



GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Traffic Direction and Control	400.51
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	November 19, 2018
<u>CALEA REFERENCE</u>	<u>NUMBER OF PAGES</u>
61.3.2, 61.3.3, 61.4.1, 61.4.2	3
<u>AUTHORITY</u>	<u>SUPERSEDES</u>
	N/A
	<u>OTHER REFERENCE</u>
	N/A
	Loren Marion III
	Chief of Police

I. POLICY

While the Peoria Police Department utilizes a separate Traffic Unit, it remains a responsibility of all commissioned personnel to ensure the safety of the public and service of the community by attempting to maintain safe passage of roads within the city. This General Order establishes department wide procedures for traffic direction and control as it applies to manual traffic control, emergency traffic control, use of temporary traffic control devices, traffic control signals, motorist assists, and hazardous roadway conditions.

II. TRAFFIC DIRECTION AND CONTROL PROCEDURES

Traffic Control and Support (61.3.2, 61.3.3)

1. Manual traffic control may be necessary to ensure the safety of motorists and pedestrians and maintain reasonable traffic movement. When directing traffic, the following rules will be observed:
 - a. Officers shall ensure that they are visible by utilizing reflective clothing at all times. During hours of darkness or adverse weather conditions officer may use flashlights and/or road flares to increase their visibility to motorists. (61.3.2e)
 - b. Officers shall utilize the police whistle or voice commands depending on the situation.
 - c. Officers shall use uniform hand signals and gestures for manual traffic direction and control. It is important that officers' position themselves so that their hand signals can be seen from a long distance. Two basic hand signals should be used. Officers should use an open hand, palm out sign to indicate "STOP". To start traffic from a stopped position, officers should point towards the first stopped vehicle. Once the

driver's attention is gained, use the other hand to motion the driver to proceed.

- d. Officers may set flares, cones, signs and/or barricades as temporary traffic control devices. These shall be placed far enough from the collision scene or road obstruction to give sufficient warning to approaching traffic.
 - 1) In the event of adverse road and weather conditions, officers encountering roadway traffic hazards should initially block the affected roadway with their patrol car in addition to the temporary traffic control devices.
- e. Officers may need to manually override traffic control devices due to an accident or other traffic control situation. Officers may contact their supervisor or a traffic unit officer for the control box key and assistance.

III. MOTORIST ASSISTANCE (61.4.1)

- 1. Officers shall make an attempt to provide information and directions to motorists when asked. Officers may consult dispatch to obtain the address of a requested location if it is unknown to the officer.
- 2. Officers shall offer reasonable assistance to motorists who appear to be in need of aid. Assistance may be in the form of blocking or directing traffic for safety, notifying a tow company, assisting in minor repairs, or transporting the motorist to a safe location. Stranded motorists should not be left unattended when they appear to be exposed to hazardous situations.
- 3. Officers may, at their discretion, assist a motorist with minor repairs (i.e. changing a tire, refueling, etc.). City owned vehicles shall not be used to jump start a disabled vehicle.
- 4. Officers shall refer to General Order 400.60 regarding the towing of abandoned and disabled vehicles in traffic.
- 5. Push bumpers may be used to move disabled vehicles out of traffic pursuant to General Order 400.33.
- 6. Officer's may, at their discretion, transport a stranded motorist to another location (i.e. gas station, home, etc.). Dispatch shall be notified of the transport, number of passengers, and destination.

IV. HAZARDOUS ROADWAY CONDITIONS (61.4.2)

1. Officers may encounter hazardous roadway conditions that include, but are not limited to:
 - Debris on the roadway
 - Defects in the roadway itself
 - Malfunctioning or missing traffic control devices
 - Disabled and abandoned vehicles in the roadway
 - Downed trees, power lines and light poles
2. Upon discovering a hazardous roadway condition, officers shall take appropriate action which includes, but is not limited to:
 - a. Notifying dispatch of the problem.
 - b. Providing traffic control as needed.
 - c. Requests through dispatch to notify proper assisting agency if necessary (i.e., Public Works, Ameren, etc.)
 - d. Providing assistance to motorists affected by the situation.

V. VEHICULAR ESCORTS (61.3.3)

1. Non-emergency vehicular escorts for parades, funerals, dignitaries, races, special events, over-size load trucks, etc. will primarily be authorized and organized by the Traffic Unit. The patrol shift lieutenant may authorize and organize a vehicular escort on short notice, such as over-size load trucks, etc.
2. Medical emergency escorts of civilian vehicles are prohibited unless in extreme circumstances, and must be approved by the acting patrol shift lieutenant. Officers shall instead notify dispatch of the disposition, request an ambulance, and administer the appropriate and reasonable medical care based on their capabilities and training.
3. If a citizen is lost or in need of directions, an officer may allow the citizen to follow them to the requested destination in a non-emergency manner. No prior supervisor approval is needed for this type of non-emergency escort.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	400.52
<u>EFFECTIVE DATE</u>	6/16/00

<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Traffic Collision Alert	1
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 295-78
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	John W. Stenson Police Chief

I. POLICY

Whenever a call overload occurs due to an excessive number of vehicle collisions or to other work overloads, the patrol shift lieutenant may declare a traffic collision alert.

II. PROCEDURES

- A. The ECC will notify all cars and all commercial radio and television stations that a traffic collision alert has been declared by Peoria police and that drivers involved in traffic collisions within the city of Peoria without injuries and in which both vehicles are driveable, should exchange names, call the police department, and report the collision in person at the police station within 36 hours after the end of the alert.
- B. During a traffic collision alert, ECC personnel receiving requests for police at traffic collisions shall inquire if anyone is injured and if all the vehicles are driveable. If no officer is to be sent, the caller should be advised of the alert and have the drivers exchange names and report the collision in person at the police station within 36 hours after the end of the alert.
- C. The patrol shift lieutenant shall be responsible for terminating the alert once convinced the workload has returned to normal.
- D. The ECC shall keep a log of all calls. The desk sergeant shall send a copy of this log and a report showing times, locations, and callers' names (if given) to the chief, assistant chief, operations captain, strategic planning manager, and traffic engineer.
- E. Reports shall indicate the master case number.

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GENERAL ORDER

<u>SUBJECT</u>	NUMBER
Vehicles Used as Weapons	400.53
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	6/16/00
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u>
N/A	GO 233-76
<u>AUTHORITY</u>	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson
	Police Chief

I. POLICY

If a motor vehicle is used with intent to cause personal injury or property damage or both on a public way or on private property, the intent defines the action as a crime—not a vehicle accident.

II. PROCEDURE

If a motor vehicle is intentionally used as an instrument of a crime to cause property damage or personal injury, the proper crime incident report will be made, and the records unit administrator will see that a copy is forwarded to the Department of Transportation.

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GENERAL ORDER

<u>NUMBER</u>	400.54
<u>EFFECTIVE DATE</u>	February 20, 2019
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Court	9
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GOs 288-90, 173-74; 10/26/00; 5/8/09
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Loren Marion III
	Chief of Police

I. POLICY

This Order is established to ensure the successful prosecution of offenders, to protect the Department's reputation and credibility, and to maintain public confidence in the criminal justice system. To that end it is imperative that officers appear in Court as required, on time, well prepared, and at all times conduct themselves in a professional manner.

II. DEFINITION

Court, for the purpose of this Order, means Grand Jury, Coroner's Inquest, Traffic, Felony, Misdemeanor, and Juvenile Courts; Liquor Commission hearings, pre-trial conferences, or any other hearing, including in other jurisdictions, where the officer's testimony is required to aid in prosecution or to further the well-being of the community.

III. PATROL ADMINISTRATIVE ASSISTANT DUTIES

- A. Ensure proper court notifications are posted and distributed.
- B. The Patrol Administrative Assistant shall post the *court sheets* on the *court notification board* outside the patrol squad room. Posting time will be approximately 1400 hours on the day the schedule is received. A copy shall be forwarded to Richwoods Station 2.
- C. Peoria City Legal will communicate directly with the Patrol Administrative Assistant regarding officer appearances for municipal hearings. The Patrol Administrative Assistant will include these scheduled appearances on the court docket.
- D. The Patrol Administrative Assistant will create daily court dockets and post in the established locations throughout the workplace. The first shift Richwoods Patrol Sergeant will maintain the court bulletin board at Station 2. Bulletin boards will be maintained and kept current. A copy of the daily court docket will be forwarded to the Information

Sergeant for reference throughout the work day. Officers are responsible for monitoring the court docket bulletin board so they may comply with their scheduled appearances.

- E. An email account has been established for the benefit of outside agencies needing to correspond with the Peoria Police Department on matters related to court. That email address is courts@peoriagov.org. The Patrol Administrative Assistant will be the primary monitor of this account with the Training Administrative Assistant serving as back up. This email account is not intended for officer use.

