order to stabilize a situation and reduce the immediacy of the threat so that more time, options, and/or resources become available (e.g., tactical communication, requesting a supervisor, additional MOS and/or resources such as Emergency Service Unit or Hostage Negotiation Team, etc.). The goal is to gain the voluntary compliance of the subject, when appropriate and consistent with personal safety, to reduce or eliminate the necessity to use force.

OBJECTIVELY REASONABLE STANDARD - The reasonableness of the use of force is based upon the totality of the circumstances known by the MOS at the time of the use of force. The Department examines the reasonableness of force viewed from the perspective of a member with similar training and experience placed into the same circumstances as the incident under investigation.

EXCESSIVE FORCE - Use of force deemed by the investigating supervisor as greater than that which a reasonable officer, in the same situation, would use under the circumstances that existed and were known to the MOS at the time force was used.

PROHIBITED METHODS OF RESTRAINT - Sitting, kneeling, or standing on the chest or back of a subject in a manner that compresses the diaphragm, thereby reducing the subject's ability to breathe.

CHOKEHOLD - A chokehold shall include, but is not limited to, any pressure to the throat, carotid artery or windpipe, which may prevent or hinder breathing, or reduce intake of air or blood flow.

MASS CASUALTY VEHICLE RAMMING ATTACK – A form of attack in which a subject deliberately rams a motor vehicle into a crowd of people or building.

PROCEDURE To provide members of the service with the Department's force/restraint and firearm prohibitions:

PROHIBITIONS

UNIFORMED MEMBER OF THE SERVICE

1. Uniformed members of the service are authorized under New York State law to discharge a firearm to prevent or terminate the unlawful use of force that may cause death or serious physical injury, taking into account the below prohibitions imposed by the Department.
   Members of the service **SHALL NOT**:
   a. Discharge a firearm when, in the professional judgment of a reasonable member of the service, doing so will unnecessarily endanger innocent persons
   b. Discharge firearms in defense of property
   c. Discharge firearms to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to the MOS or another person present
   d. Fire warning shots
   e. Discharge firearm to summon assistance, except in emergency situations when someone's personal safety is endangered and no other reasonable means to obtain assistance is available
   f. Discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the member of the service or another person present, by means other than a moving vehicle
   g. Discharge firearm at a dog or other animal, except to protect a member of the service or another person present from imminent physical injury and there is no opportunity to retreat or other reasonable means to eliminate the threat
   h. Cock a firearm. Firearms must be fired double action at all times.

NOTE *Drawing a firearm prematurely or unnecessarily limits a uniformed member of the service's options in controlling a situation and may result in an unwarranted or accidental discharge of the firearm. The decision to display or draw a firearm should be based on an articulable belief that the potential for serious physical injury is present. Members of the service, when feasible, should issue an appropriate verbal warning, consistent with personal safety, to the intended subject and other members of the service present prior to discharging a firearm. When a uniformed member of the service determines that the potential for serious physical injury is no longer present, the uniformed member of the service will holster the firearm as soon as practicable.*

Where only a vehicle is used as deadly physical force against a member of the service, members should safely attempt to move out of the path of an approaching vehicle.

If a vehicle is being used in a mass casualty vehicle ramming attack, a uniformed member of the service will take reasonable measures to stop the vehicle and may utilize tactics otherwise prohibited within P.G. 221-15 'Vehicle Pursuits,' to stop a vehicle if deadly physical force or death is imminent against a member of the service or other persons present, by means of a moving vehicle as the sole or primary threat.

UNIFORMED MEMBER OF THE SERVICE (continued)

2. Members of the service **SHALL NOT**:
   a. Use a prohibited method of restraint
   b. Use a chokehold
   c. Use any level of force to punish, retaliate or coerce a subject to make statements
   d. Use any level of force on handcuffed or otherwise restrained subjects unless necessary to prevent injury, escape or to overcome active physical resistance or assault

NOTE *A Conducted Electrical Weapon (CEW) should never be used in CARTRIDGE or DRIVE STUN mode on a rear-cuffed prisoner as per P.G. 221-08, "Use of Conducted Electrical Weapons (CEW)."*

   e. Connect or tie rear-cuffed hands to cuffed or restrained ankles or legs
   f. Transport a subject facedown
   g. Use force to prevent a subject from swallowing alleged controlled substance or other substance, once a subject has placed suspected controlled substance in his or her mouth, or forcibly attempt to remove substance from subject's mouth or other body cavity.

ADDITIONAL DATA

Members who are subject to investigation, the subject of disciplinary action, civil action, or a civilian complaint related to a violation of the above prohibitions may submit a request for review of the circumstances to the Use of Force Review Board. The Use of Force Review Board will review the facts and circumstances and make a final determination of whether the force used was reasonable under the circumstances and within guidelines. The review may find that under exigent or exceptional circumstances, the use of the prohibited action may have been justified and within guidelines.

When a uniformed member of the service observes or suspects that a prisoner has ingested a narcotic or other dangerous substance, the prisoner will be transported from the place of arrest DIRECTLY to the nearest hospital facility.

Uniformed members of the service are reminded that authorized weapons shall only be carried after receiving proper training in the Department's use of force policy and demonstrating proficiency in use of such weapons. Receipt of policy and curriculum delivery will continue to be documented by the Department.

PURPOSE To provide guidelines for members of the service (MOS) regarding the use of force, and ensure that each use of force is properly reported and documented.

DEFINITIONS

DE-ESCALATION - Taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options, and/or resources become available (e.g., tactical communication, requesting a supervisor, additional MOS and/or resources such as Emergency Service Unit or Hostage Negotiation Team, etc.). The goal is to gain the voluntary compliance of the subject, when appropriate and consistent with personal safety, to reduce or eliminate the necessity to use force.

ACTIVE RESISTING - Includes physically evasive movements to defeat a member of the service's attempt at control, including bracing, tensing, pushing, or verbally signalling an intention to avoid or prevent being taken into or retained in custody.

ACTIVE AGGRESSION - Threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

PASSIVE RESISTANCE - Minimal physical action to prevent a member from performing their lawful duty. For example, a subject failing to comply with a lawful command and stands motionless and/or a subject going limp when being taken into custody.

RESISTING ARREST (NYS PENAL LAW) - A person is guilty of resisting arrest when he intentionally prevents or attempts to prevent a police officer or peace officer from effecting an authorized arrest of himself or another person.

PROHIBITED METHODS OF RESTRAINT - Sitting, kneeling, or standing on the chest or back of a subject in a manner that compresses the diaphragm, thereby reducing the subject's ability to breathe.

PROCEDURE When a member of the service must gain compliance, control, or custody of an uncooperative subject, the member should comply with *P.G. 221-01, "Force Guidelines"* and:

UNIFORMED MEMBER OF THE SERVICE

1. Take necessary action to protect life and personal safety of all persons present, including subjects being placed into custody.
2. Utilize de-escalation techniques when appropriate and consistent with personal safety, which may reduce or eliminate the need to use force, and increase the likelihood of gaining the subject's voluntary compliance.

UNIFORMED MEMBER OF THE SERVICE (continued)

3. Isolate and contain the subject, if appropriate.
4. Immediately request a supervisor to respond, as soon as appropriate and safety permits.
5. Request additional members, as necessary, to control situation.
6. Request the response of the Emergency Service Unit, if appropriate.

NOTE *MOS should consider whether a subject's lack of compliance is a deliberate attempt to resist, or alternatively, an inability to comply, resulting from factors including, but not limited to, medical condition, mental impairment, developmental disability, physical limitation, language barrier, and/or drug interaction.*

7. Comply with *P.G. 221-13, "Mentally Ill or Emotionally Disturbed Persons,"* if the subject is acting in a manner that would lead the member of service to believe that the subject is emotionally disturbed or under the influence of a mind-altering substance.

SUPERVISOR ON SCENE

8. Assume command of the incident and coordinate the use of de-escalation techniques, if appropriate and consistent with officer safety.
9. Direct tactics to minimize the possibility of injury to members of the service, the subject, or bystanders.

UNIFORMED MEMBER OF THE SERVICE/ SUPERVISOR ON SCENE

10. If the use of de-escalation and conflict negotiation techniques fail to persuade an uncooperative subject to cooperate, the supervisor/members of the service present should, if appropriate and consistent with officer safety:
    a. Advise the offender that he/she will be charged with the additional offense of resisting arrest
    b. Devise a tactical plan with members present to restrain the subject while minimizing the possibility of injury to members of the service, the subject, and bystanders
    c. Advise the offender that physical force or other devices (e.g., O.C. pepper spray, shield, baton/asp, etc.) will be used to handcuff/restrain him/her before applying such force, if appropriate.

NOTE *Members of the service should not use O.C. Pepper Spray, Conducted Electrical Weapon, or impact weapons on persons who are passively resisting.*

11. Apply no more than the reasonable force necessary to gain control.
    a. Sitting, kneeling, or standing on the chest or back of a subject in a manner that compresses the diaphragm, thereby reducing the subject's ability to breathe, is strictly prohibited.
12. Assess the situation continually and adjust the use of force as necessary.

NOTE *All members of the service must, when in a position to do so, intervene to stop another member of the service or members of other law enforcement agencies (e.g., agencies with shared or concurrent jurisdictions, etc) from using excessive force. Failure to intervene in the use of excessive force, or report excessive force, or failure to request or to ensure*

NOTE (continued)

timely medical treatment for an individual is serious misconduct that may result in criminal and civil liability and will result in Department discipline, up to and including dismissal. If a member of the service becomes aware of the use of excessive force or failure to request or to ensure timely medical treatment for an individual, the member must report such misconduct to the Internal Affairs Bureau Command Center.

Obtaining a Confidential Identification Number from the Command Center investigator will satisfy the member's reporting responsibility, if the information is accurate and complete. Subsequent or ongoing reporting is encouraged to ensure the information is timely and complete and may be made by referencing the Confidential Identification Number.

UNIFORMED MEMBER OF THE SERVICE

13. Rear-cuff the subject, when practical.
    a. If it is safer for the member of the service and the subject, the member of the service may front-cuff the subject initially, and then rear-cuff as soon as it is practical and safety allows.
    b. If members of the service are having difficulty rear-cuffing a subject (i.e., injury to prisoner, size of prisoner, prisoner resisting arrest, etc.), two sets of handcuffs linked together, may be utilized. In addition, Department issued leg restraints or Velcro straps to immobilize the legs of a subject may be used as an effective tactic to gain control, limit the subject's ability to flee or harm other individuals, and reduce or eliminate the necessity to use force.
        (1) Utilizing two sets of handcuffs should only be used as a form of temporary restraint and should be transitioned to one set of handcuffs when it is safe and practical to do so.

NOTE

If available, Department issued alternative restraining devices should be used to restrain, or further restrain, subjects whose actions may cause injury to themselves or others.

14. Position the subject to promote free breathing, as soon as safety permits, by sitting the person up or turning the person onto his/her side.
15. Observe the subject closely for injuries, signs of serious illness, or difficulty breathing.
16. Whenever any level of force is used, inquire if subject requires medical attention and document response to inquiry in digital **Activity Log**.
17. If the subject is injured or ill, ensure subject receives proper medical attention.
18. Ensure subject receives immediate medical attention and provide first aid, if appropriate and properly trained, if subject is having difficulty breathing or demonstrates any potentially life-threatening symptoms or injuries.
19. If the location of the police action is poorly lit, use a flashlight or other source of illumination to maintain a clear view of the subject at all times.
20. Notify immediate supervisor regarding the type of force used, the reason force was used, and injury to any person involved.
21. Document use of force in digital **Activity Log**.

UNIFORMED MEMBER OF THE SERVICE (continued)

22. Complete **VEHICLE REPORT (PD371-145)** in Finest Online Records Management System (FORMS), if force is used as the result of a vehicle, bicycle, motorized scooter, e-scooter, or e-bike stop.

IMMEDIATE SUPERVISOR

23. Perform duties of the "immediate supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action,"* when notified or after becoming aware of any use of force incident.

RELATED PROCEDURES

Reporting and Investigation of Force Incident or Injury to Persons During Police Action (P.G. 221-03)
Force Guidelines (P.G. 221-01)
Mentally Ill or Emotionally Disturbed Persons (P.G. 221-13)
Member of the Service Subjected to Force While Performing Lawful Duty (P.G. 221-06)

FORMS AND REPORTS

STOP REPORT (PD383-151)
ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
MEDICAL TREATMENT OF PRISONER (PD244-150)
AIDED REPORT
VEHICLE REPORT (PD371-145)

NYPD

PURPOSE To properly record and investigate certain use of force incidents by members of the service/auxiliary members, and/or injuries to persons sustained as a result of police action, or while in police custody.

SCOPE Use of force and injury incidents as defined herein involving members of the service, including use of force by members of the service, suspected or alleged excessive force, and injuries/fatalities sustained by civilian non-members of the service or bystanders during police action, while an individual is in police custody, during apprehension or immediately prior to police custody.

DEFINITIONS SUBJECT - An individual who is the target, or focus, of police action, including a suspect, perpetrator, or prisoner, and any person that a member is attempting to direct or maintain custody or control over (i.e., disorderly person/group, emotionally disturbed person, etc.).

CIVILIAN/NON-MEMBER/BYSTANDER - Any non-employee of the Department who is not the intended subject of police action but is inadvertently injured by the actions of the police.

IMMEDIATE SUPERVISOR - An available supervisor, who was not involved in the incident, from same command as member(s) of the service involved in the use of force/injury incident. The immediate supervisor must be at least one rank higher than all involved members. In the event that no supervisor in an appropriate rank is available, the duty captain will determine who will be responsible for being the immediate supervisor.

INVESTIGATING SUPERVISOR - For Level 2 incidents, the commanding officer/executive officer of the command concerned, or duty captain as directed by the Internal Affairs Bureau Command Center, will supervise the investigation. For Level 3 incidents, the ranking officer from the Internal Affairs Bureau will supervise the investigation. For Level 4 incidents, the ranking officer from the Force Investigation Division will supervise the investigation.

PHYSICAL ILLNESS/INJURY - Impairment of physical condition, and/or substantial protracted pain, including: minor swelling, contusions, lacerations, and/or abrasions.

SERIOUS PHYSICAL INJURY/ILLNESS - Physical injury or illness that creates a substantial risk of death, or which causes serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of function of any bodily organ/limb. For the purposes of this procedure, the following conditions apply:

DEFINITIONS (continued)

a. Broken/fractured bone(s)
b. Aneurysm
c. Injury requiring hospital admission
d. Heart attack, stroke
e. Other life threatening illness or injury.

PROHIBITED METHODS OF RESTRAINT - Sitting, kneeling, or standing on the chest or back of a subject in a manner that compresses the diaphragm, thereby reducing the subject's ability to breathe.

CHOKEHOLD - A chokehold shall include, but is not limited to, any pressure to the throat, carotid artery or windpipe, which may prevent or hinder breathing, or reduce intake of air or blood flow.

ACTIVE RESISTING - Includes physically evasive movements to defeat a member of the service's attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

FORCE INCIDENT LEVELS

LEVEL 1

a. Hand strikes and foot strikes
b. Forcible take-downs
c. Wrestling/grappling with subject who is actively resisting
d. Discharge of Oleoresin Capsicum (O.C.) pepper spray
e. Use of a mesh restraining blanket
f. Use, or discharge, of a Conducted Electrical Weapon (CEW) in "cartridge mode"
g. Physical injury to any subject, and/or civilian, non-member, or bystander that resulted from police action.

LEVEL 2

The commanding officer/executive officer/duty captain must respond and investigate the following (unless superseded by the authority of the Internal Affairs Bureau, or Force Investigation Division):

a. Intentional striking of a person with any object (e.g., baton, other equipment, vehicle, etc.)
b. Police canine bite
c. Use, or discharge, of Conducted Electrical Weapon (CEW) in "Drive Stun" mode
d. Any prohibited act as outlined in *P.G. 221-01, "Force Guidelines,"* other than the alleged or suspected use of a chokehold or prohibited method of restraint, or those that result in a serious physical injury (Level 3), or involve the discharge of a firearm (Level 4).

DEFINITIONS (continued)

e. Allegations or suspicions of excessive force (whether or not an injury is apparent)

f. Attempted suicide by prisoner, whether or not an injury is apparent (unless prisoner sustains a serious physical injury)

g. Physical injury to any subject, and/or civilian, non-member or bystander consistent with the application of Level 2 force (e.g., contusions indicative of baton strikes, etc.)

h. Unconsciousness, loss of a tooth/teeth, application of stitches/staples.

NOTE *The commanding officer/executive officer/duty captain may utilize the Internal Affairs Bureau Investigations Unit to assist with investigation, when appropriate. If the commanding officer/executive officer/duty captain is not able to complete all necessary investigative steps, and/or determines that additional investigation is required, the case will be assigned to the appropriate Internal Affairs Bureau investigations unit.*

LEVEL 3

Internal Affairs Bureau investigators must respond, conduct investigation, and complete required reports for the following (unless superseded by the investigative authority of the Force Investigation Division):

a. Use of force that is readily capable of causing death or serious physical injury (other than a police firearm discharge)

b. Alleged or suspected use of a chokehold or a prohibited method of restraint.

c. Allegations or suspicion of excessive force resulting in a serious physical injury

d. Attempted suicide by prisoner resulting in serious physical injury

e. Serious physical injury to any subject, and/or civilian, non-member of the service, bystander that resulted from police action.

LEVEL 4

Force Investigation Division must respond, conduct investigation and complete required reports for the following:

a. All firearms discharges by uniformed members of the service (including intentional discharges, unintentional discharges and self-inflicted gunshot wounds)

b. Any discharge of a uniformed member of the service's firearm fired by someone other than the uniformed member of the service

c. All incidents in which a subject of police action, and/or civilian/non-member of the service/bystander is seriously injured and likely to die or dies while in police custody, during apprehension, or immediately prior to police custody, including:

(1) Police force or restraint may be a factor in death

(2) Suicide (e.g., prisoner commits suicide in holding cell, etc.)

(3) Accidental (e.g., drug overdose or reaction to medicine, etc.)

(4) Apparent natural causes (e.g., heart failure, asthma attack, other natural causes, etc.).

NOTE *The precinct detective squad will respond to incidents involving police firearm discharges, as well as incidents in a which a person is seriously injured and likely to die, or dies, in police custody, during apprehension, or immediately prior to police custody and commence the investigation. The Force Investigation Division (FID) supervisor will coordinate the transition of investigation with the precinct detective squad supervisor. FID is responsible for all aspects of the firearm discharge investigation, including identifying, arrest processing, debriefing and enhancement of all suspects. Until arrival of an FID supervisor, the highest ranking member of the Detective Bureau will be in command of investigation. The Detective Bureau is responsible for the investigation of a homicide of a member of the service.*

Members of the service (uniformed and civilian) working in an official capacity, whose actions result in the death or serious physical injury of a member of the public, may only return to a full-duty status pending a Department administrative review.

PROCEDURE When a member of the service uses any level of reportable force, excessive force is suspected or alleged, and/or a subject, civilian, non-member of the service or bystander sustains an injury as defined herein in connection with police action including, but not limited to:

a. Subjects who sustain a self-inflicted injury during apprehension or while in the custody of the Department
b. Subjects who are injured or die during apprehension
c. Subjects who are injured or die while in the care and custody of the Department (e.g., injured in prisoner holding cell, injured while being transported in Department vehicle, etc.)
d. Subjects who attempt suicide, or die by suicide while in Department custody
e. Any civilian, non-member of the service or bystander who sustains an injury or dies as a result of police action
f. Any subject or civilian, non-member of the service or bystander who sustains an injury or dies prior to custody when custody is being contemplated or attempted (e.g., emotionally disturbed person who jumps from an elevated structure, perpetrator falls from window during search warrant entry, etc.).

MEMBER OF THE SERVICE

1. Comply with *P.G. 221-02, "Use of Force,"* if applicable.
2. Take appropriate action to stabilize situation and/or apprehend perpetrators.
3. Obtain medical attention for any person injured as soon as reasonably possible.

NOTE *The member of the service will render reasonable aid to injured person(s) and/or request an ambulance or doctor to the location as necessary.*

4. Notify immediate supervisor regarding type of force used, reason force was used, and injury to any person involved, if applicable.
5. Document any use of force and/or injury in digital **Activity Log**.

IMMEDIATE SUPERVISOR

6. Review facts and circumstances surrounding incident, and provide pertinent details to desk officer.
7. Make prompt assessment of circumstances and determine level of force and/or type of injury for purposes of reporting and appropriate investigation required.
8. Establish crime scene for Level 3 and Level 4 force incidents as per *P.G. 212-04, "Crime Scene,"* if necessary.
9. Obtain and secure body-worn cameras from all members of the service who were on scene for Level 3 and Level 4 force incidents.
   a. Deliver body-worn cameras to Internal Affairs Bureau or Force Investigation Division ranking member on scene, as appropriate.
   b. Upload body-worn camera footage as directed by ranking member assigned to Internal Affairs Bureau.
10. Reserve **THREAT, RESISTANCE OR INJURY INCIDENT REPORT** number from Finest Online Records Management System, (FORMS) – T.R.I. application utilizing a Department mobile device for Level 1 incidents.
    a. Complete all mandatory fields.
    b. List all members of the service/subjects/civilians/bystanders involved.

NOTE *The immediate supervisor will be responsible for completion of all investigative steps for all Level 1 force incidents. For Level 2, 3, and 4 force incidents, the immediate supervisor will be guided by the investigating supervisor.*

11. Direct members involved to complete their **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** for every reportable use of force and subject or civilian injury being reported.
    a. If member is incapacitated, complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** using information known at the time.
    b. If an individual makes an allegation of force, but the member of the service claims that no force was used, or no member can be identified, prepare **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** using information known at the time.
12. Question subject(s) and/or civilians, non-members of the service or bystanders regarding possible injuries.
    a. Ensure that subjects who appear ill, injured, or emotionally disturbed obtain appropriate medical/psychiatric attention as per *P.G. 210-04, "Prisoners Requiring Medical/Psychiatric Treatment."*
13. Take digital photographs with Department issued smartphone of visible injuries to subject, civilian, non-member of the service or bystander, and member of the service, or any location where an injury is claimed, but not visible for all Level 1 force incidents.
    a. Photos should be taken in a manner to maintain privacy, when appropriate (e.g., behind curtain, private room, etc.).

IMMEDIATE SUPERVISOR (continued)

b. A member of the same sex should take photographs, when appropriate.
c. Photographs should be taken of any pre-existing injuries.
d. Upload digital photographs to **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** utilizing FORMS – T.R.I. application.

14. Interview witness(es), if available.
15. Review body-worn camera video of Level 1 force incidents to evaluate nature of event and actions of members involved.
16. Document which videos were viewed under the narrative caption of **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**.

NOTE *Immediate supervisors will be guided by the investigating supervisor (e.g., commanding officer, executive officer, duty captain) in regard to the viewing of body-worn camera footage for Level 2 incidents. Body-worn camera footage concerning Level 3 and 4 force incidents will not be viewed by the immediate supervisor. Immediate supervisors will safeguard body-worn cameras in connection to Level 3 and Level 4 force incidents and await direction from a ranking member on scene from either the Internal Affairs Bureau or Force Investigation Division.*

Immediate supervisors will also be guided by the investigating supervisor/unit regarding the capture of digital photographs of injuries resulting from Level 2, 3 and 4 force incidents.

17. Question involved member of the service regarding reason for using force and type of force used.
    a. Ensure that members who appear ill or injured receive medical attention, as needed.
18. Make determination as to whether force incident requires further investigation.
19. Notify desk officer, precinct/PSA/transit district of occurrence and provide details of incident, level of force used, and/or type of injury or illness.
    a. If level of force/nature of injury indicates that a Level 2, 3 or 4 investigation is required, request that desk officer notify appropriate unit/investigating supervisor.

NOTE *The Force Investigation Division will complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** and **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** for incidents in which a subject of police action, and/or a civilian, non-member of the service, or bystander is seriously injured and likely to die, or dies, while in police custody, during apprehension, or immediately prior to police custody (Level 4 force incidents). The Force Investigation Division will complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** for all firearms discharges. A supervisor assigned to the Force Investigation Division will ensure that each member of the service who discharges a firearm completes the corresponding **UNIFORMED MEMBER OF THE SERVICE REPORT OF FIREARMS DISCHARGE (PD324-140)** for the incident. In the event that a member of the service is physically incapacitated and unable to complete the report, the assigned investigators from the Force Investigation Division will complete the report. In all cases, the report must be completed within 48 hours of the incident. The Force Investigation Division will be responsible for electronic signoff of any reports prepared by their personnel.*

IMMEDIATE SUPERVISOR (continued)

20. Determine if there are any tactical recommendations, or creative approaches, that should be considered to improve safety or better resolve use of force incident, after consultation with involved member of the service and review of relevant documentation.
    a. Note recommendations in "Details of Incident" narrative section of **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** regarding ineffectiveness of tactics, or equipment (e.g., ineffective CEW, or CEW that fails to deploy).
21. Complete, and electronically sign-off, **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** for Level 1 incidents prior to completion of tour, unless exceptional circumstances exist.

DESK OFFICER PRECINCT/PSA /TRANSIT DISTRICT OF OCCURRENCE

22. Notify following for Level 2, 3, or 4 force incidents:
    a. Patrol borough command
    b. Operations Unit
    c. Internal Affairs Bureau Command Center
        (1) Obtain Internal Affairs Bureau log number and ensure it is entered in appropriate field of **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**
    d. Precinct detective squad, as appropriate
    e. Commanding officer/executive officer, if available.

PATROL BOROUGH COMMAND

23. Notify duty captain, if commanding officer/executive officer is not available for all Level 2, 3 and 4 force incidents.

OPERATIONS UNIT

24. Notify Force Investigation Division for all Level 4 force incidents.

DETECTIVE SQUAD SUPERVISOR/ MEMBER CONCERNED

25. Initiate investigation pending arrival of Force Investigation Division or Internal Affairs Bureau personnel, as appropriate for all Level 3 and 4 force incidents.
26. Conduct criminal investigation and enhance arrests any time a member of the service is the victim of a crime.
27. Process any prisoner that has assaulted a member of the service in accordance with *D.G. 502-30, "Electronic Recording of Custodial Interrogations."*

INVESTIGATING SUPERVISOR

28. Conduct investigation of reported Level 2, 3, or 4 force incident, and prepare **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**.
    a. Conduct canvass for witnesses and possible video of incident.
    b. Interview, as appropriate, and if available:
        (1) Subject(s)
        (2) Civilians/non-members of the service/bystander(s)
        (3) Witnesses.

INVESTIGATING SUPERVISOR (continued)

29. Review body-worn camera video(s) to evaluate nature of event and actions of members involved.
    a. Document which videos were viewed under appropriate fields of **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**.
30. Interview involved members of the service to assess whether use of force was necessary and reasonable, if applicable.
31. Ensure immediate supervisor has taken digital photographs of subject, civilian, non-member of the service or bystander, and member of the service with Department issued smartphone of visible injuries, including any location on the body where an injury is claimed, but not visible.
    a. Photos should be taken in a manner to maintain privacy, when appropriate (e.g., behind curtain, private room, etc.).
    b. A member of the same sex should take photographs, when appropriate.
    c. Photographs should be taken of any pre-existing injuries.
    d. Ensure that digital photographs of subject, civilian/non-member of the service or bystander and member of the service have been uploaded to **THREAT, RESISTANCE OR INJURY (T.R.I.)** folder utilizing FORMS – T.R.I. application.
32. Report findings and recommendations to Internal Affairs Bureau Command Center.

NOTE

*Only one **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** will be prepared for an incident, regardless of the number of members of the service involved, or number of subjects/civilians/bystanders involved.*

33. Review all **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORTS** prior to completion of tour.
    a. Electronically sign off on **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**.

COMMAND TRAINING SERGEANT

34. Review all **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORTS** and **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORTS** for command.
35. Identify recommendations from the immediate supervisor for creative, or innovative approaches/tactics to improve safety, or better resolve use of force incidents.
    a. Submit recommendations on a report on **Typed Letterhead** to precinct/PSA/transit district commanding officer, including all T.R.I. incident numbers corresponding to recommendations concerned.

COMMANDING OFFICER

36. Review all **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORTS** completed by members of command, by querying the FORMS – T.R.I. application.

COMMANDING OFFICER (continued)

a. Ensure use of force incidents, and/or type of injury/illness were properly documented, categorized and investigated on **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORTS**.

37. Review reports from command training sergeant for creative or innovative approaches/tactics to improve safety, or better resolve use of force incidents.

38. Submit report with recommendations to the Training Bureau for consideration and possible adaptation into Department's training curriculum.

BUREAU/ BOROUGH ADJUTANT

39. Be responsible for compliance and oversight of reporting and investigation requirements.

ADDITIONAL DATA

In addition to other required actions, members of the service receiving or becoming aware of allegations of unnecessary force will also comply with P.G. 207-28, "Processing Civilian Complaints."

If video of incident is identified, it should be retrieved and invoiced as investigatory evidence. If the immediate/investigating supervisor identifies video evidence, but is unable to retrieve it without risk of corruption, that supervisor should request the Internal Affairs Bureau Investigations Unit to assist in retrieving and invoicing the video. If video is available, but not accessible at time of investigation, the Internal Affairs Bureau Investigations Unit will be notified immediately. The notifying supervisor will inform the Internal Affairs Bureau Investigations Unit of the location of the video, and when the earliest opportunity to retrieve it will be.

THE FOLLOWING INCIDENTS ARE NOT REPORTABLE USES OF FORCE AND WILL NOT BE RECORDED ON A ***THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT*** *OR INVESTIGATED PURSUANT TO THIS PROCEDURE:*

a. Ordering a person to lie on the ground, guiding a person to the ground in a controlled manner, or the mere use of equipment (e.g., Velcro straps, polycarbonate shield, etc.) to restrain a subject, unless an injury is sustained

b. A subject or civilian/non-member of the service or bystander with a pre-existing illness or injury who requires treatment in a hospital emergency room shall be recorded as per P.G. 210-04, "Prisoners Requiring Medical/Psychiatric Treatment," or P.G. 216-01, "Aided Cases – General Procedure," as appropriate. This includes an emotionally disturbed person for whom the only condition being treated is as a result of the subject being emotionally disturbed. This procedure will be followed if a person alleges that a pre-existing illness or injury was aggravated or worsened by police action

c. Injuries that occur to a person while in the care and custody of another agency (e.g., Department of Correction, etc.)

d. Department vehicle collisions, unless:

(1) A person in police custody is injured or dies as a result of the Department vehicle collision (e.g., collision occurred while transporting a prisoner to court, etc.)

(2) Any person is injured, or dies, as a result of a Department vehicle pursuit

(3) Any person is injured, or dies, as a result of a member of the service attempting to stop a vehicle, or apprehend a suspect.

ADDITIONAL DATA (continued)

USE OF FORCE – SUPERVISORY REVIEW

FORCE INCIDENT LEVEL	***QUALIFYING CRITERIA***	***REVIEWING SUPERVISOR/ UNIT***
Level 1	• *Hand/Foot Strikes* • *Forcible Take-downs* • *Wrestling/Grappling* • *Discharge of O.C. Spray* • *Use of a Mesh Restraining Blanket* • *Discharge of a CEW in CARTRIDGE mode* • *Physical injury to a Subject/Civilian/Non-Member of the Service/Bystander resulting from police action.*	*Immediate Supervisor* *(if **not** involved in force incident)*
Level 2	• *Use of any object as an impact weapon* • *Police Canine Bite* • *Use or Discharge of a CEW in DRIVE STUN mode* • *Prohibited acts outlined in P.G. 221-01, "Force Guidelines" (excluding the alleged or suspected use of a chokehold, or prohibited method of restraint, or those that result in a serious physical injury, or those related to the discharge of a firearm)* • *Alleged or Suspected Excessive Force (whether or not injury is apparent)* • *Attempted Suicide by a Prisoner, whether or not an injury is apparent (excluding incidents that result in serious physical injury)* • *Physical injury to a Subject/Civilian/Non-Member of the Service, Bystander consistent with application of Level 2 force that results in unconsciousness, loss of a tooth/teeth, or the application of stitches/staples.*	*Commanding Officer/Executive Officer/Duty Captain and Internal Affairs Bureau Investigations Unit*

ADDITIONAL DATA (continued)

Level 3	• *Force readily capable of causing death/serious injury (excluding a firearm discharge)* • *Alleged or suspected use of a chokehold or prohibited method of restraint* • *Alleged or Suspected Excessive Force (Serious Physical Injury)* • *Attempted Suicide by Prisoner (Serious Physical Injury)* • *Serious Physical Injury to a Subject/Civilian/Non-Member of the Service/Bystander resulting from police action.*	*Internal Affairs Bureau*
Level 4	• *ALL firearm discharges by UMOS* • *Any discharge of a UMOS's firearm fired by someone other than UMOS* • *Subject/Civilian/Non-Member of the Service/Bystander dies,* ***OR*** • *Seriously injured and Likely to Die.*	*Force Investigation Division*

RELATED PROCEDURES

Processing Civilian Complaints (P.G. 207-28)
Prisoners Requiring Medical/Psychiatric Treatment (P.G. 210-04)
Aided Cases General Procedure (P.G. 216-01)
Force Guidelines (P.G. 221-01)
Use of Force (P.G. 221-02)
Firearms Discharge by Uniformed Member of the Service (P.G. 221-04)
Person Dies or Sustains Injury and is Likely to Die in Police Custody or in Connection with Police Action (P.G. 221-05)
Member of the Service Subjected to Force While Performing Lawful Duty (P.G. 221-06)
Mentally Ill or Emotionally Disturbed Persons (P.G. 221-13)
Electronic Recording of Custodial Interrogations (D.G. 502-30)

FORMS AND REPORTS

THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT
THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT
UNIFORMED MEMBER OF THE SERVICE REPORT OF FIREARMS DISCHARGE (PD324-140)
Typed Letterhead

PURPOSE To record and evaluate incidents in which a uniformed member of the service's firearm is discharged by any person.

SCOPE A firearms discharge does not include a discharge during an authorized training session or while lawfully engaged in target practice or hunting. Additionally, it does not include a firearms discharge into a firearms safety station within a New York City Police Department facility, Department of Correction facility or Health and Hospitals Corporation facility.

PROCEDURE When a firearm belonging to the Department, or belonging to, or in possession of, a uniformed member of the service is discharged by any person, either on or off-duty:

UNIFORMED MEMBER OF THE SERVICE

1. Call for ambulance and render assistance to injured, if necessary.
2. Request patrol supervisor, precinct of occurrence and safeguard scene.
3. If firearm is discharged outside of New York City, notify local police authorities immediately, and Operations Unit within 6 hours of discharge.
4. Complete **UNIFORMED MEMBER OF THE SERVICE REPORT OF FIREARMS DISCHARGE (PD324-140)** within 48 hours of incident.

NOTE *Pursuant to the investigation of these incidents, investigating supervisors may use Department vehicles without obtaining prior permission, if responding outside the City but within the residence counties.*

PATROL SUPERVISOR

5. Respond to scene and assume command.
6. Assess if involved members have sustained injuries.
   a. Direct seriously injured members be transported to nearest trauma center.
   b. Direct members sustaining minor injuries (e.g., tinnitus, etc.) to be transported to nearest hospital after conferring with commanding officer/duty captain, if available.
7. Establish crime scene as per *P.G. 212-04, "Crime Scene."*

NOTE *The proper establishment and security of the crime scene is paramount to facilitate the investigation of the incident. In such, all involved vehicles (Department and private) must remain in their original positions at the time of the discharge. All precautions should be made not to alter their positions, which include doors that are ajar/closed.*

8. Inspect and secure firearms of members of the service involved for evidence of recent discharge.
9. Secure body worn cameras from all members of the service on scene at the time of incident.
10. Notify desk officer.

PATROL SUPERVISOR (continued)

11. Request the immediate response of precinct detective squad through desk officer.
12. Perform duties of "immediate supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*

DESK OFFICER

13. Notify precinct/police service area/transit district commanding officer/ executive officer, Operations Unit, patrol borough command, Internal Affairs Bureau Command Center and precinct detective squad, without waiting for details.
    a. Ensure a supervisor is responding directly to hospital where injured member is receiving treatment.