IV. OFFICER RESPONSIBILITES

- A. Each witness officer shall immediately notify the State's Attorney's Office (SAO) of any Vacation, Duty Relief, or Personal Day change within the scheduled month. An officer who is summoned to Court on his vacation shall appear in Court unless he is excused by the Court, through the SAO. Any officer receiving a subpoena for Court during prior scheduled vacation, duty relief, or personal days shall immediately notify the SAO to discuss options for continuance or otherwise. Payment for overtime (under the PPBA agreement) will only occur when sufficient notice is given.
- B. Officers shall notify the SAO of all IOD, administrative, or extended sick leave time. Officer's sick for short periods of time shall notify the SAO of any scheduled Court dates so that continuances may be sought.
- C. An Officer's immediate supervisor shall notify officers who are on light duty, IOD, or administrative leave, of any scheduled Court appearances. Officers on IOD or administrative leave shall not receive additional compensation for Court appearances. The officer shall ask the SAO for a continuance if unable to appear in Court because of injury, professional leave, Vacation, or Personal Days, including days off adjacent to their vacations, personal days, and duty relief days.
- D. It shall be the responsibility of each officer to check the posted *court sheets* frequently for his *court schedule*.
- E. It shall be the responsibility of the Unit/Division Lieutenant to complete an *overtime sheet* for all Court appearances, including a Coroner's Inquest, Liquor Commission Hearings, etc. Any officer requesting Court overtime, whether outside the Courthouse (including other jurisdictions) or by officers who fail to sign up for overtime on the day of Court, shall do so only by *Intra-Department Memo* to their Unit/Division Lieutenant.
- F. Any officer, on or off-duty, attending any Court related appearance should be aware that they may be required by the SAO to sign-in, or check-in, with the courtroom bailiff, prior to attending the Court appearance. The responsibility in complying with all court notifications rests solely with the officer. All deviations from court directives must be coordinated by the officer with the SAO directly, specifically with the attorney handling the case. Officers will not use the Information Sergeant to intervene on their behalf unless extenuating circumstances exist. Officers should maintain records of all correspondence

between themselves and the SAO when such arrangements are made and be able to produce them in the event their absence from a court related event is questioned.

- G. Officers must comply with all court directives and requests to call the SAO regardless of their official work status (i.e. sick, IOD, scheduled time off). Officers who are directed to call in at designated times may call the phone number listed on the subpoena/notice any time that day prior to the listed time and leave a voice mail advising how the he/she may be contacted. For example, an officer gets off 3rd shift and before going to bed may call the number listed on a subpoena and leave a message with a phone number where he/she can be reached. This satisfies the officer's obligation to call in for that day.

Officers must monitor their department email account for all correspondence from the court, including the Circuit Clerk's office, and other court related agencies. The Circuit Clerk's office will communicate directly with officers via email; this includes notifications of needed corrections on E-tickets.

V. PATROL SERGEANT RESPONSIBILITIES

- A. Each morning, when the courthouse is open a 1st shift Patrol Sergeant will remove items from the court mailbox located at the records counter and deliver to the States Attorney's Office (SAO). These items are to be delivered to the SAO office supervisor who will disperse mail to the appropriate locations throughout the courthouse. The Patrol Sergeant will remove all items from the "Peoria Police" mail tray at the SAO and deliver to the station. Evidence will be delivered to the Property Room, and mail will be turned over to the Patrol Administrative Assistant, who in turn will distribute mail throughout the building.
- B. On Friday's, or the day before a long holiday weekend, when the courthouse is open, a 2nd shift Patrol Sergeant will perform mail delivery in the same manner.

VI. INFORMATION SERGEANT RESPONSIBILITIES

- A. The Information Sergeant will maintain a cell phone, number 309-303-7404, for conducting court related business. The 1st and 2nd shift Information Sergeant shall physically possess this phone throughout their shift. At no time will this phone be used for overtime order-in not directly related to court. Employees and outside agencies will use this number for Peoria Police court related business. The Information Sergeant will attend to all business received on this phone or, if need be, direct the caller to the appropriate person.
- B. Every night, the 3rd Shift Information Sergeant will update all phone numbers in the "SAO Phone List" binder as notices are received from Administration. The 3rd Shift Information Sergeant will assure the contacts file includes commonly used phone numbers for court business, i.e. SAO, US Attorney's Office, Coroner's Office etc.

- C. Employees must notify the Information Sergeant if they wish to have additional phone numbers added to the SAO Phone List binder.

VII. SUBPOENAS

- A. Captains, Lieutenants, and Sergeants shall be recommended to the Sheriff for appointment to Special Deputy and authorized to serve subpoenas and make the returns.
- B. All subpoenas (other than subpoenas duces tecum) for members of the Department shall be delivered by the 1st shift patrol Sergeant or designee to the Uniformed Services Division Administrative Assistant for posting and distribution to the appropriate Division/Unit supervisors.
- C. The respective Division/Unit Lieutenant or designee (i.e. Patrol Sergeant) shall be responsible for the serving of subpoenas, or other court related notices, and the completion of the return. Any supervisor who serves a subpoena must do so in the physical presence of the person being served. The supervisor shall have the person being served sign the return copy of the subpoena.
- D. The Division/Unit Lieutenant shall notify the SAO of any un-served subpoenas. The Lieutenant shall advise the SAO or other issuing authorities, prior to the trial date, of the lack of service and reason.
- E. ECC personnel will now be served by the Patrol Sergeants. Patrol Sergeants will coordinate with the ECC supervisor regarding the most appropriate times to serve their employees.

VIII. OFFICERS FAILING TO APPEAR FOR COURT

- A. When an officer fails to appear for a court related event the SAO or summoning agency may contact the Peoria Police Department at, 309-303-7404, and inform the Information Sergeant of the circumstances. The Information Sergeant shall immediately attempt to contact the officer. The Information Sergeant shall then contact the SAO and provide them with a disposition of the officer's availability. If the officer's Division/Unit Commander is available at the time of the notification, the call may be forwarded to that person.
- B. When attempts at locating an officer have failed, the Information Sergeant shall complete a "Missed Court Notification" form and forward it to the officer's Division/Unit Commander who will be responsible for handling the situation.
- C. The Information Sergeant shall forward a copy of the Missed Court Notification form to the Patrol Administrative Assistant who shall maintain a file relevant to all missed court.
- D. The Division/Unit Commander shall forward a copy of the disposition for missed court to the Patrol Administrative Assistant to be maintained in the file.

IX. DISCIPLINARY ACTION

- A. All employees must be in Court when summoned, notified, or handed a summons by any employee of the Department unless they can secure specific permission to disregard the summons or notification. In unusual situations, an officer may ask the SAO to request a continuance, but must appear unless told the continuance has been granted.
- B. Any employee who appears late in Court, may be subject to disciplinary action, unless the tardiness was due to circumstances beyond his control.
- C. Any employee charged with the responsibility to notify another employee or a witness of a scheduled Court appearance who negligently fails to do so may be subject to disciplinary action.
- D. Employees missing Court appearances due to conflicts with outside employment may have their permission for outside employment revoked.
- E. Any employee failing to appear in Court as scheduled for the first time within any consecutive twelve months, through carelessness or negligence, shall receive an oral reprimand, copied to the personnel file. If the first occasion is through willfulness, the employee may receive discipline not to exceed suspension for up to one day without pay.
- F. Any employee failing to appear in Court as scheduled for the second time within any consecutive twelve months through carelessness or negligence, may receive a written reprimand, copied to the personnel file. If the second occasion is through willfulness, the employee may receive discipline not to exceed suspension for up to two days without pay.
- G. Any employee failing to appear in Court as scheduled for the third time within any consecutive twelve months through carelessness or negligence, may be suspended for up to one day without pay. If the third occasion is through willfulness, the employee may be suspended for five or more days without pay.
- H. Notwithstanding (E) through (G) above, the Police Chief may take more severe disciplinary action in any case involving significant aggravating factors including but not limited to, corrupt motives or a pattern of missing Court appearances.
- I. Personnel should be aware that in addition to disciplinary action taken by the department related to failing to appear for court, the court may elect to take legal action against the employee as in a charge such as Contempt of Court.

X. TRAFFIC COURT DAYS AND TIMES--TRAFFIC UNIT

The traffic officers' Court days shall be scheduled at the discretion of the Peoria County SAO and relayed to the Patrol Administrative Assistant for posting.

XI. ALL OTHER DIVISIONS

A. Date of appearance

Officers are scheduled for Traffic Court appearances according to the first letter of their last names, as follows:

A-B 1st Monday of Month
C-F 2nd Monday of Month
G-H 3rd Monday of Month
I-K 4th Monday of Month

L-M 1st Friday of Month
N-R 2nd Friday of Month
S-T 3rd Friday of Month
U-Z 4th Friday of Month

B. Exceptions

These guidelines are in place to help spread out court dates. An officer may deviate from his/her assigned court day if it falls on a holiday, etc.

Officers with Monday or Friday off may set their cases for either Monday or Friday, so as not to conflict with their days off.

C. Time of appearance

Officers shall set their Traffic Court appearance time according to the following schedule:

0900 or 1300 hours only

Officers wishing to have subsequent trial times in the morning hours should set the offenders initial appearance time for 0900. Officers wishing to have subsequent trial times in the afternoon should set the offenders initial appearance time for 1300. The SAO will set additional trial times based on the time the officer selects for the initial appearance.

D. Officers shall not schedule appearances on days when they know in advance they will be on scheduled leave, and shall schedule (per Supreme Court Rule 504) first appearances for not less than 14 days but within 60 days after the date of the arrest.

E. First appearance dates are for the violators only. If a violator asks for a trial, a trial date will be set which may or may not be the date and time placed on the ticket. The officer will then be notified of the trial date and time.

F. Whenever possible, continued cases will be reset to the same time and day of the week as was indicated on the ticket, however; this does not relieve officers of their responsibility to check *court sheets* regularly for appearances set outside this schedule.

When two officers' sign a ticket, either officer's assigned Court date may be used. When a citizen co-signs a ticket, the officer shall maintain his regular Court appearance time. When a citizen is a witness to the violation and will be needed for Court, the officer shall

list the witness' full name and address (including street, city, and zip code) on the bottom of the citation. The citizen will be notified by mail of the time and date of the trial by the State's Attorney's Office. If, and only if, there are several witnesses whose names and addresses do not fit on the citation, the officer may indicate *See Report for Additional Witnesses*, listing the case number on the bottom of the citation.

XII. BENCH TRIALS AND JURY SETTINGS

- A. All bench trial settings (traffic, misdemeanor, ordinance (MOVN), and felony) are mandatory appearances and every officer shall appear in Court, ready to testify at his designated time.
- B. All jury trial settings (traffic, misdemeanor, ordinance (MOVN), and felony) are mandatory call-ins. Third/fourth shift officers may make arrangements with the SAO to avoid calling in, but they must be available to be contacted by the SAO at the time of the call-in.