PATROL BOROUGH COMMAND

14. Notify duty captain and duty inspector.

OPERATIONS UNIT

15. Notify duty chief and Force Investigation Division (FID).

COMMANDING OFFICER/ EXECUTIVE OFFICER/DUTY CAPTAIN

16. Respond to scene, confer with ranking supervisors, and assume command.
17. Confer with patrol supervisor, if on scene, prior to transportation of injured member, and direct injured member be transported to nearest trauma center/hospital, as appropriate.

DETECTIVE SQUAD MEMBER

18. Immediately respond to scene, confer with ranking supervisors, and assume command of investigation.
    a. Ensure crime scene is properly established and make adjustments to the size of crime scene, if necessary.
    b. Ascertain and secure witness(es) and video, if available.
    c. Transition all investigative steps taken to FID personnel upon arrival.

NOTE *The FID supervisor will coordinate the transition of investigation with the precinct detective squad supervisor. The FID is responsible for all aspects of the firearms discharge investigation, including the identifying, arrest processing, debriefing and enhancement of all suspects. Until arrival of FID supervisor, the highest ranking member of the Detective Bureau will be in command of investigation.*

First Platoon Response: The FID Night Watch Team will lead the investigation with the assistance of the Detective Borough Night Watch Team and Internal Affairs Bureau (IAB) Group 9. Once FID resources are on the scene and operational, all investigative responsibilities will be transferred to FID.

DUTY INSPECTOR/ DUTY CHIEF

19. Respond to scene, confer with ranking supervisors, and assume command.

FORCE INVESTIGATION DIVISION SUPERVISOR

20. Respond to scene, confer with detective squad supervisor and ranking patrol executives and assume command of investigation.
21. Perform duties of "investigating supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action"* and:
    a. Complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** and **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTON REPORTS**
    b. Sign-off on pending **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORTS** prepared by FID personnel.
    c. Ensure **UNIFORMED MEMBER OF THE SERVICE REPORT OF FIREARMS DISCHARGE** is completed within 48 hours and included in case file, as required.
22. Prepare **UNIFORMED MEMBER OF THE SERVICE REPORT OF FIREARMS DISCHARGE**, if discharging member is incapacitated.
23. Conduct investigative debriefing with all investigative units on scene to:
    a. Review investigative steps taken,
    b. Develop an investigative plan, and
    c. Direct and coordinate all investigative activity.
24. Request the assistance of personnel assigned to:
    a. Detective Bureau,
    b. Internal Affairs Bureau,
    c. Deputy Commissioner, Public Information,
    d. Community Affairs Bureau, and
    e. Deputy Commissioner, Legal Matters, etc., when appropriate.
25. Notify appropriate prosecutorial agency (e.g., District Attorney's Office, New York State Attorney General's Office, etc.) in all shooting cases.
    a. Confer with representative of prosecutorial agency with jurisdiction over incident, before interviewing uniformed member(s) of the service.
26. Notify Commanding Officer, Force Investigation Division, if unresolved issues with a prosecutorial agency exist.
27. Interview:
    a. Witnesses
    b. Other persons involved
    c. Uniformed member of the service concerned, if appropriate.
28. Ensure patrol supervisor inspected firearms for evidence of recent discharge.
    a. Have Firearms Analysis Section notified if firearm was discharged.

FORCE INVESTIGATION DIVISION MEMBER

29. Supply discharging member with a temporary replacement firearm, if required.
30. Transport discharged firearm to Firearms Analysis Section.

BUREAU CHIEF/ DEPUTY COMMISSIONER CONCERNED

31. Assign uniformed member(s) of the service involved, temporarily, to patrol borough office of assignment, or counterpart, for a minimum of three consecutive scheduled tours (exclusive of sick time or regular days off), if firearms discharge causes death or injury.
32. Notify Operations Unit, patrol borough command and command of assignment, of details of investigation and temporary assignment of uniformed member concerned, if such assignment was made.

COMMANDING OFFICER, FORCE INVESTIGATION DIVISION

33. Prepare an initial report on **Typed Letterhead**, upon completion of firearms discharge investigation, addressed to First Deputy Commissioner, as per the *Force Investigation Division Manual*.
    a. Include findings as to whether firearms discharge was <u>within</u> or <u>outside</u> Department guidelines, and whether the tactics used by the involved members of the service were consistent with Department guidelines, if investigation is completed, and
    b. Include findings as to whether other actions related to the event were within or outside guidelines, and
    c. Include any recommendations that may improve Department policy and/or training, and
    d. Include any recommendations, as per the following schedule:
        (1) FINDINGS
            (a) Intentional discharge - no violation of Department firearms guidelines
            (b) Intentional discharge - violation of Department guidelines
            (c) Unintentional discharge - violation
            (d) Unintentional discharge - no violation.
        (2) RECOMMENDATIONS
            (a) No corrective action to be taken
            (b) Member concerned to review the law and instructions
            (c) Member concerned to have additional firearms instructions
            (d) Retraining in tactics re: _____
            (e) Current assignment of member be reviewed
            (f) Other (Command Discipline, Charges and Specifications, etc.) re: _____ .

NOTE *In many cases the investigating supervisor's determination about the shooting being "within/outside" the Department's guidelines will be reserved for the future when the investigation is completed (e.g., following the interview of uniformed member concerned [see A.G. 318-11, "Interrogation of Members of the Service,"] presentation to grand jury, or completion of a criminal trial.) However, other co-relative decisions will not be postponed. For example, regarding behavior or violations of Department guidelines, immediate action will be taken when the member's behavior is unusual (e.g., refer to Psychological Services, if appropriate) or derelictions are uncovered (e.g., initiate disciplinary actions). These actions will be described in the initial report.*

COMMANDING OFFICER, FORCE INVESTIGATION DIVISION (continued)

34. Review and sign report.
    a. Forward original report with a copy to First Deputy Commissioner, with additional copies for:
        (1) Chief of Department,
        (2) Chief of Staff,
        (3) Deputy Commissioner, Strategic Initiatives,
        (4) Deputy Commissioner, Legal Matters,
        (5) Chief of Training,
        (6) Chief of Internal Affairs,
        (7) Chief of Detectives,
        (8) Chief of Patrol,
        (9) Chief of Personnel,
        (10) Chief of Transportation, if appropriate,
        (11) Chief of Housing, if appropriate,
        (12) Chief of Transit, if appropriate,
        (13) Chief of Community Affairs,
        (14) Patrol Borough Commander, and
        (15) Commanding officer, member concerned.

COMMANDING/ EXECUTIVE OFFICER OF MEMBER CONCERNED

35. Conduct assessment of uniformed member(s) concerned, after initial investigation is completed.
    a. Inquire about uniformed member's well-being.
    b. Offer any assistance deemed appropriate, including the services of the Counseling Services Unit, Family Assistance Section, Employee Assistance Unit (EAU) and Police Organization Providing Peer Assistance (POPPA).
36. Conduct a follow-up assessment of uniformed member concerned within twenty-four to forty-eight hours.
    a. Observe uniformed member's post trauma reaction.
    b. Repeat offer of the services of Counseling Services Unit, Family Assistance Section, Employee Assistance Unit (EAU), and Police Organization Providing Peer Assistance (POPPA).

BUREAU CHIEF/ DEPUTY COMMISSIONER CONCERNED

37. Prepare report on **Typed Letterhead**, after three working days, to First Deputy Commissioner, through channels, making recommendation regarding member of the service's temporary assignment.
    a. Recommend continuance or discontinuance, as appropriate.
    b. Note whether member has been interviewed by members of the Medical Division and attended the tactical briefing at the Firearms and Tactics Section.

NOTE *Uniformed member(s) of the service involved in such incidents will not be returned to permanent command without prior approval of the First Deputy Commissioner.*

COMMANDING OFFICER, FORCE INVESTIGATION DIVISION

38. Conduct a full investigative briefing for Police Commissioner for intentional discharge – adversarial conflicts, when directed.

39. Prepare a final report, on **Typed Letterhead**, addressed to the First Deputy Commissioner, upon completion of investigation and conferral with appropriate prosecutorial agency, as per *Force Investigation Division Manual*.
    a. Include, in final report, all information not available at the time of initial report, and:
        (1) Findings and recommendations,
        (2) Medical Examiner's report,
        (3) Ballistics report,
        (4) Department gunsmith's report (unintentional discharges),
        (5) Synopsis of uniformed member(s) statements,
        (6) Statement that Communications Section tapes were audited and are consistent or not consistent with uniformed member(s)/witnesses' statements,
        (7) Prosecutorial agency/grand jury findings, if applicable, and
        (8) Internal Affairs Bureau findings, if applicable.

COMMANDING OFFICER, OFFICE OF MANAGEMENT ANALYSIS AND PLANNING

40. Compile, with assistance of the Commanding Officer, Force Investigation Division, data on firearms discharges for each year, and include in annual **USE OF FORCE REPORT**, as required by the New York City Administrative Code and New York City Local Law 1 of 2009.

ADDITIONAL DATA

FIREARMS DISCHARGE BY UNIFORMED MEMBERS OF THE SERVICE

If a person is killed as a direct result of police action, the uniformed member of the service involved will not be assigned to identify the body at the morgue. Another uniformed member of the service, who can identify the body, will be assigned.

*While a firearms discharge into a safety station within a New York City Police Department facility, Department of Correction facility, or Health and Hospital Corporation facility is not considered a firearm discharge, it does require a report on **Typed Letterhead** by the uniformed member's commanding officer to the Police Academy, Firearms and Tactics Section outlining circumstances of the discharge. A **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** will not be completed in these instances.*

All uniformed members of the service who discharge a firearm, on or off duty, at other than an approved firing range or while lawfully engaged in target practice or hunting, will attend a tactics review session conducted by the Firearms and Tactics Section. The dates, times, locations, required equipment, and other provisions governing the review sessions will be the subject of a yearly Department directive.

RELATED PROCEDURES

Crime Scene (P.G. 212-04)
Reporting and Investigation of Force Incident or Injury to Persons During Police Action (P.G. 221-03)
Line of Duty Injury or Death (A.G. 330-03)
Trauma Counseling Program (A.G. 330-07)

FORMS AND REPORTS

THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT
THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT
UNIFORMED MEMBER OF THE SERVICE REPORT OF FIREARMS DISCHARGE (PD324-140)
USE OF FORCE REPORT
Typed Letterhead

NYPD

PURPOSE To establish command responsibility and notification requirements when a person dies, is seriously injured and likely to die in police custody or immediately prior to custody.

DEFINITIONS POLICE IN-CUSTODY DEATH OR PERSON IS LIKELY TO DIE - Any death or serious injury and the person is likely to die while in police custody including the following:

a. Police force or restraint may be a factor in death
b. Suicide (e.g., prisoner dies by suicide in holding cell)
c. Accidental (e.g., drug overdose or reaction to medicine)
d. Apparent natural causes (e.g., heart failure, asthma attack, or other natural causes).

POLICE PRE-CUSTODY DEATH OR PERSON IS LIKELY TO DIE - Any death or serious injury and the person is likely to die that occurs immediately prior to or during apprehension, including the following:

a. Police use of force or restraint (e.g., police firearms discharge, etc.)
b. Suicide (e.g., barricaded subject dies by suicide, etc.)
c. Accidental (e.g., person falls from a building, killed in a vehicle accident while eluding police, etc.)
d. Apparent natural causes (e.g., heart failure, asthma attack, or other natural causes).

NOTE *The above examples are not all-inclusive and only represent the common types of incidents that may occur which may result in a subject's death.*

PROCEDURE When a person dies or is seriously injured and likely to die while in police custody or immediately prior to police custody:

UNIFORMED MEMBER OF THE SERVICE

1. Obtain medical attention for any person injured.
2. Safeguard possible crime scene.
3. Immediately request the response of patrol supervisor, precinct of occurrence.
   a. Notify patrol supervisor regarding type of force used, reason force was used, and injury to any person involved, if applicable.
4. Make every attempt to shield the body from public view if person dies, and it will not harm the integrity of the crime scene, if feasible.

PATROL SUPERVISOR

5. Respond to scene and assess situation.
6. Notify desk officer, precinct of occurrence.
7. Establish crime scene as per *P.G. 212-04, "Crime Scene,"* if necessary.

PATROL SUPERVISOR (continued)

8. Perform duties of "immediate supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*
   a. Ensure that a **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** is completed.

DESK OFFICER

9. Make following notifications:
   a. Patrol Borough Command,
   b. Operations Unit,
   c. Internal Affairs Bureau, Command Center,
   d. Precinct detective squad, and
   e. Commanding officer/executive officer, if available.

OPERATIONS UNIT

10. Notify duty chief and Force Investigation Division (FID).

PATROL BOROUGH COMMAND

11. Notify duty inspector.
12. Notify duty captain, if commanding officer/executive officer is not available.

COMMANDING OFFICER/ EXECUTIVE OFFICER/ DUTY CAPTAIN/ DUTY INSPECTOR

13. Respond to scene, confer with ranking member on scene and assume command.
14. Confer with FID supervisor, Detective Bureau and Internal Affairs Bureau duty captain.

FORCE INVESTIGATION DIVISION SUPERVISOR

15. Perform duties of "investigating supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action"* and:
   a. Complete **THREAT RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT and THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT**
   b. Sign-off on pending **THREAT RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORTS** prepared by FID personnel.

DUTY CHIEF

16. Respond to scene and assume command.
17. Confer with Commanding Officer, Force Investigation Division, duty inspector, and commanding officer/executive officer/duty captain.

COMMANDING OFFICER, FORCE INVESTIGATION DIVISION

18. Respond to scene and assume command of investigation.
19. Confer with duty chief, duty inspector, and commanding officer/executive officer/duty captain.
20. Conduct investigative debriefing with all investigative units on scene to:
    a. Review investigative steps taken,
    b. Develop an investigative plan, and
    c. Direct and coordinate all investigative activity.
21. Prepare a report of the preliminary investigation on **Typed Letterhead**, addressed to the First Deputy Commissioner, with additional copies for:
    a. Police Commissioner,
    b. Chief of Department,
    c. Chief of Staff,
    d. Deputy Commissioner,Strategic Initiatives,
    e. Deputy Commissioner, Legal Matters,
    f. Intelligence and Counterterrorism Bureau,
    g. Chief of Internal Affairs,
    h. Commanding Officer, Professional Standards Division, and
    i. Chief of Detectives.
22. Evaluate member's duty status, after preliminary investigation.
23. Conduct full investigative briefing for Police Commissioner, when directed.

NOTIFICATION TO NEXT OF KIN WHEN A PERSON DIES IN CONNECTION WITH POLICE ACTION

PATROL BOROUGH COMMANDER/ DESIGNEE

24. Confer with Commanding Officer, Force Investigation Division prior to contacting next of kin.
25. Ensure timely notification is made to next of kin in cases where a person dies in police custody.
    a. Have a member of the Community Affairs Bureau assist with notification, if appropriate.
        (1) Notification should be made by a member in the rank of lieutenant or above.
    b. Have an investigator accompany member making notification, unless it is deemed inappropriate by patrol borough commander/designee and Commanding Officer, Force Investigation Division.
        (1) Notification will not be delayed an inordinate period of time pending availability of investigator.

NOTIFYING MEMBER

26. Notify next of kin upon approval from involved patrol borough commander/designee and Commanding Officer, Force Investigation Division.
    a. Notification should be made within a reasonable amount of time.
27. Notify Office of the First Deputy Commissioner and Office of the Chief of Department upon successful notification, and provide following details:
    a. Time of notification,
    b. Location of notification,

NOTIFYING MEMBER (continued)

c. Name of person notified,
d. All members of the service present, and
e. Any other pertinent information.

28. Enter details of notification in appropriate precinct, PSA or transit district Command Log.

ADDITIONAL DATA

DEPARTMENT POLICY

The Force Investigation Division is responsible for all investigations when a person dies or is likely to die while in police custody or immediately prior to police custody.

The Commanding Officer, Force Investigation Division may utilize investigators from other bureaus (e.g., Detective Bureau, Internal Affairs Bureau, etc.) to assist in the investigation (i.e., canvass for video, conduct interviews, etc.), as necessary.

When, in the course of an investigation (i.e., investigate DOA), a member of the Detective Bureau becomes aware that a death or serious injury was, or may have been in connection with a police action, the precinct/police service area/transit district commanding officer/duty captain, the Internal Affairs Bureau Command Center, and the Force Investigation Division will be immediately notified.

The New York State Correction Law Section 47(2) mandates that a report be made to the New York State Commission of Correction whenever a death occurs while a prisoner is in police custody while lodged in a detention or holding cell, being transported to the borough courthouse for arraignment after having been in a detention or holding cell, or at the hospital after having been lodged in a detention or holding cell. If a death occurs prior to a prisoner having been in a detention or holding cell, a notification to the New York State Commission of Correction is not necessary.

*Whenever a reportable death occurs while in custody, the Commanding Officer, Force Investigation Division will ensure the form entitled, "**Report of Inmate Death to State Commission of Correction (SCOC M187)**" is prepared. Only items "one through thirty-six" will be completed on the form. Whenever a question does not apply or an answer is not available, the letters "DNA" will be entered in the allotted space on the form. The FID supervisor will then fax the form directly to the New York State Commission of Correction within six hours of the death, and immediately follow-up with the New York State Commission of Correction to confirm receipt of the faxed copy of the **Report of Inmate Death to State Commission of Correction (SCOC M187)**. The Commanding Officer, Force Investigation Division will ensure the form is also mailed within ten days of the death to the New York State Commission of Correction, Attention: Medical Review Board.*

The Criminal Justice Bureau acts as the liaison between this Department and the New York State Commission of Correction. This includes, but is not limited to:

1. *Providing documents as requested, excluding documents regarding prisoner deaths in custody, and*
2. *Coordinating the inspections of detention cells, holding cells, and juvenile rooms by members of the New York State Commission of Correction.*

ADDITIONAL DATA (continued)

Documents regarding prisoner deaths in custody will be provided upon request to the New York State Commission of Correction by the Force Investigation Division, after consultation with the Legal Bureau.

All copies of documentation related to a prisoner death in custody, including the ***Report of Inmate Death to State Commission of Correction (SCOC M187)****, will be forwarded to the Criminal Justice Bureau, upon request.*

Any questions regarding the State Commission of Correction should be directed to the Criminal Justice Bureau.

RELATED PROCEDURES

Crime Scene (P.G. 212-04)
Use of Force (P.G. 221-02)
Force Guidelines (P.G. 221-01)
Reporting and of Force Incident or Injury to Persons During Police Action (P.G. 221-03)

FORMS AND REPORTS

THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT
THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT
Typed Letterhead
Report of Inmate Death to State Commission of Correction (SCOC M187)

PURPOSE To record and evaluate incidents when a member of the service is subjected to force while performing lawful duty, either on or off-duty, or auxiliary members that are subjected to force while on duty.

DEFINITIONS FORCE - When used against a member of the service, for the purpose of this procedure, is defined as any physical harassment, assault, reckless endangerment, or menacing, including shots fired at a member, the brandishing of a weapon directed at a member, and the throwing of items at members of the service, whether or not it resulted in injury.

ACTIVE RESISTING - Includes physically evasive movements to defeat a member of the service's attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

NOTE *A **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** will not be prepared when a subject merely verbally signals an intention to avoid or prevent being taken into or retained in custody.*

IMMEDIATE SUPERVISOR - An available supervisor, who was not involved in the incident, from the same command as member(s) of the service involved in use of force/injury incident. The immediate supervisor must be at least one rank higher than all involved members. If no supervisor in an appropriate rank is available, the duty captain will determine who will fulfill the role of immediate supervisor.

PROCEDURE When a member of the service is subjected to force while performing lawful duty, or sustains an injury that results from attempting to apprehend a subject or control an individual or individuals, or encounters active resistance from a subject, either on or off-duty:

MEMBER OF THE SERVICE

1. Take appropriate action to stabilize situation and/or apprehend perpetrators.
2. Obtain medical attention for any person injured.
3. Request response of immediate supervisor.
4. Make appropriate entry in digital **Activity Log**.
5. Complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** prior to completion of tour, unless exceptional circumstances exist.

NOTE *Each incident will be assigned one Threat, Resistance or Injury (T.R.I.) incident number in the FORMS – T.R.I. application, regardless of the number of members of the service involved, or the number of subjects or civilians involved.*

IMMEDIATE SUPERVISOR

6. Respond to scene and conduct preliminary investigation.

NOTE *Immediate supervisors must distinguish between an injury that results from a member being subjected to force, or is sustained while attempting to apprehend a subject, rather than an injury sustained during other police operations. Supervisors will be guided by A.G. 330-03, "Line of Duty Injury or Death" rather than this procedure, in the latter circumstance.*

7. Notify desk officer of facts.
   a. If member is seriously injured or dies, or removed to a hospital for medical treatment, request the desk officer to notify the commanding officer/executive officer or the patrol borough command to request the duty captain to respond, if commanding officer/executive officer is not available.
8. Notify precinct detective squad to respond and investigate, if there are any outstanding suspects or further investigation is required.
9. Ensure **COMPLAINT REPORT (PD313-152)** is prepared for offense committed against member, and/or additional charge is added to an arrested subject's **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**.
10. Ensure that **Line of Duty Injury Report** is completed by designated supervisor(s), and ensure duties are performed as per *A.G. 330-03, "Line of Duty Injury or Death."*
11. Perform duties of "immediate supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action,"* as appropriate.

NOTE *If a member of the service sustains a serious injury, is likely to die, or dies, the commanding officer/executive officer/duty captain will assume control of the situation and ensure all responsibilities of the immediate supervisor are completed.*

Injuries sustained by members of the service are independent of the criteria used to categorize a force incident as outlined in P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action,"(e.g., level 1 force incident, level 2 force incident, etc.). Force incident levels, as found in P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action," will not be applied to injuries sustained by members of the service. Instead, this procedure, along with A.G. 330-03, "Line of Duty Injury or Death" will be adhered to regarding the determination of the appropriate investigating supervisor.

12. Prepare **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** and recommend appropriate follow-up, as necessary.
13. Instruct members involved to complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** for every subject/civilian interaction being reported.

IMMEDIATE SUPERVISOR (continued)

a. If member is incapacitated, complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** using information known at time.

14. Make digital **Activity Log** entry of details of the incident including **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** number (once obtained).

DESK OFFICER

15. Ensure arresting officer charges defendant with appropriate below listed charges when force is used against member of the service:
    a. Resisting Arrest (Section 205.30, Penal Law),
    b. Assault 2nd degree (Section 120.05, Penal Law, sub.3),
    c. Assault on a Peace Officer, Police Officer, Fireman, or Emergency Medical Services Professional (Section 120.08, Penal Law), or
    d. Aggravated Assault Upon a Police Officer or a Peace Officer (Section 120.11, Penal Law).
16. Have criminal history check completed for every prisoner arrested for the above charges.
    a. If prisoner has been arrested for any charge listed in step "15" more than once within the past five years (i.e., a prisoner arrested for the second time within five years for any charge listed in step "15"), the prisoner shall be deemed a "Resisting Recidivist."
        (1) Request detective squad supervisor to enhance arrest, interview subjects, and canvass for video and witnesses.
17. Notify commanding officer/duty captain and patrol borough command without waiting for details, if member is seriously injured, or removed to a hospital for medical treatment.

DETECTIVE SQUAD SUPERVISOR

18. Ensure detective squad members are performing duties related to enhancing arrests, interviewing subjects, and canvassing for video and witnesses.
    a. Ensure all arrests involving a "Resisting Recidivist" are enhanced by the precinct detective squad and that the District Attorney's Office puts forth all efforts towards a successful prosecution.
    b. Process any prisoner that has assaulted a member of the service in accordance with *D.G. 502-30, "Electronic Recording of Custodial Interrogations."*

COMMANDING OFFICER/ EXECUTIVE OFFICER/ DUTY CAPTAIN

19. Respond and conduct an investigation, if member sustains a serious physical injury, is likely to die, or dies.

NOTE

If the member of the service's injury or death is related to a force incident, as per P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action," the "investigating supervisor," as defined in that procedure, will conduct the force investigation concurrently with the supervisor designated to investigate the member's injury as per this procedure.

COMMANDING OFFICER/ EXECUTIVE OFFICER/DUTY CAPTAIN (continued)

20. Ensure **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** and **Line of Duty Injury Report** are properly prepared.
21. Ensure detective squad members are performing duties related to enhancing arrests, interviewing subjects, and canvassing for video and witnesses.

DESK OFFICER

22. Notify commanding officer/executive officer/duty captain, if Assistant District Attorney refuses to charge defendant as determined by investigation.

COMMANDING OFFICER/ EXECUTIVE OFFICER/ DUTY CAPTAIN

23. Confer with desk officer/immediate supervisor.
    a. If not satisfied with resolution of the matter, notify the Deputy Commissioner, Legal Matters.
        (1) The Deputy Commissioner, Legal Matters may be contacted directly, Monday through Friday, 0700 to 2300 hours.
        (2) During midnight tours and on weekends, the Deputy Commissioner, Legal Matters may be contacted through the Operations Division.
    b. Document all conferrals in Telephone Record.
24. Prepare report on **Typed Letterhead**, addressed to First Deputy Commissioner, if member is seriously injured or dies, including the nature of injury and charges filed, if any.
    a. Forward copies of report, through channels.
    b. Forward copies of report to the involved member's commanding officer, if necessary.

IF MEMBER OF THE SERVICE WAS ASSAULTED

COMMANDING OFFICER OF ARRESTING OFFICER

25. Follow-up with arresting officer and Assistant District Attorney regarding the status of case.
26. Confer with a supervisory District Attorney regarding the matter, if the District Attorney's Office inappropriately declines to prosecute the charges, or the charges are reduced or dismissed inappropriately at subsequent hearings.
    a. Ensure a notification is made to the Deputy Commissioner, Legal Matters.

ADDITIONAL DATA

*The **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** is the primary method used by the Department to gather intelligence information regarding subjects who actively resist custody and incidents that are life threatening for members of the service. The effectiveness of tactics training in identifying dangerous new criminal practices and in promoting best practices by members depends upon the accuracy and completeness of these reports.*

RELATED PROCEDURES

Line of Duty Injury or Death (A.G. 330-03)
Arrests – General Processing (P.G. 208-03)
Force Guidelines (P.G. 221-01)
Use of Force (P.G. 221-02)
Reporting and Investigation of Force Incident or Injury to Persons During Police Action (P.G. 221-03)
Electronic Recording of Custodial Interrogations (D.G. 502-30)

FORMS AND REPORTS

ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
COMPLAINT REPORT (PD313-152)
THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT
THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT
Typed Letterhead

NYPD

PURPOSE To inform uniformed members of the service of circumstances under which Oleoresin Capsicum (O.C.) pepper spray may be intentionally discharged and to record instances where O.C. pepper spray has been discharged, intentionally or unintentionally.

SCOPE Use of O.C. pepper spray constitutes physical force under the New York State Penal Law. Use of O.C. pepper spray is proper when used in accordance with Article 35 of the Penal Law and Department procedures. O.C. pepper spray may be used to gain or maintain control of persons who are actively resisting arrest or lawful custody or exhibiting active aggression, or to prevent individuals from physically injuring themselves, members of the service, or other persons. O.C. pepper spray may be used in arrest or custodial restraint situations where physical presence and/or verbal commands have not been, or would not be, effective in overcoming physical resistance. O.C. pepper spray shall not be used in situations that do not require the use of physical force.

In many cases, O.C. pepper spray will reduce or eliminate the need for physical force to effect an arrest or gain custody. It will often reduce the potential for injuries to members and suspects that may result from physical restraint and it should be regarded as a possible alternative to such force and restraint, where practical.

DEFINITIONS PASSIVE RESISTANCE – Minimal physical action to prevent a member from performing their lawful duty. For example, a subject failing to comply with a lawful command and stands motionless and/or a subject going limp when being taken into custody.

ACTIVE RESISTING – Includes physically evasive movements to defeat a member of the service's attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

ACTIVE AGGRESSION – Threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

PROCEDURE When necessary to use O.C. pepper spray device:

NOTE *In an effort to gain voluntary compliance, members of the service should advise the offender that O.C. pepper spray will be used to handcuff/restrain him/her before applying such force, if feasible.*

UNIFORMED MEMBER OF THE SERVICE

1. Hold O.C. pepper spray in an upright position, aim and discharge O.C. pepper spray into a subject's eyes for maximum effectiveness, using two, one second bursts, at a minimum distance of three feet, and only in situations when the uniformed member of the service reasonably believes that it is necessary to:
   a. Gain or maintain control of persons who are actively resisting arrest or lawful custody or exhibiting active aggression
   b. Prevent individuals from physically injuring themselves, members of the service, or other persons
   c. Establish physical control of a subject attempting to flee from arrest or custody
   d. Establish physical control of an emotionally disturbed person (EDP)
   e. Control a dangerous animal, by deterring an attack, to prevent injury to persons or animals present.
2. Effect arrest of criminal suspect against who O.C. pepper spray was used and charge with crime which initiated use of the O.C. pepper spray.
   a. Add resisting arrest charge, when appropriate.
   b. Comply with *P.G. 210-13, "Release Of Prisoners - General Procedure,"* if it is determined that arrested person did not commit the crime or that no crime was committed.
   c. Comply with *P.G. 221-13, "Mentally Ill Or Emotionally Disturbed Persons*," when appropriate.

NOTE

Do not use O.C. pepper spray on subjects who passively resist (i.e., minimal physical action to prevent a member from performing their lawful duty). If possible, avoid using O.C. pepper spray on persons who appear to be in frail health, young children, women believed to be pregnant, or persons with known respiratory conditions. Avoid discharging O.C. pepper spray indiscriminately over a large area for disorder control. (Members who are specifically trained in the use of O.C. pepper spray for disorder control may use O.C. pepper spray in accordance with their training, and within Department guidelines, and as directed by supervisors.). In addition, avoid using O.C. pepper spray in small contained areas such as automobiles and closets.

3. Request response of Emergency Medical Service (EMS) once the situation is under control.
   a. Advise person sprayed that EMS is responding.
4. Remove the subject from the contaminated area and expose to fresh air while awaiting the arrival of EMS, or transportation to hospital/ stationhouse, if tactically feasible.
   a. Determine whether the person sprayed is wearing contact lenses. (It is strongly recommended that contact lenses be removed as soon as possible after exposure to O.C. pepper spray.)
5. Position subject on their or in a sitting position to promote free breathing.
   a. The subject should never be maintained or transported in a face down position.
   b. Sitting, kneeling, or standing on the chest or back of a subject in a manner that compresses the diaphragm, thereby reducing the subject's ability to breathe, is strictly prohibited.

UNIFORMED MEMBER OF THE SERVICE (continued)

6. Provide assistance to subject as follows:
   a. When consistent with member's safety, and provided a source of water is readily available, the uniformed member should flush the contaminated skin area of a subject with profuse amounts of water
   b. Repeat flushing at short intervals, if necessary, until symptoms of distress subside
   c. Continue flushing the contaminated skin of the subject in custody at the stationhouse, as needed
   d. Commence the flushing of a subject's contaminated skin upon arrival at the stationhouse, if this has not already been done.

NOTE

Do not rub or touch skin of contaminated person, as the initial effect of O.C. pepper spray does not dissipate for 15-30 minutes. Also, do not use salves, creams, ointments, commercial eyewashes or bandages.

7. Transport prisoner immediately to the emergency room of the nearest hospital if prisoner is demonstrating difficulty breathing, or exhibiting signs of severe stress, hyperventilation, etc.
   a. Windows of transport vehicle should be kept open.
   b. A member who comes into contact with a person who has been exposed to O.C. pepper spray must thoroughly wash their hands afterward and avoid having any contaminated clothing make contact with their face.
   c. Advise hospital staff that O.C. pepper spray has been used on prisoner/EDP.
8. Prepare **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)** and **MEDICAL TREATMENT OF PRISONER (PD244-150)** in arrest situations.
9. Complete the **AIDED REPORT** in non-arrest situations (e.g., EDP) and:
   a. Check box "O.C. Spray Used"
   b. List the time, doctor's name, and diagnosis under "Details" caption, when applicable.
10. Notify immediate supervisor regarding the use of O.C. pepper spray.
11. Complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT**, and comply with *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*

IMMEDIATE SUPERVISOR

12. Perform duties of the "immediate supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*

DESK OFFICER

13. Ensure prisoners who have been sprayed with O.C. pepper spray receive appropriate first aid, if needed, upon arrival at stationhouse.
14. Ensure prisoners who have been sprayed with O.C. pepper spray are properly observed throughout the arrest process, and that they receive prompt medical attention if they need or request it.

DESK OFFICER (continued)

15. Make Command Log entry stating whether the prisoner has had their skin flushed with water, been examined by EMS, or been transported to the hospital.

COMMANDING OFFICER, FIREARMS AND TACTICS SECTION

16. Analyze situations where O.C. pepper spray was utilized to evaluate its effectiveness.
    a. As appropriate, modify existing training/tactics relative to the use of O.C. pepper spray.
17. Compile a list of O.C. pepper spray usage on a monthly basis and forward a report on usage to the First Deputy Commissioner (through channels).
18. Incorporate relevant information into tactical training.

ADDITIONAL DATA

The only O.C. pepper spray authorized for use is the type issued to all uniformed members through the Firearms and Tactics Section.

Both stream and gel O.C. pepper spray solutions are contained in a bag within a metal canister. This allows spraying from any angle without necessity to shake and mic the solution. Stream O.C. pepper spray canisters contain approximately ten one-second bursts and should be replaced when half empty, or after five one-second bursts. Gel O.C. pepper spray canisters contain approximately eight one-second burst and should be replaced when half empty, or after four one-second bursts.

O.C. pepper spray will not automatically stop all subjects, and even when it does incapacitate, the effects are temporary. Members should therefore be ready to use other appropriate force options and tactics.

When performing duty in uniform, the O.C. pepper spray shall be carried in its holster attached to the non-shooting side of the gun belt. When performing enforcement duty in civilian clothes the O.C. pepper spray must be carried in the holster attached either to a belt or in another appropriate manner. Undercover members may opt not to carry the O.C. pepper spray.

Members of the service may carry the O.C. pepper spray device during off duty hours.

PURPOSE To inform members of the service (MOS) of circumstances under which a Conducted Electrical Weapon (CEW) may be intentionally used and to record instances when a Conducted Electrical Weapon has been used.

NOTE *Uniformed members of the service will comply with Operations Order 30, series 2024, "Citywide Expansion of Axon Taser 7 Pilot Program" when trained on, and equipped with, an Axon Taser 7 CEW.*

SCOPE A Conducted Electrical Weapon (CEW) can be an effective means of subduing aggressive suspects and emotionally disturbed persons (EDPs). A CEW is classified as a less lethal device and is intended to augment and provide a greater margin of safety for MOS who might otherwise be forced to physically subdue a dangerous subject. The use of a CEW is classified as a significant intermediate use of force option such as O.C. pepper spray or impact techniques.

A CEW should only be used against persons who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other person(s) actually present. It will often reduce the potential for injuries to members and suspects that may result from physical restraint and should be regarded as a possible alternative to such force and restraint, where practical. It is prohibited to use a CEW in situations that do not require the use of physical force.

DEFINITIONS CONDUCTED ELECTRICAL WEAPON (CEW) – A hand held device designed to use propelled wires and/or direct contact to conduct an electrical charge which primarily affects motor functions and/or the sensory nervous system.

SPARK TEST – The mandatory function check of a CEW issued by the desk officer or designated supervisor. CEWs must be unloaded (without a cartridge in the loading bay) when the test is performed. Upon assignment of a CEW, a spark test must be conducted into a firearms safety station that is under direct observation of a supervisor.

ACTIVATE (ACTIVATION) – To arm the CEW by releasing the safety. When the safety switch is shifted up, the laser and LED illuminators turn on (depending on illumination status), the Central Information Display (CID) will show the calculated percentage of battery life and the CEW will discharge when the trigger is depressed.

LASER WARNING – Pointing and placing the laser dot of an activated CEW on a subject in order to attempt to achieve voluntary compliance. When feasible, a verbal warning, consistent with personal safety, should be given to the intended subject in conjunction with a laser warning.

DEFINITIONS (continued)

DISCHARGE – Depression of a CEW's trigger resulting in the flow of an electric charge. A Discharge will result in arcing (no cartridge in loading bay) or probes being fired (cartridge is present).