1. **Tuesday traffic jury cases**

Officers shall call victim/witness services between 11:00 and 11:30 a.m. for the status of their case(s), unless notified by the SAO.

2. ***Wednesday misdemeanor and domestic violence cases***

Officers shall call victim/witness services between 12:00 and 12:30 p.m. for the status of their cases, unless notified by the SAO.

3. **Felony subpoenas**

Officers shall call the State's Attorney's Office at 1:00 p.m. on the day of the trial for disposition of their cases. While the majority of all felony cases are set for call-in on Mondays at 1 p.m., officers should be aware of additional settings through the week and read the subpoenas carefully.

XIII. OFFICER APPEARANCE IN PERSONAL MATTERS

Any officer appearing in Court for personal reasons, shall not be armed or in uniform in the Courtroom. The weapon is to be checked with the Peoria County Sheriff's Office at the Peoria County Courthouse during the Court appearance. Weapon lock-boxes are provided by PCSO for this purpose.

XIV. ON-CALL COURT TIME

- A. On-call Court time is governed by contract language between the City and the PPBA.

- B. As a general rule, the Unit/Division Lieutenant shall use the measure of an officer being *unreasonably restricted* to determine an officer's eligibility.
- C. On-call example

If an officer calls in at the designated time and is told the Court is not sure he is needed, or the Court will get back to him, or to call back at some later time; and the amount of time required to receive a response unreasonably restricts his movements, he is *on-call* and eligible for pay.

- D. Standby example

The officer is not eligible for on-call pay if:

1. An officer calls in at the designated time and is told that he is not needed;
2. If the officer cannot be immediately told if he is needed but is called back in a reasonable amount of time and told that he is not needed or;
3. The officer is told to be in Court at some later time.

XV. CIVIL CASES NOT INVOLVING THE CITY OR CITY EMPLOYEES

- A. Officers who become witnesses to events as a course of their duties, which later become civil lawsuits, shall maintain an attitude of complete neutrality. Since the officer became a witness during the course of assigned duties as a public servant, the officer is expected to extend all reasonable cooperation to all parties to the lawsuit and their attorneys.
- B. Any person served with a subpoena accompanied by payment of a statutory witness fee and mileage, is required by law to honor the subpoena. Officers are not to appear in any such civil case, except upon subpoena. It is vital the Department maintain absolute neutrality in civil suits.
- C. If an officer is to appear in such a civil case while on duty, the officer shall notify an immediate supervisor as far in advance as possible. All witness fees and mileage must be submitted to Support Services Captain for transmittal to the City Treasurer. Officers receiving such payment shall endorse the check *Pay to Order of the City Treasurer, City of Peoria*.
- D. If an officer is to appear in such a civil case while off-duty, the officer has the option of retaining witness and mileage fees or signing up for court overtime with their Division/Unit Lieutenant. If the officer opts for court overtime, the subpoena, witness fees, and mileage fees must be turned over to their Division/Unit Lieutenant. The Lieutenant shall forward the subpoena and signed checks to Support Services Captain.
- E. Officers shall make themselves reasonably available to the attorneys for any party to such a civil suit for pretrial interviews or conferences. Such interviews may be held while on duty, with the approval of an immediate supervisor. Approval should be granted when it does not unduly interfere with the operation of the Department. Officers are not required

to participate in such interviews while off-duty. No overtime will be paid for such interviews or conferences.

- F. This procedure is not to be confused with the procedure in criminal cases wherein interviews with defense attorneys are permitted only upon approval of the State's Attorney's Office, or with civil cases in which the City or any city employee is involved in his official capacity, and such interviews are permitted only upon approval of the Corporation Counsel's Office.

XVI. Nothing herein shall preclude the Chief or his designee from authorizing exceptions to this Order, as necessary on a case by case basis.

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GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Gang/Narcotics Loitering Ordinance	400.55
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	11/4/02
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u>
N/A	N/A
<u>AUTHORITY</u>	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson
	Police Chief

I. POLICY

In response to the overwhelming needs and concerns expressed by our community members and community-based organizations, the Peoria Police Department recognizes that one of the methods by which criminal street gangs establish control over identifiable areas is by loitering in those areas. Further, the department recognizes that criminal street gangs establish control over identifiable areas to conduct narcotic sales and other illegal activities and to intimidate law-abiding citizens.

It is the policy of the Peoria Police Department to utilize all strategies, resources, and legislative means available as tools to improve these conditions. To that end, the department will enforce those laws and ordinances which specifically address this situation. In doing so, the department will uphold its obligation to protect the constitutional liberties of all persons within the jurisdictional boundaries of the city. Further, it is the policy of the Peoria Police Department to monitor and enforce all statutes and ordinances in a fair and impartial manner.

II. PURPOSE

To provide guidelines, policies, and procedures to Peoria police officers to enforce the city of Peoria gang and narcotics loitering ordinance (Sec. 20-220 and 20-221).

III. DEFINITIONS

- A. *Collective advocacy:* For the purposes of this order, collective advocacy is any activity or conduct by a group of persons assembled in any public place to pursue some common political or social objective. The objective must be apparent to an observer for the activity to amount to collective advocacy. Examples of collective advocacy activity include picketing, demonstrations, charitable solicitation, circulating petitions, or soliciting donations for a political or social cause. These activities must conform to applicable federal, state, and city laws and ordinances. Collective advocacy activities do

not include persons who remain in any one place with no identifiable purpose that is apparent to the observer.

B. *Criminal street gang*: Any ongoing organization, association in fact, or group of three or more persons, whether formal or informal, having as one of its substantial activities the commission of one or more of the criminal acts enumerated in the definition of criminal gang activity, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

C. *Criminal gang activity*: The commission, attempted commission, or solicitation of the following offenses, provided that the offenses are committed by two or more persons, or by an individual at the direction of or in association with, any criminal street gang, with specific intent to promote, further, or assist in any criminal conduct by gang members:

9-1 murder, 9-3.3 drug-induced homicide, 10-1 kidnapping, 10-4 forcible detention, Subsection (a)(13) of Section 12-2 aggravated assault—discharging firearm, 12-4 aggravated battery, 12-4.1 heinous battery, 12-4.2 aggravated battery with a firearm, 12-4.3 aggravated battery of a child, 12-4.6 aggravated battery of a senior citizen, 12-6 intimidation, 12-6.1 compelling organization membership of persons, 12-11 home invasion, 12-14 aggravated criminal sexual assault, 18-1 robbery, 18-2 armed robbery, 19-1 burglary, 19-3 residential burglary, 19-5 criminal fortification of a residence or building, 20-1 arson, 20-1.1 aggravated arson, 20-2 possession of explosives or explosive or incendiary devices, Subsections (a)(6), (a)(7), (a)(9) or (a)(12) of Section 24-1, unlawful use of weapons, 24-1.1 unlawful use or possession of weapons by felons or persons in the custody of the department of corrections facilities, 24-1.2 aggravated discharge of a firearm, Subsection (d) of Section 25-1 mob action—violence, 33-1 bribery, 33A-2 armed violence, Sections 5, 5-1, 7 or 9 of the Cannabis Control Act where the offense is a felony (manufacture or delivery of cannabis, cannabis trafficking, calculated criminal cannabis conspiracy and related offenses) or Sections 401, 401.1, 405, 406.1, 407 or 407.1 of the Illinois Controlled Substances Act (illegal manufacture or delivery of a controlled substance, controlled substance trafficking, calculated criminal drug conspiracy and related offenses).

D. *Designated area*: An area of the city designated in writing by the police chief where enforcement of Peoria city ordinance Sec. 20-220 is necessary because gang loitering has enabled criminal street gangs to establish control over that area, to intimidate others from entering that area, or to conceal illegal activities, and/or enforcement of Peoria city ordinance Sec. 20-221 is necessary because the area is frequently associated with narcotics related loitering.

E. *Gang loitering*: The presence of a member of a criminal street gang who remains with one or more persons in any one place under circumstances that would warrant a reasonable person to believe that the purpose or effect of that behavior is to enable a criminal street gang to establish control over identifiable areas, to intimidate others from entering those areas, or to conceal illegal activities.

F. *Narcotics related loitering*: Remaining in any one place under circumstances that would warrant a reasonable person to believe that the purpose or effect of that behavior is to facilitate the distribution of substances, in violation of the Cannabis Control Act or the Illinois Controlled Substances Act.

- G. *Pattern of criminal activity*: Two or more acts of criminal gang activity of which at least two such acts were committed within five years of each other.
- H. *Public place*: The public way and any other location open to the public, whether publicly or privately owned.

IV. PREREQUISITES TO ENFORCEMENT

- A. Establishing the identity of criminal street gangs
 - 1. Only ongoing organizations, associations in fact, or a group of three or more persons, whether formal or informal, having as one of its substantial activities the commission of one or more of the criminal acts enumerated in the definition of criminal gang activity, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity, will qualify the group to be designated as a criminal street gang.
 - 2. A criminal street gang will be identified on the basis of specific, documented, and reliable information such as:
 - a. Analysis of crime pattern information
 - b. Observations by department members
 - c. Witness interviews
 - d. Interviews of admitted criminal street gang members
 - e. Information received from informants who have proven to be reliable

B. Determining an individual's criminal street gang membership (see GO 400.13)

Probable cause to establish an individual's membership in a criminal street gang must be substantiated by the arresting officer's experience and knowledge of the alleged offenders and corroborated by specific, documented, and reliable information, such as:

- 1. When the individuals admit to gang membership.
- 2. When a person resides in or frequents a documented gang area and adopts their style of dress, use of hand signs, symbols, or tattoos, and associates with the known gang, only when such emblems, tattoos, or similar markings would not reasonably be expected to be displayed by an individual except a member of that specific criminal street gang. Membership may not be established solely because an individual is wearing clothing available for sale to the general public.