WARNING ARC – The activation and discharge of a CEW with the cartridge removed that displays a visible and audible arcing of electricity between the front electrodes of the CEW. The purpose of a warning arc is to receive voluntary compliance from an intended subject. When feasible, and consistent with personal safety, a verbal warning should be issued to the intended subject in conjunction with a warning arc.

CARTRIDGE – Refers to the Department authorized extended probe cartridge, specifically for use with an approved Department CEW.

CARTRIDGE PROBES – Two barbed probes designed to penetrate the skin that are connected to copper clad steel, insulated from the replaceable cartridge attached to the loading bay of the CEW.

CARTRIDGE MODE/PROBE DEPLOYMENT – The primary mode of operation that utilizes compressed nitrogen gas to propel two probes on copper clad steel insulated wires from the replaceable cartridge attached to the front of the CEW.

DRIVE STUN – When the front electrodes on the CEW, or an expended cartridge attached to the front of the CEW, are brought into immediate, direct, or close proximity contact with a subject's body or clothing. The drive stun mode may be used to supplement the effectiveness of a close probe spread (Three Point Contact), or to complete the circuit in the event of a single probe contact, or as a countermeasure to gain separation between officers and the subject so that officers can consider another force option. Drive stun mode should not be the primary method of use unless exceptional circumstances exist.

ACTIVE RESISTING – Includes physically evasive movements to defeat a member of the service's attempt at control, including bracing, tensing, pushing, or verbally signalling an intention to avoid or prevent being taken into or retained in custody.

ACTIVE AGGRESSION – Threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

PASSIVE RESISTANCE – Minimal physical action to prevent a member from performing their lawful duty. For example, a subject failing to comply with a lawful command and stands motionless and/or a subject going limp when being taken into custody.

DEFINITIONS (continued)

CEW EFFECTIVENESS – Any immediate reaction, even if momentary, that causes a change in an actively aggressive subject's or emotionally disturbed person's physical actions and/or psychological behavior as the result of a pre-deployment verbal warning, activation, laser warning, warning arc, or discharge of a CEW.

PROCEDURE

To provide for control, accountability, issuance, use, and investigation of the use of Conducted Electrical Weapons (CEWs):

COMMANDING OFFICER

1. Designate a secure area under the control of the desk officer or appropriate supervisor for the storage of all CEWs, cartridges, holsters, and batteries assigned to command.
2. Designate a location for the firearms safety station in an area where the desk officer is able to observe the loading/unloading of firearms and the performance of CEW spark tests.
3. Ensure availability, operability, and distribution of CEWs assigned to the command on all tours. All CEWs must be readily available behind the desk area.
4. Ensure that all supervisors performing patrol duties in the command are trained in the use of CEWs.
   a. ONLY authorized uniformed members of the service will be assigned to handle or carry CEWs.
5. Ensure that all unintentional discharges are recorded on a **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**.
6. Prepare a report on **Typed Letterhead** for all unintentional CEW discharges addressed to the Commanding Officer, Firearms and Tactics Section.
   a. Include the details, factors that contributed to the unintentional discharge, and the corrective/training measures that were taken as a result and forward as follows:
      i. Commanding Officer, Firearms and Tactics Section (original THROUGH CHANNELS)
      ii. Copy via email to [redacted].

NOTE

*When requesting a replacement or loaner CEW, replacement battery, cartridge, desk CEW or holsters, commanding officers are required to prepare and deliver a report on **Typed Letterhead** with item(s) needing replacement, to the Commanding Officer, Firearms and Tactics Section within 72 hours.*

*When requesting replacement cartridges that were unintentionally discharged, commanding officers shall deliver a report on **Typed Letterhead** addressed to the Commanding Officer, Firearms and Tactics Section and shall attach a copy of the related **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**.*

DESK OFFICER/ UNIT SUPERVISOR

7. Account for all CEWs and cartridges assigned to the command at the commencement of each tour.
   a. Make a Command Log entry, include serial numbers.
   b. Commands that do not maintain a Command Log will account for CEWs and cartridges in an appropriate Department log.
   c. Notify commanding officer if any CEW is found inoperable or defective.
   d. Ensure all CEWs are stored in desk holsters with the cartridge removed from the cartridge bay.
8. Assign CEWs to authorized uniformed members of the service at the commencement of each tour in priority order as follows:
   a. One operable CEW must be maintained at the desk.
   b. One operable CEW will be assigned to each uniformed and plainclothes supervisor performing patrol duty.
   c. One CEW should be assigned to an authorized UMOS in each RMP.
   d. One CEW should be assigned to an authorized UMOS per foot post location.
   e. Any remaining CEWs should be assigned to a second authorized UMOS in an RMP.

NOTE *Any CEW that becomes available during the tour of duty will be immediately reassigned using the priority listed above, issuing supervisors will ensure the exchange of CEWs between incoming and outgoing platoons does not interfere with adequate distribution. Operable CEWs should never remain unassigned if authorized UMOS on patrol remaining unequipped, unless those devices are being held for odd-tour personnel.*

9. Observe authorized uniformed member of the service perform mandatory spark test without a cartridge in the loading bay.
   a. CEW cartridges will not be issued until the mandatory spark test has been completed by the assigned member and observed by platoon commander, desk officer, or designated supervisor.
10. Assign primary CEW cartridge to authorized uniformed member of the service and observe its proper placement in the CEW cartridge bay.
11. Assign secondary CEW cartridge to authorized uniformed member of the service.

NOTE *CEWs will only be issued by the platoon commander, desk officer, or designated supervisor.*

A CEW may be assigned with a single cartridge while the replacement of a discharged cartridge is pending. If a CEW is assigned with a single cartridge in this manner, a command log entry will be made noting that the issued CEW is "pending cartridge replacement."

The command log entry must include the CEW serial number, T.R.I. incident number (if applicable), as well as the date and time the cartridge was discharged.

AUTHORIZED UNIFORMED MEMBER OF THE SERVICE

12. Indicate rank, name, shield number/tax number, as applicable, of assigned member(s) in the Command Log.
    a. Make entry on roll call, identifying member(s) assigned a CEW for tour by notating "CEW" next to the assigned member(s) name.
13. Notify commanding officer of the following circumstances:
    a. Any unintentional discharge of a CEW.
    b. Any instance in which a CEW is found to be inoperable or defective.
14. Be responsible for CEW while in your custody and control.
15. Carry CEW only when authorized by the Firearms and Tactics Section.
    a. CEW holster must be attached to the duty belt on the support side, opposite the firearm.
    b. Cross drawing of a CEW is prohibited.
    c. Emergency Service Unit members and canine handlers will carry CEW in a holster and in a manner approved by Commanding Officer, Firearms and Tactics Section.

NOTE *Only CEWs authorized by the Commanding Officer, Firearms and Tactics Section will be carried by members of the service. Carrying or use of any other unauthorized CEW may result in disciplinary action.*

MOS who have been issued a Department CEW holster are required to maintain their holster and replace it, at their own expense, when it is no longer serviceable. CEW holsters and belt clips are available for purchase at the Equipment Section.

16. Upon assignment of CEW, perform a full five (5) second spark test to ensure operability.
    a. Spark tests will only be performed into a firearms safety station, under the observation of a supervisor.
    b. The cartridge is not to be held in either hand, nor placed in the immediate vicinity of the safety station while performing the spark test.
    c. Notify desk officer/immediate supervisor if CEW has low battery percentage, a fault icon, or is inoperable.

NOTE *Unintentional discharges will occur if a cartridge is inserted into the CEW's cartridge bay while conducting a spark test or warning arc. Cartridges must be removed and secured away from the CEW prior to conducting a spark test. Unintentional discharges resulting in injuries may occur if a cartridge is left attached to the CEW while conducting a spark test.*

Members are reminded that the time, date, temperature, duration and remaining battery percentage are recorded in the CEW's internal memory. Therefore, whenever a CEW is discharged (including a spark test), such discharge must be recorded in the member's digital ***Activity Log****, Command Log, or other appropriate Department record.*

17. Upon completion of spark test, request cartridge from platoon commander/desk officer/designated supervisor.

AUTHORIZED UNIFORMED MEMBER OF THE SERVICE (continued)

18. Inspect and insert cartridge into CEW's cartridge bay and holster CEW.
    a. Ensure secondary cartridge is secured, as appropriate.
19. Make digital **Activity Log** entry and include:
    a. Results of inspection.
    b. Serial numbers of CEW and cartridge.
    c. Name of platoon commander/desk officer/designated supervisor notified if CEW is inoperable.
20. Upon completion of tour, return CEW, two cartridges, and Department holster to the desk officer.
    a. Do not return CEW holster if personally assigned.
    b. UMOS will not exchange a CEW with one another at the change of tours.

USE OF CONDUCTED ELECTRICAL WEAPON (CEW)

AUTHORIZED UNIFORMED MEMBER OF THE SERVICE

21. Assess situation and determine if use of a CEW would be appropriate.
22. Consider totality of circumstances when deciding the reasonable amount of force necessary to overcome resistance when effecting an arrest or when taking a mentally ill or emotionally disturbed person into custody. Some factors to consider when determining the appropriate use of force include, but are not limited to:
    a. The nature and severity of crime/circumstances,
    b. Actions taken by subject,
    c. Duration of action,
    d. Immediacy of perceived threat or harm to subject, members of the service, and/or bystanders,
    e. Whether the subject is actively resisting custody,
    f. Whether the subject is attempting to evade arrest by flight,
    g. Number of subjects in comparison to number of MOS,
    h. Size, age, and condition of subject in comparison to MOS,
    i. Subject's violent history, if known,
    j. Presence of hostile crowd or agitators, and/or
    k. Subject apparently under influence of a stimulant/narcotic which would affect pain tolerance or increase the likelihood of violence.

NOTE *CEWs should only be used against persons who are actively resisting, exhibiting active aggression or to prevent individuals from physically injuring themselves or other person(s) actually present. Members of the service are reminded of the availability of Emergency Service Unit.*

23. When feasible, issue an appropriate verbal warning, consistent with personal safety, to the intended subject and other members of the service present prior to discharging CEW.
    a. The verbal warning may be used in conjunction with laser/arc warnings in order to gain voluntary compliance and prevent the need to use force.

NOTE *The recommended point of aim is lower center mass for frontal discharges (below the chest) and below the neck area for discharges at a suspect's back. Avoid discharging at an individual's head, neck, and chest, if possible. When practical, discharge the CEW at the subject's back. The CEW should not be intentionally aimed at an individual's groin.*

Members should not intentionally discharge two CEWs simultaneously on a subject.

Fleeing should not be the sole justification for using a CEW against a subject. Members 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 a CEW on a fleeing subject. Members should use a CEW for one standard cycle (five seconds) while constantly assessing the situation to determine if subsequent cycles are necessary. Members should consider that exposure to the CEW for longer than fifteen seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious injury. All applications must be independently justifiable, and the risks should be weighed against other force options.

A CEW should never be used in CARTRIDGE or DRIVE STUN mode on a rear-cuffed prisoner.

It is strictly prohibited to use the CEW on persons as a form of coercion or punishment and on persons who passively resist (e.g., going limp, offering no active physical resistance).

The CEW should generally not be used on children, the elderly, obviously pregnant females, the frail, against subjects operating or riding on any moving device or vehicle (e.g., motorists, bicyclists, skateboarders) where the subject may fall while it is in motion or in situations where the subject may fall from an elevated surface.

The CEW should not be used when combustible gases or flammable liquids are present.

AUTHORIZED UNIFORMED MEMBER OF THE SERVICE (continued)

24. Restrain individual, and secure CEW.
    a. Effect arrest of criminal suspect against whom CEW was used.
    b. Comply with *P.G. 210-13, "Release of Prisoner – General Procedure,"* if arrested person did not commit the crime or no crime was committed.
    c. Comply with *P.G. 221-13, "Mentally Ill or Emotionally Disturbed Persons,"* when appropriate.
25. Request response of FDNY Emergency Medical Service (EMS), if person received a CEW discharge.
    a. Any person who has been struck by a CEW probe or who has had a CEW used on him or her in drive stun mode must be examined at a medical facility.
26. Render reasonable aid as necessary.
27. Break CEW cartridge wire by hand approximately four to six inches from probe, taking into account circumstances, including status of subject.
    a. Any probe that has penetrated the skin of any person will only be removed by medical personnel.

NOTE *If a CEW was discharged and the probe did not make any contact with subject (e.g., skin, clothing, etc.), the wire connecting probe to the cartridge may be broken by hand. The probe portion shall be disposed of in a "sharps" container and the spent cartridge may be disposed of in the trash and not invoiced. An investigation will still be conducted by the investigating supervisor regarding the use of the CEW.*

AUTHORIZED UNIFORMED MEMBER OF THE SERVICE (continued)

28. Safeguard CEW cartridge.

NOTE *Spent CEW cartridges used by Emergency Service Unit personnel will be safeguarded and invoiced, when appropriate, by command of record for subject on whom CEW was used.*

29. Notify immediate supervisor of any discharge or drive stun.

NOTE *As per P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action," when there is an incident that involves the discharge of a Conducted Electrical Weapon, the immediate supervisor must be in the next higher rank.*

30. Complete **THREAT, RESISTANCE OR INJURY (T.R.I.) INTERACTION REPORT** and comply with *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*

IMMEDIATE SUPERVISOR

31. Review facts and circumstances surrounding incident.
32. Notify desk officer, precinct of occurrence.
33. Assign member of the service to ride in body of ambulance with prisoner or aided.

ASSIGNED UNIFORMED MEMBER OF THE SERVICE

34. Inform hospital staff that a CEW has been used on the individual.
    a. Record name of person notified in digital **Activity Log**.
35. Prepare **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-150)** and **MEDICAL TREATMENT OF PRISONER (PD244-150)** in arrest situations.
36. Complete **AIDED REPORT** in non-arrest situations.
37. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141a)** for spent CEW cartridge.
    a. Spent cartridge used will be placed in a Plastic Security Envelope and delivered to desk officer.
    b. Ensure **PROPERTY CLERK INVOICE** number is documented on appropriate Department forms prepared.

NOTE *Probes will not be vouchered but should be disposed of in a "sharps" container by medical personnel. Members of the service should refrain from handling a probe that has been removed from a subject, as it is a contaminated sharp. Deployed CEW cartridges must be vouchered whenever one (or more) probes, or the electrodes of the cartridge (drive stun) come into contact with an individual.*

IMMEDIATE SUPERVISOR

38. Perform duties of "immediate supervisor" as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*
39. Take digital photographs of points of contact on subject's body resulting from CEW probes or drive stun.

IMMEDIATE SUPERVISOR (continued)

a. Photos should be taken in a manner to maintain privacy, when appropriate (e.g., behind curtain, private room, etc.).

b. After **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT** is entered into the FORMS – T.R.I. application, upload any digital photographs that were taken in connection.

40. Notify Firearms and Tactics Section:

a. Obtain "FTS CEW Log Number".

b. Enter "FTS CEW Log Number" and name of person notified in Telephone Record.

41. Deliver copies of reports prepared in connection with CEW usage to desk officer.

DESK OFFICER

42. Make required command log entries and notifications as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*

INVESTIGATING SUPERVISOR

43. Conduct investigation and prepare and forward report(s) as per *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*

a. Forward additional copy of report(s) to Commanding Officer, Firearm and Tactics Section (DIRECT).

NOTE

If during the course of the investigation data from the CEW is required to be downloaded, the Borough Investigations Unit will be notified.

COMMAND TRAINING SERGEANT

44. Ensure all UMOS that are responsible for unintentional discharges attend mandatory retraining sessions offered by the Firearms and Tactics Section.

a. UMOS must be scheduled to attend the "CEW Safe Handling Course" via the TACTICS system within five business days of an unintentional discharge.

COMMAND OPERATIONS COORDINATOR

45. Maintain an inventory file of all CEWs, cartridges, holsters and batteries assigned to command.

a. Conduct a monthly inspection of all equipment to ensure operability and availability.

i. Advise commanding officer of the results of inspection.

b. Prepare, quarterly, a CEW inventory report, and forward to appropriate bureau training coordinator upon completion.

c. If equipment is missing or unaccounted for, conduct an investigation as per *P.G. 219-20, "Loss or Theft of Department Property."*

46. Ensure all requests for replacement/loaner CEWs, and replacement batteries, cartridges, or Department holsters are delivered with applicable report(s) to the Firearms and Tactics Section (Rodmans Neck Outdoor Range) on the second platoon, within 72 hours.

COMMANDING OFFICER, FIREARMS AND TACTICS SECTION

47. Maintain a log /database for CEW usage.
48. Query FORMS – T.R.I. application to analyze the use of CEWs.
49. Compile data regarding use and effectiveness of CEWs used by members of the Department and forward monthly reports on usage to the First Deputy Commissioners (through channels).

FIRST DEPUTY COMMISSIONER

50. Incorporate relevant information into tactical training.
51. Review adequacy of investigations and appropriateness of CEW usage.

ADDITIONAL DATA

Any cartridge that has been discharged or damaged MUST be replaced within 72 hours.

CEWs will only be used by authorized uniformed members of the service. Additionally, all supervisors performing patrol duties are to carry a CEW, if available. CEWs should be carried in an authorized holster attached to the belt of members of the service performing patrol duty in uniform and should be available for use by members of the service performing patrol duty in civilian attire.

CEWs are not to be personally assigned to any MOS on a continual basis without authorization from Commanding Officer, Firearms and Tactics Section.

If a CEW has been seized for investigative purposes, it is the responsibility of the investigative unit to ensure a notification is made to the Commanding Officer, Firearms and Tactics Section. Commands which have had a CEW seized for investigative purposes will be responsible for retrieving the CEW upon the conclusion of the investigation.

PATROL GUIDE

Section: Tactical Operations		Procedure No: 221-09	
USE OF TEAR GAS			
DATE ISSUED: 06/01/16	DATE EFFECTIVE: 06/01/16	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To provide for the use of tear gas.

SCOPE Tear gas is an effective device when used judiciously in selected tactical situations. Its use by the Emergency Service Unit is designed to minimize, rather than increase, the potential for serious physical injury. However, such use carries with it the danger of physical injury or material damage regardless of the care exercised in its application. Therefore, it is imperative that measures be established for the judicious use of tear gas by members trained for this purpose while at the same time providing for the decontamination of those affected, whether civilian or police personnel.

PROCEDURE When circumstances indicate the use of tear gas may be warranted:

RANKING UNIFORMED MEMBER OF THE SERVICE AT SCENE

1. Notify radio dispatcher and request the following to respond to the scene:
   a. Precinct commander/duty captain
   b. Borough commander or designee
   c. Emergency Service REP Unit and truck
   d. Emergency Service Unit supervisor.

NOTE *The ultimate decision concerning use of tear gas rests with the patrol borough commander or designee. Technical decisions concerning amount of gas and method of application will be made by the ranking member of the Emergency Service Unit at the scene.*

BOROUGH COMMANDER/ DESIGNEE AND EMERGENCY SERVICE UNIT SUPERVISOR

2. Prior to use of tear gas, develop an operational plan to include, but not be limited to, the following:
   a. Establish a designated mobilization point.
   b. Station all police personnel not actively engaged in using the gas at a safe distance from its contaminating effects.
   c. Evacuation of all civilians from premises and away from areas likely to be affected by police operations, <u>if</u> such can be accomplished safely.
   d. Request Communications Section to direct the following to respond to the designated mobilization point and stand by thereat:
      (1) Fire Department company
      (2) Emergency Medical Service ambulance
      (3) Emergency Medical Service borough supervisor
      (4) Hazardous Material Decontamination Trailer and Support Vehicle
      (5) Department Patrol Wagon.

ADDITIONAL DATA *The use of tear gas generally will result in contamination of persons and clothing to varying degrees. Since tear gas adheres to clothing, persons exposed to the gas may contaminate others in their proximity. Therefore, <u>ALL</u> persons exposed to the gas should be isolated from public contact, if possible, and afforded necessary treatment, including medical evaluation, when indicated.*

ADDITIONAL DATA (continued)

First aid procedures call for the immediate removal of persons from the contaminated area to an open and upwind position. Eyes should be kept open and facing the wind and, if feasible, flushing the face, eyes and exposed skin with copious amounts of fresh, cool water is recommended. As noted above and if time allows, the Decontamination Trailer should be activated and brought to the mobilization point for this purpose. When the decision is made to use tear gas, the Decontamination Trailer should be made operative and positioned so that affected individuals can be decontaminated immediately. This method can be used to remove virtually all tear gas residue and should prevent unnecessary contamination of hospital emergency rooms if further treatment is necessary. Contaminated clothing should be removed at the scene, if practicable, and replaced by a disposable poly-laminated tyvex suit, supplied by the Emergency Medical Service, or, if unavailable, a loosely draped blanket. Tight clothing should not be worn. Contaminated clothing or uniforms should be thoroughly aired and washed with soap and water before being worn. Dry cleaning will NOT remove tear gas residue.

If discomfort persists, the person affected should be removed to a New York City hospital designated by the Emergency Medical Service supervisor on the scene for medical attention.

When a person contaminated with tear gas is seriously ill or injured and hospital treatment is indicated, the Emergency Medical Service borough supervisor will direct the ambulance crew to respond to the designated city hospital. As directed by the Emergency Medical Service borough supervisor, on-scene decontamination procedures should be performed to the extent that such are medically feasible. Emergency Medical Service supervisors will be responsible for establishing liaison with the designated hospital administrator or deputy. Members of the service will comply with the directions of the Emergency Medical Service supervisor PRIOR to entering the facility with contaminated persons. If immediate medical attention is necessary, the Emergency Medical Service supervisors may designate any nearby medical facility. The final determination on which medical facility to use rests with the Emergency Medical Service borough supervisor.

If the injured person being removed is under arrest, a uniformed member of the service will accompany the prisoner to the hospital. Patrol Guide procedure 210-04, "Prisoners Requiring Medical/Psychiatric Treatment" and related procedures will be complied with.

RELATED PROCEDURES

Aided Cases - General Procedure (P.G. 216-01)
Prisoners Requiring Medical/Psychiatric Treatment (P.G. 210-04)

PATROL GUIDE

Section: Tactical Operations		Procedure No: 221-10	
USE AND ISSUANCE OF SHOTGUNS/ LONG GUNS/AUTOMATIC WEAPONS			
DATE ISSUED: 08/28/19	DATE EFFECTIVE: 08/28/19	REVISION NUMBER:	PAGE: 1 of 4

PURPOSE To provide guidelines for the use of shotguns/long guns/automatic weapons and to maintain security and control the issuance of such weapons.

PROCEDURE When a uniformed member of the service is issued a shotgun/long gun/automatic weapon:

DEFINITION SPECIAL WEAPONS - Refers to shotguns/long guns/automatic weapons.

NOTE *The following guidelines are to be followed by all uniformed members of the service; however, more restrictive and/or specific guidelines may be imposed by a bureau chief, in addition to those listed below.*

DESK OFFICER

1. Maintain a log in a department record book, consisting of three sections, entitled "Special Weapons Record:"
   a. The first section, twenty pages labeled "QUALIFICATION SECTION," will be captioned on a single page as follows:

MEMBER'S RANK NAME	TAX REGISTRY NUMBER	DATE QUALIFIED	DATE QUALIFIED	DATE QUALIFIED

   b. The second section labeled "ISSUANCE SECTION" will be captioned, across a double page, as follows:

LEFT PAGE

DATE	TIME OUT	RANK	NAME	SIGNATURE	SHIELD NUMBER	CURRENT DATE QUALIFIED	REASON

RIGHT PAGE

SPECIAL WEAPON SERIAL NO.	SIGNATURE OF SUPERVISOR AUTHORIZING USE	TIME RETURNED	SIGNATURE OF VERIFYING SUPERVISOR

   c. Third section, last four pages labeled "MAINTENANCE SECTION" will be captioned across a double page, as follows:

LEFT PAGE

DATE RECEIVED SPECIAL WEAPON	SPECIAL WEAPON SERIAL NUMBER	DATE REMOVED FROM COMMAND	REASON	MOS SIGNATURE

RIGHT PAGE

SIGNATURE OF SUPERVISOR AUTHORIZING REMOVAL	DATE RETURNED	SIGNATURE OF SUPERVISOR VERIFYING RETURN OF SPECIAL WEAPON	DATE INSPECTED BY FIREARMS UNIT

NOTE *The Office of the Chief of Special Operations has separate guidelines for the issuance of special weapons.*

2. Have unissued special weapons stored in the locked gun cabinet.

NOTE *Special weapons should be wiped down and lubricated periodically by an authorized person at the command of issuance.*

DESK OFFICER (continued)

3. Verify that member concerned is currently qualified by the Department in the use of special weapons to be used.

NOTE *Under no circumstances will a special weapon be issued to, or handled by a member whose range qualifications are not current.*

4. Make required entries in "Special Weapons Record".
5. Issue special weapon to qualified member concerned.

NOTE *A shotgun is a mandated item of equipment when one officer sector patrol vehicles are utilized and for use by solo Highway District personnel.*

6. Make a Command Log entry at the beginning of each tour indicating the disposition of all special weapons assigned to command.

UNIFORMED MEMBER OF THE SERVICE

7. Make required entries in "Special Weapons Record".
8. Load/unload the special weapon at the safety station maintained at command.

NOTE *Uniformed members of the service shall only carry special weapons and ammunition authorized and issued by this Department while on duty.*

UNIFORMED MEMBER OF THE SERVICE ASSIGNED TO DESIGNATED SECTOR AS A SOLO UNIT:

UNIFORMED MEMBER OF THE SERVICE

9. Lock and secure windows, doors, and place shotgun in the locking device of RMP in all of the following situations:
   a. When leaving shotgun in an unoccupied vehicle
   b. When responding to a scene where other members are present, unless extraordinary circumstances dictate the need for shotgun.
10. Immediately return shotgun to precinct of issuance, if defective.

DESK OFFICER

11. Have defective shotguns/other special weapons delivered to Department Gunsmith at the Outdoor Range, for repairs or replacement, during the second platoon, Monday through Friday.
12. Notify patrol supervisor and Communications Section of any change in the status of a solo RMP unit.

NOTE *In all cases where a solo RMP unit, assigned to a designated sector, is converted to a solo SP10, solo summons unit or any other one or two officer unit, the shotgun must be immediately returned to the command.*

ADDITIONAL DATA

Uniformed members of the service should not unnecessarily display special weapons. Their use should be limited to those situations where the officer would ordinarily carry his firearm in his hand for the purpose of safety and the tactical situation indicates use of a special weapon clearly outweighs the use of the handgun. The actual use of the special weapon should only be in a situation where the circumstances spell out a potential case of justifiable use of deadly physical force, as a last resort after all other means have been exhausted. All provisions of the Patrol Guide and other Department directives regarding the use of firearms are also applicable use of special weapons.

The following additional guidelines regarding the issuance and utilization of special weapons for various Department units are to be complied with in addition to the preceding procedures:

DETECTIVE BUREAU:

Detective Bureau personnel shall utilize the special weapons and tactical expertise of Emergency Service personnel for pre-planned events. If there is insufficient time or other compelling factors are present, a captain or above may authorize the issuance of special weapons when all the following circumstances exist:

a. A tactical plan is formulated
b. It is a potential arrest situation
c. An arrest or search warrant has been issued.
d. There is a history of violence on the part of the perpetrator.

Special weapons may be issued when other circumstances would lead a reasonable person to believe that the use of special weapons would be prudent and necessary. A captain or above must accompany those members issued such weapons on their assignments and maintain firearms control. A captain or above will insure that all members are wearing a protective vest and the special weapon is unloaded, opened and encased while being transported to scene and upon conclusion of assignment. The special weapon will not be loaded until arrival at scene of incident. Special weapons shall not be used without the direction of the captain or above except in those situations which require immediate action to prevent serious bodily injury or death and then only if the lives of innocent people are not unnecessarily endangered.

When services of Emergency Service Unit are utilized in connection with a pre-planned tactical operation, only members of Emergency Service Unit will carry shotguns/special weapons.

EMERGENCY SERVICE UNIT/HARBOR UNIT:

The use of special weapons will be limited to specific instances as outlined below:

a. When a barricaded criminal, hostage taker or emotionally disturbed person possesses a firearm or the member has reasonable grounds to believe such person possesses a firearm.
b. When a hostage taker is armed with a weapon and is threatening the life of a hostage and it may become necessary to use deadly physical force to protect the life of the hostage.
c. When conducting searches for armed perpetrators or when it is believed such perpetrators are armed, including the executions of warrants.
d. When engaged in VIP escorts and protection.

ADDITIONAL DATA (continued)

e. When guarding dangerous criminals in conjunction with the New York City Department of Corrections.

f. When guarding payrolls, narcotics or weapons transfers.

g. When a captain or above deems a special weapon appropriate for the situation at hand.

h. When a spontaneous incident takes place which requires immediate action to prevent serious bodily injury or death, and then only if the lives of innocent people are not unnecessarily endangered.

i. Special weapons shall not be utilized in restraining an emotionally disturbed person unless the circumstances of sub-division "a" exist.

Authorized members of the service assigned to Highway Units can be issued special weapons under circumstances described in sub-divisions "d" and "e" above.

A special weapon is issued to a member for his own protection and will, as a general rule, only be employed in the defense of his own life, another officer's life, or the life of an innocent civilian.

Uniformed members of the service that have not been trained in specialized tactics utilized by Emergency Service Unit personnel should not be used as their replacements.

RELATED PROCEDURE

Firearms Discharge by Uniformed Members of the Service (P.G. 221-04)

NYPD

Section: Tactical Operations		Procedure No: 221-11	
GUIDELINES AND APPROVAL PROCESS PERTAINING TO THE USE OF DISTRACTION DEVICES			
DATE ISSUED: 01/13/21	DATE EFFECTIVE: 01/13/21	REVISION NUMBER:	PAGE: 1 of 2

1. A distraction device is a less lethal hand-held apparatus which generates startling sound and light energy when deployed into a confined area. Its purpose is to provide short-term tactical cover for officers making high risk tactical entries. These devices are less lethal and are only authorized for use by trained members of the Emergency Services Unit to minimize the risk of physical injuries to all persons present. Use of these devices may be considered during a search warrant execution tactical plan meeting, or may develop ad hoc at the scene of an emotionally disturbed person, a perpetrator search, etc. Circumstances which may support the use of these devices include but are not limited to; the possible presence of firearms, dangerous animals, known violent subjects, multiple subjects and/or the history of the location.

2. Effective immediately, distraction devices may only be utilized upon the specific approval of the Chief of Department. There are NO exceptions to this requirement.

3. A distraction device will not ordinarily be employed during search warrant executions or similar tactical entries, except in those situations where its use is clearly necessary. When the Captain or above concerned believes that ensuring the safety of all persons concerned requires the use of a distraction device, the following approval process will be adhered to:

4. Situations involving the execution of Search Warrants:

a. The Captain or above concerned will contact the Borough Executive Officer and request permission to utilize the device.

NOTE *If the Borough Executive Officer is unavailable, information will be forwarded to the Borough Commanding Officer. When exigent circumstances exist, the Duty Chief may be contacted for approval.*

b. Borough Executive Officer will review request and if he/she concurs, will confer with the Chief of Department for final approval.

NOTE *In those exigent circumstances involving the execution of search warrants, where conditions exist that would preclude the notification and approval process, the Captain or above contemplating the use of a distraction device will request the approval of the Chief of Department direct, via the Operations Unit.*

5. Situations involving emotionally disturbed person(s), perpetrator searches or other exigent circumstances:

a. The captain or above concerned will notify the Duty Inspector regarding the situation and request approval.

b. If the Duty Inspector concurs, he/she will request the approval of the citywide Duty Chief.

c. If the Duty Chief, after considering all available alternatives, agrees that the use of the device is necessary, he/she will contact the Chief of Department via Operations Unit for final approval of the use of a distraction device.

AT EVERY LEVEL, THE CIRCUMSTANCES SUPPORTING THE PROPOSED USE OF THIS DEVICE WILL BE EXAMINED AND ALL OTHER ALTERNATIVES WILL BE CONSIDERED BEFORE RECOMMENDING APPROVAL OF ITS USE.

A DISTRACTION DEVICE MAY NOT BE UTILIZED WITHOUT THE PRIOR DIRECT KNOWLEDGE AND APPROVAL OF THE CHIEF OF DEPARTMENT.

6. Upon conclusion of the incident during which a distraction device was used, the Captain concerned will notify the Emergency Service Unit (E.S.U.) Desk Officer and obtain a Distraction Device Utilization Control Number. He/she will prepare a ***Typed Letterhead*** report outlining the circumstances, which justified the use of this device and the names of all persons notified. This report will be forwarded through channels to the Chief of Department.

NYPD

PURPOSE To safeguard a mentally ill or emotionally disturbed person who does not voluntarily seek medical assistance.

SCOPE The primary duty of all members of the service is to preserve human life. The safety of all persons involved is paramount in cases involving emotionally disturbed persons. If such person is dangerous to himself or others, force may be used when it is reasonable to prevent serious physical injury or death. Members of the service will use only the reasonable force necessary to gain control or custody of a subject. When there is time to negotiate, all the time necessary to ensure the safety of all individuals will be used.

DEFINITIONS EMOTIONALLY DISTURBED PERSON (EDP) - A person who appears to be mentally ill or temporarily deranged and is conducting himself in a manner which a police officer reasonably believes is likely to result in serious injury to himself or others.

ESTABLISHING/MAINTAINING FIREARMS CONTROL – Uniformed members of the service (UMOS) will not discharge firearms against a person except to protect UMOS and/or the public from imminent serious physical injury or death. Utilize situational awareness to recognize and take immediate action to communicate and correct tactical concerns related to the use of firearms. Ensure muzzle and trigger finger discipline at all times. When possible, avoid crossfire situations and mass reflexive response while maintaining distance and cover from the threat(s).

CROSSFIRE – The unintentional placement of any person, including members of the service and bystanders, who are not the lawful subject of deadly physical force, in a position where they may be injured as the result of a firearms discharge. When faced with a threat of deadly physical force, members of the service must be cognizant of their own position and the position of other responding officers, the possibility that they may misidentify another member of the service or that they may be misidentified, and the possibility of mass reflexive response, and take all reasonable steps to mitigate these risks. Members of the service will not discharge a firearm when doing so will unnecessarily endanger innocent persons.

CROSSFIRE AWARENESS – Being aware of the location of a threat(s) and what is in front of, around, and behind it. Upon arrival at the scene of an incident, and throughout the encounter, UMOS should always attempt to take a position that limits the chances of placing themselves, other UMOS, or innocent bystanders in the line of fire. Upon becoming aware of crossfire circumstances, immediately communicate that awareness to other UMOS at the scene by stating "crossfire."

DEFINITIONS (continued)

ZONE OF SAFETY - The distance to be maintained between the EDP and the responding member(s) of the service. This distance should be greater than the effective range of the weapon (other than a firearm), and it may vary with each situation (e.g., type of weapon possessed, condition of EDP, surrounding area, etc.). A minimum distance of 20 feet is recommended. An attempt will be made to maintain the "zone of safety" if the EDP does not remain stationary.

PROCEDURE

When a uniformed member of the service reasonably believes that a person who is apparently mentally ill or emotionally disturbed, must be taken into protective custody because the person is conducting himself in a manner likely to result in a serious injury to himself or others:

UNIFORMED MEMBER OF THE SERVICE

1. Request "EDP location history" from dispatcher prior to arrival on scene, when responding to a call for service involving a possible EDP.
   a. Request "EDP location history" when receiving a pick-up of a possible EDP, if time allows.

NOTE *Communications Section will automatically alert responding units if location has prior EDP history that resulted in Emergency Service response and support.*

2. Request Communications Section to contact the complainant while enroute to location, if possible, to obtain additional information.
3. Transmit radio code signal "10-84" upon arrival on scene.

NOTE *A "10-84" requirement extends equally to patrol personnel, as well as, members assigned to specialty units (e.g., Emergency Service Unit [ESU], Hostage Negotiation Team [H.N.T.], Technical Assistance Response Unit [T.A.R.U.], etc.).*

4. Comply with *P.G. 212-123, "Use of Body-Worn Cameras,"* if assigned a Body-Worn Camera.
5. Carry three foot polycarbonate shield with door bag (door rope/door wedge) affixed, if available.
   a. Utilize for protection, as necessary.
6. Request and/or ensure the response of:
   a. Patrol supervisor
   b. Additional personnel/equipment (e.g., Emergency Service Unit, etc.), if necessary
   c. Ambulance.