3. When a person is arrested more than once in the company of gang members for offenses that are consistent with known gang activity.
4. When a person is under the age of 21 and is identified as being a gang member by a parent or guardian.
5. When a person is identified by two or more members as being a member of their gang.
6. When a person has been stopped in the company of known gang members four or more times.
7. When a person is identified as a gang member by physical evidence such as photographs or gang paraphernalia.
8. County jail or prison correspondence wherein the individual is identified as a gang member.

V. ENFORCEMENT PROCEDURES

A. Gang loitering

1. The department will provide training specific to the enforcement of the gang loitering ordinance.
2. Officers enforcing the gang loitering ordinance will familiarize themselves with:
 - a. The location of designated areas and with information maintained by the department concerning criminal street gang membership and illegal narcotics trafficking in that area
 - b. Information which applies to the designated area received from other police officers, the residents in the designated areas, local community based organizations, city of Peoria staff, or elected officials
 - c. Any associated patterns of loitering which support gang related illegal narcotics trafficking, efforts by the gang to maintain control over identifiable turf, or efforts at harassment and intimidation of others
3. When an officer observes two or more persons loitering in a designated area, the officer will:
 - a. Determine if any criminal street gang member is present, and if the persons are engaged in gang loitering:

- 1) Conduct or activities associated with collective advocacy are exempted from the enforcement provisions of this ordinance.
 - 2) The officer will also attempt to establish if circumstances are present which provide some innocent explanation for the individual's conduct. If the individuals are waiting at a marked bus stop, attempting to hail a cab, engaged in a game of basketball on a basketball court, or otherwise engaged in activity that provides a reasonable basis for the conclusion that the loitering has an innocent explanation, the ordinance should not be invoked.
 - 3) The loitering is consistent with established patterns of gang loitering that contributed to the area's designation.
- b. Officers shall notify ECC that they are out on the suspects prior to approaching them, and using the Peoria police gang/narcotics loitering notice card:
- 1) Verbally inform all the persons engaged in the gang loitering that they are doing so in an area where loitering by criminal street gangs is prohibited.
 - 2) Order all such persons to disperse and remove themselves from sight and hearing of that location.
 - 3) Inform those persons that they will be subject to arrest if they fail to obey the order promptly or return within sight or sound of the location where the order was issued within a three hour period and engage in further gang loitering. They should be advised of the time.
- c. Officers shall communicate with ECC via PREP 2 or ISPERN 2 prior to clearing the call, advising:
- 1) Names (if known) or descriptions of the suspects given the order
 - 2) Exact location where the order was given
 - 3) Exact time the order was given
4. The officer will arrest any persons who do not remove themselves in a prompt manner from the place where the order was issued or any persons who return within sight or sound of the location where the order was issued within a three hour period and engage in further gang loitering.

B. Narcotics related loitering

1. The department will provide training specific to enforcement of the narcotics related loitering ordinance.
2. Officers enforcing the narcotics related loitering ordinance will familiarize themselves with:
 - a. The location of designated areas and with information maintained by the department concerning illegal narcotics trafficking
 - b. Information which applies to the designated area received from other police officers, residents in the designated areas, local community based organizations, city of Peoria staff, or elected officials
 - c. Any associated patterns of loitering which support illegal narcotics trafficking
3. When an officer observes one or more persons loitering in a designated area, the officer will determine if narcotics related loitering is taking place. **The presence of a member of a criminal street gang is not a required element of this offense.**
 - a. Conduct or activities associated with collective advocacy are exempted from the enforcement provisions of this ordinance.
 - b. The officer will also attempt to establish if circumstances are present which provide some innocent explanation for the individual's conduct. If the individuals are waiting at a marked bus stop, attempting to hail a cab, engaged in a game of basketball on a basketball court, or otherwise engaged in activity that provides a reasonable basis for the conclusion that the loitering has an innocent explanation, the ordinance should not be invoked.
 - c. The loitering is consistent with established patterns of narcotics related loitering that contributed to the area's designation.
4. If the officer determines that narcotics related loitering is taking place, he shall notify ECC that he is out on the suspects prior to approaching them, and using the Peoria police gang/narcotics loitering notice card:
 - a. Verbally inform all the persons engaged in the narcotics loitering that they are doing so in an area where narcotics related loitering is prohibited.

- b. Order all such persons to disperse and remove themselves from sight and hearing of that location.
 - c. Inform those persons that they will be subject to arrest if they fail to obey the order promptly or return within sight or sound of the location where the order was issued within a three hour period and engage in further narcotics related loitering. They should be advised of the time.
5. Officers shall communicate with ECC via PREP 2 or ISPERN 2 prior to clearing the call, advising:
 - a. Names (if known) or descriptions of the suspects given the order
 - b. Exact location where the order was given
 - c. Exact time the order was given
6. The officer will arrest any persons who do not remove themselves in a prompt manner from the place where the order was issued or any persons who return within sight or sound of the location where the order was issued within a three hour period and engage in further narcotics related loitering.

VI. ROLES AND RESPONSIBILITIES

A. Arresting officers will:

1. Complete a MOVN for each person arrested for violating these ordinances. Officers may use the back of page one of the MOVN to list details of the incident. These details shall include:
 - a. Circumstances that led to the order of dispersal
 - b. Time the dispersal order was read
 - c. Circumstances that led to the arrest
 - d. Time the suspect violated the order
 - e. Designated area number
 - f. Others present when the order was read
 - g. Others arrested at the same incident

- h. If video was used to document the incident
 - i. Other officers involved
2. If a custody arrest is made, a crime report will be accomplished. The narrative section shall include the same details as the MOVN.
 3. If the arrestee is identified as a member of a criminal street gang, the narrative shall also reflect the probable cause for that determination.
- B. Supervising sergeants will review and approve the gang and narcotics loitering MOVNs and related arrest reports. Sergeants will ensure MOVN and arrest reports contain the details for completing MOVNs and related arrest reports as listed above.
 - C. Shift commanders will monitor the enforcement of the ordinance in designated areas and ensure their officers and sergeants are accomplishing their responsibilities.
 - D. The training unit will provide training to support the appropriate enforcement of the ordinance.
 - E. The information office will ensure copies of gang and narcotics loitering custody arrest reports are faxed or delivered to the legal department each morning. This will provide the information required for bonding court.
 - F. The records unit will enter the MOVNs into ADSI, to include the officer's written documentation on the back of page one of the MOVN.

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GENERAL ORDER

<u>NUMBER</u>	400.56
<u>EFFECTIVE DATE</u>	December 11, 2017
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Accidents/Damage Involving City Vehicles	4
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
All Personnel	GO 178-83; 5/15/00; 7/28/09; 500.11
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police

I. POLICY

The Peoria Police Department has the responsibility of investigating all traffic related accidents involving City of Peoria owned vehicles. These incidents shall be investigated and documented in a consistent and professional manner in accordance with industry standards for traffic accident investigations.

II. PROCEDURES

A. Accidents within the City of Peoria

1. When a call is received of a traffic accident inside the city limits involving a city vehicle, an accident investigator and a supervisor shall be sent to the scene to investigate.
2. The accident investigator shall investigate and make the necessary reports.
3. When involving a police vehicle, the assigned supervisor shall make a special report rendering an opinion of the classification of the accident. This report shall be forwarded to the captain of support services with copies to their respective chain of command. Supervisors are not required to submit a special report on accidents requiring reconstruction.

B. Accidents Outside the City of Peoria

1. Employees involved in a traffic accident involving a city vehicle outside the city, regardless of the amount of damage, shall notify the appropriate law enforcement agency to make a traffic collision report. The involved employee shall notify the Peoria on-duty patrol lieutenant of the facts and circumstances of the accident.

2. The on-duty patrol lieutenant may decide to send either an accident investigator or a sergeant outside the city, if within a reasonable distance, and the situation involves a serious injury or questionable circumstances.
3. The involved employee shall complete the appropriate Peoria Police report regarding the accident. The employee shall obtain a copy of the accident report if done by another jurisdiction, or request a copy of that report be forwarded to the Peoria Police Department's Records Unit supervisor.

C. Reporting Requirements

In all cases of damage to a city vehicle, a report is required by the officer finding the damage and a supervisor.

III. ACCIDENT REVIEW COMMITTEE

A. Purpose

An Accident Review Committee of department members shall review and assess City of Peoria employee driver responsibility for city owned vehicle damages. The committee is also charged with identifying poor driving habits or other conditions causing accidents or damage to vehicles, and subsequently providing recommendations to the City of Peoria Department Heads for corrective measures.

B. Composition

1. The Committee shall consist of the following 8 voting members: the uniformed operations captain (chairman), day shift patrol lieutenant, special operations lieutenant, CID lieutenant, traffic sergeant, technical services lieutenant, the city's risk manager, and a patrol officer.
2. The president of the Peoria Police Benevolent Association (or his designee from the Executive Board) shall be an ex-officio, nonvoting member.

C. Committee Meetings

1. The Committee shall meet quarterly. The meetings will be called by the uniformed operations captain. No meeting of the Accident Review Committee shall be held unless a quorum of four voting members is present. The chairman's vote will decide any ties.
2. The committee shall notify each driver in writing no less than five days prior to the scheduled hearing date that he may appear before the committee to present additional facts or information he feels pertinent to his case. The committee may, at its discretion, require the accident investigator or sergeant

to appear at a meeting to explain or clarify circumstances of the accident. The committee shall notify the driver in writing of its findings.

D. Accident Classifications

The Accident Review Committee shall determine a classification for reported incidents, based solely on the particular accident under consideration.

1. Accident classification guidelines are:
 - a. **No Accident:** There is no injury nor property damage.
 - b. **Preventable:** This violates a traffic law which contributes to the accident, or does not demonstrate proper use of defensive driving skills, or allows conditions of the road, the weather, or the actions of other drivers to involve an officer in an accident that could reasonably have been avoided.
 - c. **Non-preventable:** No negligence on the part of the officer.
 - d. **Preventable with Cause:** These are accidents that would normally be ruled preventable but the nature of the act is justified under the existing circumstances.
2. The committee shall determine if the accident damage indicates negligence or non-negligence on the part of the driver or the officer to whom the vehicle is assigned.
3. Any available video evidence shall be reviewed by the traffic lieutenant, and may be considered by the committee upon his recommendation.
4. Problems identified in report writing or investigative techniques shall be brought to the attention of the officer's unit or shift commander and documented through an employee contact form.

E. Remedial Action (if applicable)

1. Committee members holding the rank of lieutenant or higher shall make a recommendation to the chief of police on action to be taken concerning any police employee who was the operator of a vehicle involved in a preventable accident. The chief of police is not bound by the committee's recommendations.
2. Remedial actions for police department employees may include, but are not limited to: a counseling session, attendance at a police driver training school,

or other actions deemed appropriate by the committee and approved by the chief of police.

3. Discipline may be recommended in accordance with General Order 200.02 (Corrective Action System) in cases with accidents or damage resulting from negligent, careless, reckless, irresponsible, or indifferent operations of a city vehicle.
 - a. The committee will not make recommendations regarding discipline for employees from other City of Peoria departments. Discipline will be the responsibility of the respective department head.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Notices to Appear	400.57
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	5/15/00
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u>
N/A	GO 313-84
<u>AUTHORITY</u>	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson Police Chief

I. PURPOSE

The Illinois Code of Criminal Procedure provides that whenever a police officer is authorized to arrest a person without a warrant, he may instead issue to such person a notice to appear (NTA).

II. PROCEDURES

A. Authorization to issue

Only a peace officer can issue an NTA. A private citizen cannot legally sign or issue an NTA, but must sign a formal complaint at the state's attorney's office (SAO) or the city attorney's office, if applicable.

B. Offenses for which an NTA may not be issued

1. Generally an NTA shall not be issued in felony cases, however one may be issued to a felony offender when it is in the best interest of the prosecution and only with prior authorization of the division commander and the SAO.
2. An NTA shall not be issued to juvenile offenders. Juvenile cases shall be handled by the juvenile unit through a juvenile court petition.

C. Fact requirements for issuance

NTAs shall be issued in lieu of a custody arrest when all of the following fact requirements are met:

1. The offense is a misdemeanor.
2. The offense does not involve violence or the imminent threat of violence, either to persons or property.

3. The offender can show satisfactory proof of identity.
 4. The offender has some ties to this community which would indicate that he will be in the community and voluntarily appear in court on the date listed on the NTA (lives, works, goes to school here, etc.).
 5. The offender signs the “receipt of notice” on the NTA.
- D. Content of police reports
- Officers shall make certain that reports of incidents in which an NTA has been issued contain the date, time, and place of the incident, witness information, and a narrative of what took place.
- E. Setting the court date
- The issuing officer shall set the day and time of the initial court appearance according to a schedule established periodically by the SAO. It is not necessary that the complaining officer be in court on the initial court appearance date unless notified to be present.
- F. Securing the formal complaint
1. State statute misdemeanor violations
- The complaining officer shall deliver the SAO’s copy of the NTA and a copy of the incident report to the information office. The court sergeant shall be responsible for securing the signing of the formal complaint.
2. Municipal ordinance violation notice (MOVN)
- City ordinance violations can be handled by using an MOVN, which does not require an NTA.
- G. Special considerations
- When special conditions exist (such as in the case of an elderly offender or a mentally/physically handicapped offender), officers must use discretion and consider issuing an NTA rather than making a custody arrest. In these special cases an NTA may be issued to the individual even though all of the fact requirements listed above have not been met.
- H. Arrests by noncommissioned store employees

When a noncommissioned store employee detains a person, he shall immediately contact the Peoria Police Department and a police officer will be dispatched. The responding

police officer shall first determine whether the arrested person qualifies for an NTA. If one is issued, the officer shall print the name and address of the noncommissioned store employee under his signature. He shall write somewhere on the NTA the words, "civilian witness to obtain complaint—officer not a witness to the offense."

It is the responsibility of the police officer to complete an incident report on the case. The noncommissioned store employee may not complete a city police report. In addition, the police officer shall advise the noncommissioned store employee that it is his responsibility in the case of an adult to go to the SAO to file the necessary complaints immediately, if the SAO is open, or as soon thereafter as possible, but in no case shall the delay be longer than overnight.

I. Release

All persons to whom an NTA is issued shall be released without transporting them to the county jail for processing. A field booking form must be completed on every NTA.

This directive provides general guidelines to personnel regarding improper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	400.58
<u>EFFECTIVE DATE</u>	December 23, 2019
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Juvenile Offender Procedures	8
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	1/31/18; 6/24/19
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
44.1.1, 44.2.1, 44.2.2, 44.2.3	Juvenile Court Act
<u>AUTHORITY</u>	Loren Marion, III Chief of Police

I. PURPOSE

The purpose of this policy to outline the available options for handling juvenile offenders, and to articulate the constitutional requirements for their custody.

II. POLICY

Officers shall focus on both enforcement and prevention functions, realizing neither role at the expense of the other. Officers shall use the least punitive (or coercive) legal alternative when exercising discretion in the disposition of juvenile cases. The Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.

III. DEFINITIONS

- A. *Custody*: Whenever a minor is being detained by a law enforcement official and is not "free to leave"
- B. *Delinquent Act*: Violation of any federal or state law by a juvenile (under 18 years of age) except for those minors who fall under the automatic transfer section of Chapter 705 - 405/5-4.
- C. *Delinquent Minor*: Any minor who prior to his eighteenth birthday, has violated or attempted to violate regardless of where the act occurred, any federal or state law or municipal ordinance.
- D. *Juvenile*: Any person under 18 years of age
- E. *Minor*: Any person under 21 years of age
- F. *Secure Custody*: Detention or secure custody means placing a juvenile in a locked room, office, or cell, or handcuffing to a cuffing ring or stationary object, or placed in a juvenile detention center.

- G. *Non-secure custody*: Any area where the juvenile is held must be in an unlocked multipurpose area such as lobby, office, or unlocked interview room. The juvenile cannot be physically secured to a cuffing rail or any other stationary object. If a chair is not secured to the floor, it is not considered to be a stationary object. Juveniles may be cuffed to themselves, or to a non-stationary object. Consideration must be given to whether cuffing a juvenile to a non-stationary object poses a safety risk to the juvenile or others.
- H. *Limited Custody*: A type of temporary custody wherein a law enforcement officer takes a minor into custody for not more than six hours if the minor is believed to be absent from home without parental consent or beyond control of his parent and in danger. A juvenile in limited custody may not be held in secure custody.
- I. *Status Offender*: Any minor who commits any act which if committed by an adult, would not be a crime.
- J. *Status Offense*: Any violation of any federal or state law or local ordinance that would not be an offense if the juvenile were an adult (curfew violations, truancy, running away, underage drinking, etc.).
- K. *Temporary Custody*: Temporary placement of the minor out of the custody of his guardian or parent. Taking of a minor into temporary custody is not an arrest, nor does it constitute a police record.

IV. PROCEDURES FOR HANDLING JUVENILE OFFENDERS

A. Contributing Factors

Officers should consider the following guidelines in making a choice for resolving the situation:

1. Nature of the offense
2. Age of the juvenile
3. Attitude or mental health of the juvenile
4. Availability of a parent or guardian.
5. Previous offenses
6. Gang affiliation and activity
7. Complainant/victim's comments
8. Direction received by juvenile authorities
9. Previous record of participation or refusal to participate in diversion programs or juvenile services

B. Enforcement Actions (in order of least coercive to most coercive)

1. Release with no further action
 - a. For juveniles committing non-status offenses, the officer may use his discretion to release the juvenile with no further action.
 - b. Officers shall notify the parent or guardian to explain the contact with police.
2. Release to parent, legal guardian, or other responsible adult with no further action
 - a. If the police became involved with a juvenile that might be involved in a criminal issue the officer shall contact the parent/guardian to advise them of the situation. Officers may complete the necessary documentation on location and release to a parent or guardian at the scene, or transport the juvenile to the station.
 - b. Thought and consideration must be used when releasing juveniles to other family members when parents/guardians cannot be located, and the contact and location information must be documented.
3. Citation or Notice to Appear
 - a. If possible, written citations or summonses should be used rather than taking the juveniles into custody. A copy of the citation/summons should be, if possible, forwarded to the parent/guardian of the juvenile. The officer can also contact the parent/guardian instead of forwarding the copies of the citation/summons.
 - b. If the juvenile can be identified and is only being issued a misdemeanor traffic ticket or city ordinance violation (other than curfew or drugs), then the juvenile can be released with the citation. If the violation involves drugs, curfew, or any other violation that the officer deems, then the parent/guardian shall be notified prior to release.
4. Referral to another agency or service for potential diversion alternatives
 - a. Juvenile officers may utilize a formal Station Adjustment, per the Juvenile Court Act, as a diversion opportunity. The juvenile, parent, and victim are required to sign the Station Adjustment

Form, and the juvenile must complete a designated community service or restitution.

- b. All efforts shall be made to contact the local Comprehensive Community Based Youth Services (CCYBS) network or appropriate child advocacy agency to limit police custody of juveniles as much as possible. Pursuant to Public Act 99-0254, the Juvenile Court Act of 1987 is amended. (705 ILCS 405/410 Section 5-410), it provides that an alleged minor under 13 years of age shall not be admitted, kept, or detained in a detention facility unless a local youth service provider, including a provider through the CCBYS network, has been contacted and is unable to accept the minor.