NOTE *Communications Section will automatically direct the patrol supervisor and Emergency Service Unit to respond to scene in such cases.*

7. Assess situation as to threat of immediate serious physical injury to EDP, other persons present, or members of the service.

UNIFORMED MEMBER OF THE SERVICE (continued)

8. Attempt to gather information that will aid in tactical considerations (e.g., history of EDP, physical layout of location, individuals present, potential escape routes, etc.).
9. Attempt to slow the pace of the incident and establish dialogue with the EDP while awaiting arrival of specialized personnel, if necessary.
   a. When there is time to de-escalate, all time necessary to ensure the safety of all individuals concerned will be used. The safety and well-being of the EDP, as well as, all persons present is of paramount concern.
   b. Avoid any action which might agitate or provoke the EDP, if possible.
10. Attempt to isolate and contain the EDP while maintaining a zone of safety until arrival of patrol supervisor and Emergency Service Unit personnel.
   a. Utilize door rope or door wedge to isolate and contain EDP, when necessary and equipped.
      (1) Secure door with only one door rope at any given time using recommended girth hitch knot.
      (2) If another individual is present with EDP, door rope or door wedge should only be used in exigent circumstances.
      (3) Do not remove door rope or door wedge without authorization of uniformed supervisor at the scene or at direction of Emergency Service Unit personnel, unless exigent circumstances exist.

PATROL SUPERVISOR

11. Respond to location unless EDP has been removed from scene.
   a. If unavailable, another uniformed supervisor (e.g., platoon commander, etc.) will respond and assume control of situation.
   b. Respond to location even if a supervisor from another police agency is present.
12. Transmit radio code signal "10-84" upon arrival on scene.
13. Establish firearms control.
14. Verify that Emergency Service Unit is responding, if required.
   a. Cancel response of Emergency Service Unit if services not required.
      (1) Response of Emergency Service Unit may only be canceled by a uniformed supervisor in the rank of sergeant or above.

EDP'S ACTIONS CONSTITUTE IMMEDIATE THREAT OF SERIOUS PHYSICAL INJURY OR DEATH TO THEMSELVES OR OTHERS:

UNIFORMED MEMBER OF THE SERVICE

15. Take reasonable measures to terminate or prevent such behavior.
   a. Deadly physical force will be used only as a last resort to protect the life of persons or officers present.

UNIFORMED MEMBER OF THE SERVICE (continued)

16. Make every effort to de-escalate the situation through tactical communication, if feasible and consistent with personal safety.
    a. Use crisis communication techniques to gain voluntary compliance.

NOTE

Damaging of property would not necessarily constitute an immediate threat of serious physical injury or death.

EDP IS UNARMED, NOT VIOLENT, AND WILLING TO LEAVE VOLUNTARILY:

UNIFORMED MEMBER OF THE SERVICE

17. Take EDP into custody without the specific direction of a supervisor.
18. Comply with steps "39" through "49."

WHEN EDP IS ISOLATED/CONTAINED BUT WILL NOT LEAVE VOLUNTARILY:

UNIFORMED MEMBER OF THE SERVICE

19. Request response of H.N.T. and coordinator and T.A.R.U. through Communications Section and comply with *P.G. 221-14, "Hostage/Barricaded Person(s),"* where appropriate.
20. Comply with steps "39" through "49," when EDP is safeguarded and restrained.

PATROL SUPERVISOR

21. Use Crisis Intervention Team (CIT) trained members as contact officers when appropriate and available.
    a. If a non-CIT trained officer has established a rapport with the subject, allow that officer to continue communications. In those situations, CIT trained officers can support the non-CIT trained officer, when necessary.
22. Employ less lethal devices when necessary to ensure the safety of all present.
    a. Use Conducted Electrical Weapon (CEW), if necessary, in accordance with *P.G. 221-08, "Use of Conducted Electrical Weapons (CEW)."*
    b. Comply with *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action,"* when a less lethal device is used.
23. Direct removal of door rope or door wedge if EDP's actions constitute immediate threat of serious physical injury or death to themselves or others and take reasonable measures to terminate or prevent such behavior.
24. Request response of commanding officer/duty captain.
25. Notify desk officer that H.N.T. and coordinator, and T.A.R.U. have been notified, and commanding officer/duty captain has been requested.
26. Request Emergency Service Unit on scene to have Emergency Service Unit supervisor respond.

PATROL SUPERVISOR (continued)

27. If necessary, request assistance of:
    a. Interpreter, if language barrier
    b. Subject's family or friends
    c. Local clergyman
    d. Prominent local citizen
    e. Any public or private agency deemed appropriate for possible assistance.
28. Take no additional action without authorization of commanding officer or duty captain at the scene, if EDP is contained and is believed to be armed or violent but due to containment poses no immediate threat of danger to any person.

EMERGENCY SERVICE UNIT SUPERVISOR

29. Report to and confer with ranking patrol supervisor on scene.
    a. If there is no patrol supervisor present, request response forthwith, and perform duties of patrol supervisor pending his/her arrival.
30. Evaluate the need and ensure that appropriate Emergency Service Unit personnel and equipment are present at the scene to deal with the situation.
31. Verify that H.N.T. and coordinator are responding, when necessary.
32. Devise plans and tactics to deal with the situation, after conferral with ranking patrol supervisor on scene.
33. Direct use of EDP Mesh Restraining Device, when appropriate.

DESK OFFICER

34. Notify Operations Unit and patrol borough command of facts.

COMMANDING OFFICER/ DUTY CAPTAIN

35. Assume command, including firearms control.
36. Confer with ranking Emergency Service Unit supervisor on scene and discuss plans and tactics to be utilized.
37. Direct whatever further action is necessary, including use of negotiators.
38. Direct use of alternate means of restraint, if appropriate, according to circumstances.

<u>WHEN EDP HAS BEEN RESTRAINED</u>:

UNIFORMED MEMBER OF THE SERVICE

39. Remove property that is dangerous to life or will facilitate escape.
40. Have EDP removed to hospital in ambulance.
    a. Restraining equipment including handcuffs may be used if EDP is violent, resists, or upon direction of a physician examiner.
    b. When possible, a female EDP being transported should be accompanied by another female or by an adult member of her immediate family.
41. Ride in body of ambulance with EDP.
    a. At least two uniformed members of the service will safeguard if more than one EDP is being transported.
42. Transport EDP to hospital by RMP if able to do so with reasonable restraint at the direction of a supervisor, if an ambulance is not available.

UNIFORMED MEMBER OF THE SERVICE (continued)

a. Under no circumstances will an EDP be transported to a police facility.

43. Inform examining physician upon arrival at hospital of use of less lethal devices used on EDP, if applicable.

44. Unload firearm(s) at firearm safety station, if available, when entering psychiatric ward of hospital (see *P.G. 216-07, "Firearms Safety Stations at Psychiatric Wards and Admitting Areas"*).

45. Safeguard EDP at hospital until examined by psychiatrist.
    a. Inform relieving uniformed member of circumstances if safeguarding extends beyond expiration of tour.

46. Inform psychiatrist of circumstances which brought EDP into police custody.

47. Enter details in digital **Activity Log** and prepare **AIDED REPORT**.
    a. Indicate on **AIDED REPORT**, name of psychiatrist.
    b. Check "CIT Trained UMOS on Scene" caption and complete "Name/Tax Number of CIT Trained UMOS on Scene" section, when applicable.
    c. If FORMS becomes disabled, the uniformed member of the service will utilize the "Narrative" section of the **AIDED REPORT WORKSHEET (PD304-152b)** to document if a CIT trained uniformed member of the service responded, as well as, their name and tax number.

48. Finalize EDP radio run using the appropriate radio code in the following instances:
    a. "10-97E3" - ESU Assisted in Removing EDP
    b. "10-97E4" - Voluntary Surrender to ESU or Hostage Negotiation Team
    c. "10-97E5" - ESU Removal Less Than Lethal Used
    d. Use other appropriate radio codes, as necessary, to finalize EDP radio run.

49. Submit **AIDED REPORT** to desk officer.

ADDITIONAL DATA

*Provide persons who voluntarily seek psychiatric treatment with an **NYC WELL PALM CARD (PD154-181)**.*

Prior to interviewing an EDP confined to a facility of the NYC Health and Hospitals Corporation, a uniformed member of the service must obtain permission from the hospital administrator who will ascertain if the EDP is mentally competent to give a statement.

Upon receipt of a request from a qualified psychiatrist, or from a director of a general hospital or his/her designee, uniformed members of the service shall take into custody and transport an apparently emotionally disturbed person from a facility licensed or operated by the New York State Office of Mental Health which does not have an inpatient psychiatric service, or from a general hospital which does not have an inpatient psychiatric service, to a hospital approved under Section 9.39 of the Mental Hygiene Law.

ADDITIONAL DATA (continued)

Uniformed members of the service will also comply with the above procedure upon direction of the Commissioner of the Department of Health and Mental Hygiene or his/her designee.

Training sergeants and/or operations coordinators will maintain an updated list at the desk of members assigned to their command who are CIT trained. This list must be updated on a weekly basis.

Desk officers will be responsible for ensuring this list is maintained at the desk at all times.

Immediate supervisors of members of the service that have tactical recommendations regarding interactions with an EDP will prepare a report on ***Typed Letterhead*** *to the command's training sergeant. The training sergeant will compile recommendations on a quarterly basis and forward (through channels) to the Chief of Training.*

RELATED PROCEDURES

Unusual Occurrence Reports (P.G. 212-09)
Person Threatening to Jump From Structure (P.G. 212-54)
Unlawful Evictions (P.G. 214-12)
Aided Cases General Procedure (P.G. 216-01)
Preparation of Aided Report (P.G. 216-02)
Mental Health Removal Orders (P.G. 216-06)
Firearms Safety Stations at Psychiatric Wards and Admitting Areas (P.G. 216-07)
Inspection of Department Vehicles Each Tour by Operator (P.G. 219-01)
Hostage/Barricaded Person(s) (P.G. 221-14)
Use of Conducted Electrical Weapons (CEW) (P.G. 221-08)
Reporting and Investigation of Force Incident or Injury to Persons During Police Action (P.G. 221-03)

FORMS AND REPORTS

AIDED REPORT
AIDED REPORT WORKSHEET (PD304-152b)
NYC WELL PALM CARD (PD154-181)
THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT
UNUSUAL OCCURRENCE REPORT (PD370-152)
Typed Letterhead

PURPOSE To establish the criteria by which members of the service can conduct a safe, legal, and effective vehicle checkpoint program.

SCOPE A vehicle checkpoint is a temporary site on a roadway that impedes the normal flow of traffic for the systematic stop and inspection of driven vehicles. The primary purpose of vehicle checkpoints is for a Driving While Intoxicated (DWI) check, vehicle safety check including the inquiry into vehicle and/or driver documentation, and emergency exceptions. Vehicle checkpoints for all other purposes cannot be conducted without prior written approval from the Deputy Commissioner, Legal Matters. Unauthorized or non-compliant checkpoints are prohibited.

PROCEDURE Whenever a vehicle checkpoint is to be established:

AUTHORIZING EXECUTIVE

1. Establish vehicle checkpoints for the primary purpose of a DWI check or vehicle safety check.
2. Prepare **VEHICLE CHECKPOINT FORM (PD371-143)** in Finest Online Records Management System (FORMS).
   a. Complete relevant captions and save form.
   b. Discuss tactics and safety concerns with supervisor in charge.
3. Confer with commanding officer of the precinct concerned before implementing checkpoint, if authorizing executive is from an outside command.

SUPERVISOR IN CHARGE OF CHECKPOINT

4. Comply with the captions on the **VEHICLE CHECKPOINT FORM** as completed by the commanding officer.
5. Discuss tactics, including appropriate and lawful questioning techniques, and apprise uniformed members of the service of the primary purpose of the operation.

NOTE *Supervisors in charge of vehicle checkpoints are reminded that the safety of the public and members of the service is paramount. Reflective vests are to be worn during hours of darkness. Additionally; safety equipment, including turret lights, flares, traffic cones, signs, and/or barriers will be utilized to enhance safety and to warn motorists of the existence of the checkpoint.*

6. Establish checkpoint with adequate warnings to motorists of checkpoint's existence.
7. Establish reasonable temporary restrictions on movement of vehicles in order to facilitate the flow of vehicular traffic through the checkpoint (e.g., prohibit parking, standing, stopping, or turning, etc.) by such means as signs, barriers, traffic cones, etc.
8. Utilize at least two Department vehicles while conducting the checkpoint and employ appropriate safety equipment.

SUPERVISOR IN CHARGE OF CHECKPOINT (continued)

9. Assign uniformed member of the service to serve as a "point person" who will maintain the commanding officer's established procedure for stopping vehicles.
10. Remain at the checkpoint location for the entire operation.
    a. Cancel vehicle checkpoint, in case of inclement weather (i.e., snow, heavy rain, etc.).
    b. Consider traffic congestion and other risk factors in determining if a vehicle checkpoint should remain in place.

NOTE *In any event, regardless of conditions, a vehicle checkpoint should not exceed two hours at one location.*

UNIFORMED MEMBER OF THE SERVICE ASSIGNED TO CHECKPOINT

11. Stop vehicles in a non-arbitrary manner (e.g., every third vehicle, etc.), as directed by the commanding officer concerned.
12. Courteously and clearly identify yourself by stating your rank, name, shield number and command.
13. Advise vehicle operators their vehicle is being stopped.
14. Provide explanation of the purpose of the vehicle checkpoint, unless such explanation will impair investigation.

NOTE *After stopping a vehicle, it is permissible to request the driver's license, registration, and insurance card. It is also permissible to conduct a license and VIN check. The VIN check must be conducted from the outside of the car. Reaching inside the car to uncover the VIN plate is not permitted even if the VIN plate is covered or obstructed; however, the member may request that the motorist uncover the VIN plate. If the documentation produced is appropriate, the driver must be allowed to proceed unless reasonable suspicion is developed during the stop.*

Do not request consent to search unless you have at least a founded suspicion of criminality (Level 2 Encounter – Common Law Right of Inquiry) in accordance with the provisions of P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops."

15. Take summary action, when necessary.
16. Offer vehicle operator a **RIGHT TO KNOW BUSINESS CARD (PD142-012)** or **RIGHT TO KNOW BUSINESS CARD – GENERAL (PD142-013)**.
    a. Comply with *A.G. 304-11, "Compliance with New York City Right to Know Act,"* as appropriate.
17. Comply with *P.G. 208-03, "Arrest – General Processing"* for any arrest made at the checkpoint.
    a. Reproduce **VEHICLE CHECKPOINT FORM** for any arrest effected at checkpoint.
18. Complete **VEHICLE REPORT (PD371-145)** in Finest Online Records Management System (FORMS) for every vehicle stopped, regardless of type of enforcement action taken.

NOTE

RIGHT TO KNOW BUSINESS CARDS *or* ***RIGHT TO KNOW BUSINESS CARDS - GENERAL*** *will be distributed during vehicle roadblock or checkpoint stops, including checkpoints related to enforcement of Article 31 of the Vehicle and Traffic Law (Alcohol and Drug-Related Offenses), but not including planned security checks of vehicle at sensitive locations or street closures for public events or emergencies. Effecting an arrest or issuing a summons fulfills the obligation of offering a* ***RIGHT TO KNOW BUSINESS CARD*** *or* ***RIGHT TO KNOW BUSINESS CARD - GENERAL****, unless a* ***RIGHT TO KNOW BUSINESS CARD*** *is specifically requested by a member of the public.*

SUPERVISOR IN CHARGE OF CHECKPOINT

19. Ensure that a record is kept of:
    a. The number of summonses issued;
    b. The number of arrests made;
    c. The number of vehicles stopped; and
    d. Any other information relevant to the checkpoint.
20. Complete the remaining sections of the **VEHICLE CHECKPOINT FORM** at the conclusion of the vehicle checkpoint in FORMS.
21. Save and submit **VEHICLE CHECKPOINT FORM** for signoff in FORMS.
22. Record other pertinent information in digital **Activity Log**.

AUTHORIZING EXECUTIVE

23. Review and Validate **VEHICLE CHECKPOINT FORM** in FORMS.

ADDITIONAL DATA

A motorist who violates a checkpoint's temporary restrictions or any other traffic rule may similarly be stopped. An example would be a motorist, who after entering a checkpoint, attempts to avoid it by backing their vehicle out. It should be emphasized that motorists who avoid a checkpoint by lawful means may not be stopped. If police have not blocked off a side street within a checkpoint, and a motorist turns down it, the motorist may not be stopped unless another lawful reason exists to stop the motorist.

FORMS AND REPORTS

RIGHT TO KNOW BUSINESS CARD (PD142-012)
RIGHT TO KNOW BUSINESS CARD – GENERAL (PD142-013)
VEHICLE CHECKPOINT FORM (PD371-143)
VEHICLE REPORT (PD371-145)

REVISED

PATROL GUIDE

Section: Tactical Operations		Procedure No: 221-18	
USE OF DEPARTMENT CANINE TEAMS			
DATE ISSUED: 08/28/19	DATE EFFECTIVE: 08/28/19	REVISION NUMBER:	PAGE: 1 of 3

PURPOSE To inform uniformed members of the service of circumstances under which the Department's canine teams may be utilized.

SCOPE AUTHORIZED TACTICAL USES: PATROL CANINES

a. Search buildings where a possible break-in is indicated or where a suspect may be hiding, providing non-suspects are not present in the building.
b. Track suspects or missing persons.
c. Locate lost/abandoned articles or hidden implements of crime.
d. Assist in effecting arrest or preventing escape of person who police officer has probable cause to believe committed a felony.
e. Protect police officers and other persons from injury and death.
f. Assist in the service of arrest/search warrants.
g. Safeguard police equipment and designated facilities, as needed.
h. Perform cadaver searches for deceased humans or body part(s).
i. Locate persons trapped or buried in a building collapse or search and rescue situation.
j. Perform searches for felony suspects within the transit system, including subway tracks.