5. Referral to juvenile court

- a. Any juvenile under age the of 18 at the time of offense, may be prosecuted under the Criminal Laws of the State of Illinois

Exceptions: traffic law violation, fish and game law violation, and offenses punishable by fine only.

- b. Referrals to Juvenile Court should be restricted to those cases involving serious criminal conduct or repeated criminal violations. In general, delinquent acts requiring referral to juvenile court would include:
 - 1) all delinquent acts that, if committed by an adult, would be felonies
 - 2) all delinquent acts involving weapons
 - 3) all serious gang-related delinquent acts
 - 4) all delinquent acts committed by juveniles on probation or parole or those who currently have criminal cases pending

V. PROCEDURES FOR CUSTODY

A. Arrest Procedures

Whenever a Peoria Police Officer arrests a juvenile and takes the youth into custody for a delinquent act (non-status offense), the juvenile shall be brought to the station for processing without delay, unless emergency medical care is needed

(44.2.2d). The following duties with respect to the interim status of the juvenile shall be accomplished:

1. Make an immediate attempt to notify the youth's parent or guardian. If unable to contact the parent, the time of the attempt should be documented within the report (44.2.2e). If contact is made, document the nature and time the contact was made.
2. If a juvenile detective is not on duty, the arresting officer shall review the facts of the case with the on-duty supervisor to determine the necessity of notifying a juvenile police officer. If a juvenile detective is on duty and available, contact the juvenile detective and review the facts of the particular case.
3. Inform the juvenile of Miranda warnings prior to custodial interrogation and obtain a written Miranda waiver. Officers must use the new Miranda Rights form for juveniles. The rights must be read to the juvenile using the exact language as written on the form. (44.2.2c)
4. Processing of juvenile shall include:
 - a. Police report
 - b. Fingerprints and photograph must be taken for all minors of the age of 10 and over who have been arrested for any felony, misdemeanor, or violation of Chapter 4 Section 11-204.1, or 11-501 of the Illinois Vehicle Code. (20 ILCS 2630/5).
5. Provide meals if necessary while in custody, although every effort shall be made to release the juvenile as soon as possible.
6. Release juvenile to parent/guardian for future follow-up by a juvenile detective, unless directed to detain.
7. When the delinquent act is serious, the juvenile detective will determine if the subject should be taken into custody or if a petition to the court should be filed at a later date.
 - a. Criteria for taking a juvenile into custody shall depend on whether the detention of the juvenile is a matter of urgent and immediate necessity for the protection of the minor, of the person or property of another, or because the detained minor is likely to flee court jurisdiction. (44.2.2b)
 - 1) When dealing with a juvenile victim or suspect, the utmost care should be taken in regards to the safety of the juvenile.

The officers should be aware of any injuries or issues involving the juvenile and make proper medical notifications if needed. DCFS will need to be contacted if any safety issues involving the juvenile's home or family life are discovered.

B. Temporary Custody

A Peoria Police Officer may, without a warrant, take into protective or limited custody any minor who the officer reasonably believes is:

1. A delinquent minor who has violated or attempted to violate any federal or state law or municipal ordinance, regardless of where the act occurred (705 ILCS 405/5-3).
2. An adjudicated ward of the Juvenile Court who has escaped from any court-ordered commitment (705 ILCS 405/2-5).
3. A minor requiring authoritative intervention (M.R.A.I. 705 ILCS 405/3-4).
4. A neglected or abused minor (705 ILCS 405/3-4 or 705 ILCS 405/2-3).
5. A dependent minor (705 ILCS 405/3-4 and 705 ILCS 405/2-4).

C. Procedures for Custodial Interrogation of Juveniles

Assure Procedural Rights of Juvenile (Miranda Rights).

1. Officers shall read the Juvenile Miranda Rights Waiver Form to the juvenile. After reading the juvenile his Miranda Rights, the officer will need to ask whether the juvenile "wants to have a lawyer" and "do you want to talk to me."
2. Officer/detective must ensure the juvenile understands their rights in an intelligent and voluntary manner, and request the juvenile sign the waiver. If the minor refuses, indicate this on the report.
3. Voluntariness of Miranda waiver is measured and documented by:
 - a. Age
 - b. Existence of threats, promises
 - c. Intelligence
 - d. Physical coercion

- e. Experience with law enforcement
 - f. Time of day
 - g. Presence of parents
 - h. Physical condition of the interview room
 - i. Presence and/or vicinity of minor juvenile officer
 - j. Length and intensity of interview
 - k. Familiarity of language used during questioning
4. The interview may begin prior to parental/guardian arrival.
 5. If the minor indicates he/she does not wish to answer questions or wants an attorney, the interview will be terminated.
 6. A parent or guardian may be present during the questioning of a minor, if requested by a parent or guardian.
 - a. The minor must be afforded the opportunity to confer with an "interested adult" prior to and during custodial interview if requested by the minor.
 - b. For all felony juvenile arrests, a juvenile detective must be present during the start of an interview. The juvenile detective shall identify himself as a juvenile detective acting in the *"best interest of the child"* as cited in current Supreme Court cases.
 - c. For interviews involving forcible felonies or "crimes of violence," the juvenile detective shall remain for the duration of the interview.
7. Interview Procedure
 - a. A juvenile certified officer shall be present during the questioning of juvenile offenders as well as when written statements are taken.
 - b. Reasonable breaks must be given to the minor during questioning.
 8. Juveniles in custody who were 14 years of age or under *at the time of the commission* of the following criminal offenses are required to have legal representation: First Degree Murder, Intentional Homicide of an Unborn Child, Second Degree Murder, Voluntary Manslaughter of Unborn Child, Involuntary Manslaughter and Reckless Homicide, Involuntary Manslaughter and Reckless Homicide of an Unborn Child, Drug Induced

Homicide, Criminal Sexual Assault, Aggravated Criminal Sexual Assault, Predatory Criminal Sexual Assault, Criminal Sexual Abuse, Aggravated Criminal Sexual Abuse. Juveniles in custody for these offenses *cannot* waive their right to counsel during the judicial proceeding.

9. All in-custody interviews of juveniles shall be recorded, unless exigent circumstances exist. All homicide interrogations shall be electronically recorded as noted in General Order 400.97 (Electronic Recording of Interviews) and Public Act 93-0206.

D. Non-Custodial Interviews of Juveniles

When juveniles are interviewed in a non-custody situation, it is best to notify the parent or guardian that the police are talking with the juvenile. Non-custodial interviews of a juvenile involve the ability of the juvenile to “leave” at any time, and terminate the police contact.

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GENERAL ORDER

<u>NUMBER</u>	400.60
<u>EFFECTIVE DATE</u>	January 31, 2018
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Towing	5
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GOs 330-79, 300-78, 253-77, 202-86; GO 400.60 6/16/00
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
61.4.3	Peoria Municipal Code, Chapter 30, Article 5
<u>AUTHORITY</u>	Jerry E. Mitchell Police Chief

I. PURPOSE

To establish uniformity in tow information reporting for the following circumstances:

- For immediate accessibility of information by the cars on the street
- To readily handle inquiries at the information office concerning tows
- For use by the auto theft investigator
- For use by the crash investigator
- To use as an inventory of vehicle contents
- For incorporation of pertinent information in the case file
- To control the involuntary tow process and provide a procedure for settling citizen complaints

II. POLICY

Department personnel shall comply with the City of Peoria Municipal Code requirements for the towing of vehicles. Tows shall be documented in the records system to make the information available to both the involved parties and other department personnel.

III. VEHICLE TOW PROCEDURES

A. Completing Vehicle Tow Reports

1. This section of the ADSI report writing vehicle screen shall be used when completing either an original or a supplementary report to report when a vehicle is towed for any reason and to document an inventory of the vehicle contents. The registration vehicle identification number (VIN) must be verified by the officer towing the vehicle.

- a. Abandoned (original or supp)
 - b. Operator is arrested and a tow is necessary (original or supp)
 - c. Forfeiture proceedings (original or supp)
 - d. Evidence (original or supp)
 - e. Crime scene evidence search (original or supp)
 - f. Traffic hazard (original or supp)
 - g. Unattended/unclaimed at a hit-and-run and a traffic hazard, or otherwise must be towed (original or supp)
 - h. Recovered stolen vehicle, even if the owner claims the vehicle at the scene (original or supp)
2. Tow Screens for Accidents

Under normal conditions, a vehicle tow screen is not required for an accident investigation. However in the case of a DUI accident, a driver with injuries severe enough to prevent retrieval of the vehicle in a reasonable length of time, a deceased owner, possible complications as to the contents of the vehicle or condition of the vehicle, or accident arrests for other than traffic tickets such as an outstanding warrant, etc., it shall be necessary to complete a vehicle tow screen.

B. Involuntary Vehicle Tows

1. Chapter 30, Article V of the City of Peoria Municipal Code regulates tow companies and towing of vehicles. The following procedures will provide efficient maintenance of records of vehicles towed and provide guidance for personnel assisting citizens in the orderly recovery of towed vehicles.
2. When the owner of a vehicle towed without his permission wishes to protest a tow, the Involuntary Vehicle Tow Notice of Rights Form shall be completed for the owner by an information technician. A copy of the completed form shall be placed with the vehicle tow report.
3. The Notice of Rights Form calls for a meeting between the citizen and a city official. On police department tows, it should be the patrol lieutenant. This meeting should take place as soon as possible, but if it cannot take place immediately (the patrol lieutenant is the person who ordered the tow), the owner should be advised to reclaim the vehicle immediately and to call a shift lieutenant to schedule an appointment. The meeting may be with the uniformed operations captain if the shift lieutenant is unavailable.
4. The police official conducting the meeting shall complete the form with a list of the reasons the tow was deemed proper or improper, give a copy to the citizen, and attach the form to the vehicle report for filing with the original incident report.

5. Payment of towing and storage fees will be refunded by the city if the tow is found to be improper. The information technician shall copy the entire file and forward it to the administrative captain for processing of the refund, before filing the originals in the records unit incident file. The citizen shall be informed that the refund check will be mailed within two weeks.

This is not to include vehicles set for a hearing regarding vehicles impounded under city ordinance.

C. Rotation Tow List

Officers must use the rotation tow list unless the vehicle owner requests a specific tow.

D. Towing From Private Property

When requested by the owner of private property, officers shall write a parking ticket on an offending vehicle, have it signed by the owner, and call for a rotation tow. The officer shall make a vehicle report with the towing information and the owner must obtain a release from the information office to reclaim the vehicle.

E. Arrested Persons and Seized Vehicles

1. The vehicle of an arrested person may be moved to a legal parking space and shall not be towed over the objection of the owner/operator of the vehicle unless the vehicle is:
 - a. Being seized as evidence
 - b. Being seized for forfeiture
 - c. Being removed for the purpose of a legal search or processing
 - d. Unattended and the operator is either not the owner or he is incapable of making a reasonable determination of the safety of leaving the vehicle (he is highly intoxicated)
 - e. Recovered as stolen and the owner is not readily available to pick it up
 - f. Being towed pursuant to ILCS requirements, such as suspended DL with no proof of insurance.
2. An officer is authorized to drive and park a vehicle in a legal parking space, with the owner/operator's permission to avoid a towing bill for the owner/operator. If the owner/operator will not give permission, the car shall be towed unless the owner will permit a licensed third person to properly park the vehicle.

F. Traffic Obstructions

1. A vehicle on an arterial street which constitutes a traffic obstruction or hazard, causes a motorist to depart from his normal traffic lane movement or swerve, or is in a poorly lighted location adjacent to turning movement or vision obstructions, shall be ticketed under the appropriate statute or ordinance, and towed.

2. The officer shall make a reasonable attempt to contact the owner of the vehicle and allow him to move it prior to calling a tow company unless an urgent, hazardous, or emergency situation exists (snow emergency, etc.).
3. Vehicles on lightly traveled streets or on well-lit streets in illegal parking positions need not be towed unless they constitute a clear obstruction or danger.

G. Motorcycles and Miscellaneous Vehicles

Because of the likelihood of injuries to officers and danger of fire or explosion, it is the policy of this department that heavy gasoline powered motorcycles and similar vehicles will not be lifted by the officers for transport, or stored inside the police building.

1. Motor vehicles that cannot be easily handled by one man (loading into the wagon or into the trunk of a car or heavy vehicle that has locked-up wheels that cannot be easily wheeled by hand from one building to another) will not be brought to the Property/Evidence area, but towed to the tow company. Proper reports shall be made as with any other towed motor vehicle. These vehicles would include motorcycles, mopeds, mini-bikes, riding lawn mowers, garden tractors, etc.
2. Vehicles that are brought to the station by the officer (light mopeds, mini-bikes, etc.) will not be brought inside the station since they contain gasoline. They should be secured by a chain with a padlock attached to the wall by the elevator shaft in the parking area behind 542 SW Adams (the municipal/ECC building). The padlock key is available in the Information Office to be checked out and in by the officer when Property/Evidence personnel are not available.
3. Vehicles may be towed to the station for evidence and fingerprint processing. The OIC will then determine the disposition of the vehicle, i.e., towed.

H. Abandoned Vehicles

A vehicle parked on the street can be ticketed and removed as abandoned if it is inoperable or after seven days if it has not been moved and appears to be unattended. The violation will be written under Section 28.341 of the City Code.

1. The primary responsibility for control of abandoned vehicles shall be that of the first shift patrol officer in each district. Any other officer shall take action on all complaints and initiate action on abandoned vehicles where appropriate. A strict enforcement policy will be followed with garages and junk dealers. Prior to commencing any action under the ordinance, the officer shall check whether the vehicle is stolen, by both verifying registration and VIN.
2. Inoperable vehicles

Action on an inoperable abandoned vehicle is begun by the officer making a reasonable attempt to locate the owner and offering him an opportunity to promptly

remove the vehicle. The officer shall issue a ticket, have the vehicle removed, and fill out a vehicle tow report, attaching the envelope portion to the report (the portion normally left on the vehicle or given to the owner). The card portion of the ticket shall be deposited in the traffic violation box across from the patrol sergeant desk. In the narrative the officer shall state what efforts were made to locate the owner or why the owner was unable to move the vehicle. It shall be the responsibility of the theft investigator to conduct appropriate follow-up.

3. Operable vehicles

Action on an apparently operable vehicle is begun by the officer attaching an abandoned vehicle notice on the lower left portion of the windshield. At the expiration of seven days, the officer shall check back to see if the vehicle has been removed. If it has not been removed, the officer shall follow the same procedure as for an inoperable vehicle.

I. Other Tows

1. When other city departments request the police to tow a vehicle, an officer will be assigned to ticket the vehicle, order the tow, and document the actions taken on either an original report or supplemental report. This is to include the completion of the tow and tow inventory sections of the vehicle screen.
2. If the owner protests the tow when obtaining a release from the Information Office, the information technician shall fill out the Notice of Rights Form, add the date and time the form is delivered, copy as required above and give it to the owner, with instructions to call Code Enforcement between 8 a.m. and 5 p.m., Monday through Friday (except on holidays) to set up an appointment for the hearing. The information technician shall copy the entire file and forward it to the proper city department before filing the originals in the Records Unit incident file.
3. If a vehicle is towed as part of a police investigation, the tow company that has the city towing contract will be used.

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GENERAL ORDER

<u>NUMBER</u>	400.62
<u>EFFECTIVE DATE</u>	February 28, 2018
Processing Traffic Violations	
<u>NUMBER OF PAGES</u>	7
<u>SUPERSEDES</u>	GO 262-87; 6/16/00
<u>OTHER REFERENCE</u>	N/A
<u>AUTHORITY</u>	Loren Marion III Interim Chief of Police

I. ENFORCEMENT PROCEDURES

The following procedures are issued regarding the taking of bond for traffic offenses in those cases where a police officer is authorized to accept bond on the street.

A. Enforcement Options

For those offenses for which an officer is authorized to accept cash bond on the street in lieu of a custodial arrest, police officers have the following options:

- Accept driver's license
 - Accept bail bond card
 - Accept cash
 - Issue a Notice to Appear
1. Driver's License
 - a. Resident

If a violator has a current Illinois driver's license, it is the violator's option as to which form of bond he will post (current Illinois driver's license, bail bond card, or cash) or the officer may choose to release the violator with a signed promise to comply on the internal copy of the Electronic ticket.

If a violator does not have his driver's license on his person and the secretary of state check indicates that he has a valid driver's license, he shall be issued an additional citation for failure to have a driver's license on his person (IVC Section 5/6-112).

- b. Non-Resident

A signed promise to comply with terms of the citation shall be used as bond except as noted in IVC Section 5/6-306.4, for those

nonresident violators who reside in states that are members of the Nonresident Violator Compact—a list of which can be found in the posting bail section of the IVC pamphlet which is issued to officers. When utilizing the Electronic Ticketing (E-Ticketing) program, the non-resident violator **shall** sign the ‘Internal’ copy of the citation that will be sent to the Circuit Clerk’s Office.

2. Cash Bond

When an officer accepts cash bond for a traffic violation:

- a. The officer shall either drive or walk to the nearest U.S. mailbox with the citizen wishing to post bond.
- b. At the mailbox, the officer shall give the pre-addressed envelope to the citizen.
- c. The officer will print out the violator’s copies and issue them to him/her. The officer will also print out an **additional** ‘Internal’ copy of the citation which both the officer and the violator will sign. The second signed copy of the citation, with the denominations of the included monies noted on the back of it, will then be placed by the citizen in the envelope with the appropriate amount of U. S. Currency. The officer will also observe the citizen seal the envelope, to be certain that a “switch” does not occur, and then, after both the officer and citizen initial the sealed envelope flap, place the envelope in the mailbox.
- d. The original ‘Internal’ copy of the citation shall be processed and turned in as per standard procedure. On the back of this copy the officer shall note in writing:
 - 1) Location where the envelope was mailed.
 - 2) Amount of U. S. Currency enclosed and in what denominations.
 - 3) Time and date of mailing.
 - 4) By whom it was mailed.
 - 5) Who observed the mailing?

3. Notice to Appear

If an offender is unable to post bond on an offense for which an officer shall accept bond on the street, the officer may give the violator an opportunity to secure some form of bond (following the violator home if within the city limits) or may issue an NTA in lieu of a jail booking.

- a. The NTA section of a traffic citation shall be used **only when the offender can show satisfactory proof of identity**, i.e.: State DL

or State ID, and some ties to this community (lives, works, goes to school here, etc.), which would indicate that he will be in the community and voluntarily appear in court. No violator signature is required on the 'Internal' copy of an NTA citation; however, the officer **shall** sign the 'Court Communications' copy of the citation given to the violator.

- b. In the event a 'Personal Recognizance/Individual Bond' option is used when using the E-Ticketing program, there are two areas that need to be marked. When you initially mark the bubble for this option, a drop-down box will appear where you will need to enter the related dollar amount of the bond. The violator **shall** sign the 'Internal' copy and the issuing officer **shall** sign the 'Court Communication' given to the violator.

B. Arrests Subsequent to Traffic Violations

1. If the violator is being sent to Peoria County Jail (PCJ) for a confinable offense, the officer issuing traffic citations **shall** sign the 'Court Communication' copy of each citation and send that copy, the 'Violator' copy and the signed 'Internal' copy of each citation to PCJ with the violator in the transport wagon.
2. A person arrested for the offense of illegal transportation of alcoholic liquor, in violation of IVC Section 5/11-502 shall be permitted to make bond on the street if he is able. If unable, he shall be issued an NTA ticket. No person shall be confined in the county jail for the sole offense of illegal transportation of alcoholic liquor.