NOTE *Tactical use of canine teams not specifically authorized is prohibited without prior approval of the borough commander concerned.*

PROCEDURE When necessary to request utilization of a Department canine team:

UNIFORMED MEMBER OF THE SERVICE

1. Request patrol supervisor to respond to the scene.

NOTE *Canine teams are available for duty upon request from any command/unit within the Department.*

PATROL SUPERVISOR

2. Determine if circumstances warrant use of canine team.
3. Request response of canine team through radio dispatcher.
4. Consult with canine handler(s) prior to directing the tactical use of canine team(s) to determine if required task can be performed.
5. Establish appropriate perimeter around area to be searched.
   a. Avoid contamination of the scene with human scent created by the presence of unnecessary persons, including police personnel, when searching a building or tracking.
6. Notify commanding officer/duty captain concerned of any incident of physical injury caused by a canine.
   a. Comply with *P.G. 221-03*, "*Reporting and Investigation of Force Incident or Injury to Persons During Police Action*."

UNIFORMED MEMBER HANDLING CANINE

7. Notify member's commanding officer/duty captain and canine supervisor immediately when canine injures anyone or is involved in any incident that may cause civil liability to the City of New York, on or off-duty, regardless of incident location.

PRECINCT COMMANDER/ DUTY CAPTAIN CONCERNED

8. Investigate any incident of physical injury caused by a canine.
   a. Comply with *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."*
9. Ensure immediate notifications are made to canine supervisor/coordinator after any canine incident.
10. Prepare report on **Typed Letterhead** detailing tactical uses of canine teams within the command and maintain appropriate records.
    a. Forward copy of report to canine coordinator through the Office of the Chief of Special Operations.

NOTE

The precinct commanding officer or duty captain assigned will supervise the preparation of written reports of canine incidents resulting in injuries to anyone, other than the handler. A copy of such report will be forwarded to the canine coordinator through the Office of the Chief of Special Operations.

11. Determine if request(s) for extra-jurisdictional tactical use of canine teams are proper.
    a. Request approval of patrol borough commander.
    b. Make required notifications.

ADDITIONAL DATA

Canine teams will not be used for crowd control or as a deterrent at peaceful demonstrations. Request for use of canine teams at other than peaceful demonstrations requires the prior approval of the Chief of Patrol.

The Canine Program is under the jurisdiction of the Patrol Services Bureau with program staff supervision and training provided by the Office of the Chief of Special Operations.

Any requests for canine team services from agencies outside this Department will be directed to the Operations Unit.

AUTHORIZED USES: DEPARTMENT BLOODHOUNDS

A bloodhound has the unique ability to discriminate between scents and usually will not be sidetracked by other scents crossing a search path. When a scent is fresh, a patrol canine will normally be sufficient to perform the search and should be utilized first.

When it is determined that a search for a live person(s) requires the unique scent discrimination ability of a bloodhound and the search cannot be handled by a patrol canine, a request will be made to the Operations Unit which will transmit the request to the bloodhound handler. The determination and request will be made by a supervisor from the Office of the Chief of Special Operations or Emergency Service Unit on the scene after consultation with the duty captain and a uniformed member of the Canine Unit.

ADDITIONAL DATA (continued)

Prior to requesting a Department bloodhound, it must be determined that a good, uncontaminated scent article has been identified and will be safeguarded until the arrival of the bloodhound handler. The article is not to be handled by anyone, including members of the service. If it must be moved or collected, consult with a canine handler for instructions prior to removal. Scent articles can consist of any uncontaminated material (blood, clothing, etc.) that has been recently in contact with the person being sought. Washed clothes are not acceptable.

A bloodhound will only trail from an uncontaminated scent article toward a person (living or dead). They are not trained to trail from a person (living or dead) to the origin of the trail (backtrack).

Uniformed members of the service requesting a bloodhound should be aware that the bloodhound handler does not have the same protection as a patrol canine handler since a bloodhound is trained to track only, and will not defend the handler or assist in apprehending a subject.

RELATED PROCEDURES

Reporting and Investigation of Force Incident or Injury to Persons During Police Action (P.G. 221-03)

FORMS AND REPORTS

Typed Letterhead

NYPD

PURPOSE To report and record incidents in which school safety agents are victims of an offense while performing duty.

PROCEDURE When a school safety agent is the victim of an offense while performing duty, follow normal civilian work related injury reporting procedures (see "RELATED PROCEDURES") and:

SCHOOL SAFETY AGENT

1. Request a school safety supervisor and neighborhood coordination sergeant, precinct of occurrence, to respond.
2. Notify the principal of the incident as soon as possible.
3. Remain at scene unless hospitalization or medical attention is required.
4. Request witnesses to await arrival of the school safety supervisor and the neighborhood coordination sergeant/patrol supervisor.

NOTE *In cases where there is no school safety supervisor assigned to the school, a school safety supervisor MUST respond from the school safety borough office. In cases where the neighborhood coordination sergeant is unavailable, the patrol supervisor MUST respond.*

SCHOOL SAFETY SUPERVISOR

5. Ensure that the school principal has been notified.
6. Initiate investigation.
7. Interview school safety agent concerned.
8. Obtain the name of the hospital, attendant and doctor, if removed to a hospital.
9. Have school safety agent prepare, in own handwriting, if possible:
   a. Two copies of **Employee Option Form (DP2002)**
   b. Two copies of **Employee's Notice of Injury (WCD23)** (Law Department form #WCD23), and submit to commanding officer, precinct of occurrence.
10. Interview witness(es) and request that **WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT (PD429-065)** be prepared.
11. Prepare two copies of **Supervisor's Report of Injury (WCD201)**.
    a. Ensure that the injury is reported to the Employee Resources Section, Civilian Employee Services Unit immediately following the incident or by the next business day.
12. Prepare **COMPLAINT REPORT WORKSHEET (PD313-152a)**, if necessary, and refer to appropriate precinct detective squad.
13. Prepare a **Police Accident Report (MV104AN)**, if vehicle involved, or **AIDED REPORT**, in all other cases, and forward in normal manner.

NEIGHBORHOOD COORDINATION SERGEANT/ PATROL SUPERVISOR

14. Respond to scene and review actions taken by the school safety supervisor.
15. Notify the Operations Unit promptly, if the member of the service injured requires hospital treatment.
    a. An additional notification to the Operations Unit is also required before final reports are prepared to update Operations of the status of the injured member of the service.

NOTE *This notification is in addition to, and does not preclude the requirement for other notifications to Operations as indicated elsewhere in this procedure*.

16. Prepare **THREAT, RESISTANCE OR INJURY (T.R.I) INCIDENT REPORT**, if investigation reveals harassment, assault, reckless endangerment, or menacing against a school safety agent and comply with *P.G. 221-06, "Member of the Service Subjected to Force While Performing Lawful Duty."*
17. Report details to desk officer.
    a. Indicate any negligence on the part of the school safety agent.
18. Prepare report on **Typed Letterhead** and forward to precinct commanding officer.
    a. Forward copy of report to the Commanding Officer, School Safety Division.

DESK OFFICER

19. Make Command Log entry regarding results of investigation, and specify:
    a. Whether injury was sustained in the line of duty
    b. Any negligence on the part of the school safety agent.
20. Notify:
    a. Employee Resources Section
    b. Operations Unit
    c. School Safety Division

SCHOOL SAFETY BOROUGH MANAGER

21. Forward, to the Employee Resources Section, Civilian Employee Services Unit:
    a. Two copies of report on **Typed Letterhead**
    b. Two copies of **Employee's Notice of Injury**
    c. **WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT**, if prepared.
    d. Two copies of the **Employee's Option Form**
    e. Two copies of the **Commanding Officer's Report of Injury (Form E)**
    f. Two copies of the **Supervisor's Report of Injury**.
22. Notify Employee Resources Section, Civilian Employee Services Unit when school safety agent returns to duty and every subsequent time that the agent reports sick and returns to duty as a result of injury.

ADDITIONAL DATA

Whenever a school safety agent, while performing official duties, claims an assault or is the subject of any other crime and the agent wishes to prefer charges, the neighborhood coordination sergeant concerned will determine if probable cause exists. Upon a determination that probable cause exists, the neighborhood coordination sergeant will direct the school safety agent to place the individual under arrest. If the agent (victim) is unable to effect the arrest (e.g., hospitalization, etc.), the neighborhood coordination sergeant will direct another school safety agent to effect the arrest. The school safety agent (victim) will be the complainant in such cases. Under no circumstances shall a school safety agent who is not a peace officer be directed to effect an arrest.

RELATED PROCEDURES

Member of the Service Subjected to Force While Performing Lawful Duty (P.G. 221-06)
Aided Cases - General Procedure (P.G. 216-01)
Vehicle Collisions - General Procedure (P.G. 217-01)
Civilian Member - Injury (A.G. 319-08)

FORMS AND REPORTS

WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT (PD429-065)
COMPLAINT REPORT WORKSHEET (PD313-152a)
AIDED REPORT
THREAT, RESISTANCE OR INJURY (T.R.I) INCIDENT REPORT
Commanding Officer's Report of Injury (Form E)
Employee Option Form (DP2002)
Employee's Notice of Injury (Law Department Form WCD23)
Supervisor's Report of Injury (Law Department Form WCD201)
Police Accident Report (MV104AN)
Typed Letterhead

Section: Tactical Operations		Procedure No: 221-22
TRAFFIC ENFORCEMENT AGENT VICTIM OF AN OFFENSE WHILE PERFORMING DUTY		
DATE EFFECTIVE: 10/08/19	LAST REVISION:	PAGE: 1 of 2

PURPOSE To report and record incidents in which traffic enforcement agents are victims of an offense while performing duty.

PROCEDURE When a traffic enforcement agent is the victim of harassment, assault, reckless endangerment, menacing (H.A.R.M.), or any other circumstances that prevent them from performing their duties, follow normal civilian work related injury reporting procedures (see "*RELATED PROCEDURES*") and:

TRAFFIC ENFORCEMENT AGENT

1. Request the response of patrol supervisor, precinct of occurrence, and a Traffic Enforcement District supervisor.
2. Remain at scene unless hospitalization or medical attention is required.
3. Request witness(es) to await arrival of the patrol supervisor, precinct of occurrence.

NOTE *In cases involving offenses against traffic enforcement agents, the patrol supervisor, precinct of occurrence must respond to the scene and conduct the initial investigation. A Traffic Enforcement District supervisor must respond to the scene and assist in the investigation.*

PATROL SUPERVISOR

4. Investigate circumstances.
5. Interview traffic enforcement agent concerned.
   a. Ensure that proper enforcement action has been taken against any person harassing, assaulting, etc., a traffic enforcement agent, if warranted.
6. Obtain the name of the hospital, attendant and doctor, if removed to a hospital.
   a. Notify the Operations Unit promptly, if the member of the service injured requires hospital treatment.
   b. An additional notification to the Operations Unit is also required before final reports are prepared to update Operations of the status of the injured member of the service.
7. Have **COMPLAINT REPORT (PD313-152)** prepared, if necessary, and refer case to appropriate detective squad if suspect has fled the scene, or if there are other reasons why additional investigation is appropriate.
8. Ensure the preparation of a **Police Accident Report (MV104AN)**, if vehicle involved, or **AIDED REPORT,** in all other cases, and forward in normal manner.
   a. Interview witnesses and have them prepare a **WITNESS STATEMENT – INJURY TO MEMBER OF THE DEPARTMENT (PD 429-065)**.
9. Prepare an **UNUSUAL OCCURRENCE REPORT (PD370-152)**, and include a statement whether the traffic enforcement agent concerned was a victim of assault, (as defined in New York State Penal Law, Section 120), if injury is serious or if it is a newsworthy, significant incident, and forward to Chief of Transportation through channels.

PATROL SUPERVISOR (continued)

10. Prepare **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT**, if investigation reveals harassment, assault, reckless endangerment, or menacing against a traffic enforcement agent and comply with *P.G. 221-06, "Member of the Service Subjected to Force While Performing Lawful Duty."*

TRAFFIC ENFORCEMENT DISTRICT SUPERVISOR

11. Notify Traffic Enforcement District, Traffic Management Center, Employee Resources Section and Operations Unit.
12. Forward copies of all forms prepared to the Employee Resources Section, attention of the Civilian Employee Services Unit.

C.O./ TRAFFIC ENFORCEMENT AGENT INVOLVED

13. Comply with *Administrative Guide 319-15, "Civilian Member-Injury,"* when a traffic enforcement agent is injured while performing duty.

ADDITIONAL DATA

Whenever a traffic enforcement agent, while performing official duties, claims an assault or is the subject of any other crime by an individual, and the agent wishes to prefer charges, the patrol supervisor, precinct of occurrence will determine if probable cause exists. Upon that determination, an arrest may be affected and the traffic enforcement agent involved will be the complainant in such cases.

In all cases where traffic enforcement agents are injured on duty, notifications will be made by Communications Section to both the duty captain and to the Traffic Management Center. The Traffic Management Center will then notify a ranking member of the Traffic Enforcement District.

RELATED PROCEDURES

Member of the Service Subjected to Force While Performing Lawful Duty (P.G. 221-06)
Aided Cases - General Procedure (P.G. 216-01)
Vehicle Collisions - General Procedure (P.G. 217-01)
Civilian Member - Injury (A.G. 319-08)

FORMS AND REPORTS

WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT (PD429-065)
COMPLAINT REPORT WORKSHEET (PD313-152a)
AIDED REPORT
THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT REPORT

Section: Tactical Operations	Procedure No: 221-23

ALCOHOL TESTING FOR UNIFORMED MEMBERS OF THE SERVICE INVOLVED IN FIREARMS DISCHARGES RESULTING IN INJURY, DEATH OR LIKELIHOOD OF INJURY OR DEATH OF A PERSON

DATE EFFECTIVE:	LAST REVISION:	PAGE:
02/16/22	I.O 13	1 of 3

PURPOSE

To ensure the highest levels of integrity at the scene of on or off duty police involved firearms discharges, which result in the reasonable possibility of injury or death of a person within New York City.

PROCEDURE

When involved in, or responding to the scene of an on or off duty police involved firearms discharge which results in injury or death, or the likelihood of injury or death of a person within New York City:

UNIFORMED MEMBER OF THE SERVICE

1. Request immediate response of patrol supervisor.
2. Comply with the provisions of *P.G. 221-04, "Firearms Discharge by Uniformed Members of the Service."*

PATROL SUPERVISOR

3. Notify Operations Unit of shooting, immediately, and request response of Force Investigation Division (FID) personnel (including FID Zone Commander) and the Patrol Services Bureau duty inspector and duty captain.

DUTY CAPTAIN/ INSPECTOR

4. Inform uniformed member(s) of the service who discharged their firearm that they will be subject to alcohol testing.
5. Ensure involved member(s) of the service remain on the scene when feasible and consistent with safety (i.e., hospitalization not immediately required); pending arrival of FID personnel assigned to administer alcohol test.
6. Notify FID Wheel of location of involved member(s) of the service if they are removed from location of firearms discharge.

FID WHEEL

7. Notify assigned FID personnel and the Commanding Officer, FID of any pertinent information including any change of location of involved member(s) of the service.

FID ZONE COMMANDER

8. Respond to location and confer with duty captain/inspector on scene.
9. Advise the subject member that he or she may be tested by a number of different means, such as the Portable Breath Test (PBT) device and the Intoxilyzer.
10. Direct alcohol test be conducted, using a PBT device in a private setting, on uniformed member(s) of the service who discharged a firearm.
    a. Alcohol test will be conducted by FID supervisor at least one rank higher than that of the discharging member of service.
    b. Direct testing process be conducted in a private setting (e.g., nearest Department facility, Department auto being used by the supervisor concerned) in a dignified, respectful fashion.
11. If the reading on the PBT device is less than .08, and there is no indicia of intoxication, no further testing is required.

FID ZONE COMMANDER (continued)

12. If the reading on the PBT device is .08 or greater, which according to Section 1192 of the Vehicle and Traffic Law of the State of New York is indicative of intoxication, and/or there is any indicia of intoxication, immediately notify Highway Intoxicated Driver Testing Unit (IDTU) to respond to the closest IDTU testing location to test the subject member using the Intoxilyzer that is maintained at the IDTU facility (it should be emphasized that the Intoxilyzer test at the IDTU facility will be conducted by an IDTU technician).
    a. Member(s) involved will be transported to the IDTU testing facility by FID personnel.
    b. Inform IDTU technician that a member of the service is the subject of test.
    c. A Highway District supervisor must be present during all phases of the testing procedure.

NOTE

*The IDTU technician will utilize a specially developed form entitled **Ordered Breath Test Instruction Sheet** to interview the subject member(s), and a specially developed checklist entitled **Intoxilyzer Operational Checklist** to conduct the test. The entire Intoxilyzer testing process, including the reading of the test results, will be videotaped by another member of the Highway District. In all cases, a copy of the videotape will be provided to the FID Zone Commander concerned, who will follow all applicable Departmental procedures to safeguard the tape for evidentiary purposes.*

13. In order to determine fitness for duty, record and then take into account the Intoxilyzer reading, the PBT reading, and any other related indicia of intoxication as indicated on **SUPERVISOR'S FITNESS FOR DUTY REPORT (PD469-150)**.
    a. If the member is apparently unfit for duty, be guided by the procedures contained in *A.G. 318-10, "Removal of Firearms from Intoxicated Uniformed Member of the Service"* and other appropriate Department procedures.
14. Notify Internal Affairs Bureau Command Center and obtain a log number if subject member is determined to be unfit for duty.

ADDITIONAL DATA

Members of the service are reminded of the contents of A.G. 304-04, "Fitness For Duty" and A.G. 305-07, "Firearms General Regulations" as they relate to the use of alcohol and possession of firearms while off duty.

Members should be aware that it would be prudent not to ingest alcoholic beverages up to four hours prior to the commencement of their tour of duty.

Members of the service performing duty in an undercover capacity are reminded that it is best to avoid consuming alcoholic beverages while on duty. However, the Department recognizes that depending on the nature of the operation such consumption may be appropriate and necessary. Members are advised that no more than two alcoholic beverages may be consumed during a tour of duty, absent exigent circumstances related to the safety of the undercover or to the need not to compromise the undercover's assignment. Such circumstances will be evaluated on a case by case basis.

ADDITIONAL DATA (continued)

If an immediate determination cannot be made as to whether or not a discharged round caused injury or death because of circumstances such as weather conditions, darkness, late hour and/or an inability to account for all discharged rounds, Breathalyzer exams may be ordered when there is reasonable possibility that a person has been struck by a discharged police round.

RELATED PROCEDURES

Firearms Discharge by Uniformed Members of the Service (P.G. 221-04)

FORMS AND REPORTS

SUPERVISOR'S FITNESS FOR DUTY REPORT (PD469-150)

NYPD