II. VOIDING TRAFFIC VIOLATION TICKETS

An Illinois attorney general opinion based on appellate court decisions states that police officers may not withdraw, void, or excuse for any reason a traffic citation alleging a violation of state statute or municipal ordinance after an arrest has been made and a citation issued.

A. Circumstances

A traffic violation ticket may be withdrawn if voided or excused only for the following reasons:

1. When the traffic violation ticket is lacking information or has incorrect data amounting to a fatal (cannot be corrected) defect in court.
2. When the ticket is erroneously issued contrary to or in mistake of the provisions of law or ordinance.

3. When a command officer believes the ticket should be withdrawn in the interest of justice.

Canceling, voiding, withdrawing, changing to warning, or otherwise acting upon tickets to allow the recipients to avoid prosecution on that charge will in all cases be entirely on a professional approach to the circumstances, as well as the law and the interest of justice. At no time will such actions be taken on the basis of friendship, occupation, influence, or other improper pressures. The guidelines in such a decision shall be whether all other citizens in the same circumstances would or should have their tickets withdrawn, remembering that these laws are enacted for public safety and that police experience demonstrates that enforcement is necessary in order to secure the public's compliance for the public safety.

B. Procedures to Voice/Withdraw a Traffic Citation

Once issued to a person, traffic violation tickets (uniform citation and complaint form and an Electronic Citation) may be withdrawn, voided, or otherwise acted upon to allow the recipient to avoid prosecution on that charge through the following means:

1. Officer Authority to Void

If a citation has been drafted but not issued to the offender and information becomes available that call into question the ability to successfully prosecute the offense the officer may void the citation. An example of this would be if you had written a citation for No Vehicle Insurance and when you went back up to the violator's vehicle, they produced a valid insurance card.

- a. When utilizing the Electronic Ticket program, a 'Void Ticket' function is available on the Offense Screen that will allow you to void a citation in the above instance. A reason for the voiding of an issued citation must be entered in the 'Void Reason' box prior to clicking on the 'Void Ticket' button.
- b. For handwritten citations, write the date, the name and address of the violator, the charge, the vehicle description and license plate number, and the name and badge number of the issuing officer. Write **Void** in bold letters across the face of the citation. Enter the required information on the front cover of the ticket book. Securely attach the voided citation to a memo explaining why it should be voided, including the valid citation number issued to replace the voided citation.

- c. An officer may only void a citation electronically until the end of their tour-of-duty on the day that the citation is initially issued. Any citations that you wish to void after that time must be handled by submitting a written request to the operations captain.

2. Voids Requiring Captain Authority

- a. Officers of any rank, who have sufficient reason to withdraw, void, or excuse a traffic violation ticket, may submit a written and detailed explanation to the uniformed operations captain requesting that such action be taken. A copy of the original offense screen of the electronic citation shall be attached to the written explanation submitted to the operations captain. A copy of this screen will show in red if that citation was voided in the system.
- b. The operations captain shall review the documentation and determine if sufficient grounds exist to forward the traffic violation ticket to the appropriate prosecutor for withdrawal. If he approves, the uniformed operations captain shall send his endorsement for withdrawal or voiding the traffic violation, along with other documentation received, to the Circuit Clerk's Office, or the State's Attorney's Office if the case is already docketed.

3. Voids Requiring the Chief's Approval

Dismissal, voiding, canceling, changing to warning, or otherwise acting upon traffic violation tickets to allow the recipient to avoid prosecution on that charge for any other reason or circumstance not described above must have the approval of the police chief or his designee, after a written recommendation by the operations captain. This does not prevent an officer from concurring with the prosecuting attorney to dismiss a ticket as part of an open plea bargaining process conducted according to Supreme Court rules.

III. CITATION MAINTENANCE AND ACCOUNTING

The Peoria Police Department is an impartial enforcer of traffic laws. All personnel are accountable for all tickets issued to them (handwritten) and for all citation numbers that are generated by the E-Ticketing program. This is an important matter of integrity and audit control.

A. Accounting Procedures

1. Each officer shall turn in all appropriate copies of citations issued—valid, voided, or spoiled—at the end of his tour of duty. This is to include all

signed 'Internal' copies of electronic citations and handwritten citations issued.

2. Each officer giving a handwritten, paper citation to a motorist shall log each citation on the front cover of the book, providing all the information required and complete an electronic citation in ADSi, affixing the handwritten citation to the internal copy of the E-ticket prior to depositing them into the citation box.
3. A first shift traffic officer is responsible for sorting and processing all handwritten or electronic traffic citations. These shall be taken to the Circuit Clerk's Office and deposited in the drop-box on a daily basis. These copies should be checked for the signature of the issuing officer prior to transport.

B. Issuing Ticket Books

1. Ticket books are available in the patrol sergeants' office and will be issued only by a patrol sergeant or lieutenant, who will be responsible for ensuring that the following information is recorded in the ticket book issue log:
 - a. Date issued.
 - b. Ticket number range in the book issued.
 - c. Name and badge number of the officer to whom issued.
 - d. Name and badge number of the sergeant or lieutenant issuing the ticket book.
2. All unissued stock of moving violation tickets, parking tickets, and MOVNs will be kept locked in the traffic unit storage room. Requests from Patrol for more traffic tickets shall be made through the traffic sergeant.
3. Spoiled Citations
 - a. Print on the citation the date, any violator identifying data (if applicable), the officer's name and badge number, and *SPOILED* across the face of the citation.
 - b. Turn the spoiled citation in attached to the valid citation. If no valid citation is issued, turn in the spoiled citation with the other citations issued at the end of the shift.

C. Records

The Records Unit will provide computer printouts relative to traffic tickets as requested by the department command.

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GENERAL ORDER

<u>NUMBER</u>	400.63
<u>EFFECTIVE DATE</u>	July 30, 2012
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Crime Stoppers	3
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 372-90; 6/16/00
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Steven M. Settingsgaard Chief of Police

I. PURPOSE

This policy is to explain the Crime Stoppers Program, its functionality and responsibilities within the Department.

II. POLICY

The Greater Peoria Area Crime Stoppers program covers Peoria, Tazewell, and Woodford Counties. The program involves the public, media, and area law enforcement agencies in the fight against crime by publicizing crimes, soliciting information as to offenders, and encouraging the public to report suspected criminal activity to Crime Stoppers with anonymity.

It offers complete anonymity and cash awards to persons who furnish information leading to the arrest and indictment of criminal offenders, or the capture of fugitives. Not only do these tips prove invaluable to law enforcement in helping solve crimes, but they also aid in the recovery of stolen property and the seizure of drugs. Thus it is with full support that this Department utilizes the Crime Stoppers Program.

The CID lieutenant will oversee the program while a CID sergeant and an officer from this Department will be assigned collateral duty in order to fulfill the obligations of the Crime Stoppers Program and act as liaison with the Greater Peoria Crime Stoppers Board.

III. PROCEDURES

TipSoft is a tip and intelligence management application used by Crime Stoppers programs, student crime prevention groups and law enforcement agencies nationwide. TipSoft provides seamless reception and management of information submitted by phone, via the Web, or by a SMS text. Tips can be received and replied to with complete security and anonymity because they are encrypted, keeping them entirely confidential and completely anonymous. These tips are then immediately and securely transferred directly to the appropriate law enforcement agency.

Anonymous tips can be made by:

1. Computer;
2. Texting 274637 (CRIMES) and entering “TIPS731” before typing the message;
3. Telephone (309) 673-9000

When a telephone call is placed, it rings into a national call center that is manned 24 hours a day. The call taker gathers all the pertinent information and enters it into the TipSoft program. The caller is provided with a unique ID number and instructed to call (309) 494-8456 during a specific time and day to check the status of their tip and to verify if the tip qualified for a reward. (This line is answered by a representative of the Peoria Police Department.)

Once the tip is entered into the system, it is e-mailed to the Greater Peoria Crime Stoppers which is received/monitored by representatives from several local agencies; e.g. Pekin, East Peoria, Peoria County, Peoria City, Bartonville, etc. Because it is impossible to have a person assigned 24/7 to review these tips as they are received, it is the responsibility of all of these monitoring agencies to read each tip and forward it to the appropriate investigative unit or law enforcement agency without unnecessary delay. **AT NO TIME SHALL A TIP BE PLACED INTO A CASE FILE AS THE TIP WOULD THEN BECOME DISCOVERABLE THUS DEFEATING THE ANONYMITY OF PROGRAM.**

If the tip is such that it requires an urgent/immediate response by this Department or any other law enforcement agency (such as a felony crime about to be committed or information regarding felony crime fugitives), the national call taker immediately e-mails the information to the Peoria Police ECC supervisor. It is then the responsibility of the supervisor to forward the information to the appropriate investigative unit or law enforcement agency without unnecessary delay.

Once a tip is received, it shall be reviewed to determine who needs to see the information and/or follow up on it. Each Crime Stopper Tip has a disposition sheet attached which requires some type of information or disposition:

- OPEN CASE
- UI – Under Investigation
- CBA – Cleared by arrest
- CO – Cleared other
- IO – Information only
- UF – Unfounded
- UV – Unable to verify
- AK – Already known

If an arrest is made, list each person arrested, their address, DOB and charges; list any drugs, vehicles, weapons, cash or other property recovered and its value.

Each Crime Stopper Tip and its disposition shall be returned to the Crime Stopper Sergeant so that the disposition can be entered into the TipSoft system for status checks.

If a caller's information results in the arrest and the filing of criminal charges against an offender or the apprehension of fugitives, the liaison will present the information to the Crime Stoppers Board for determination of the amount of the reward. Crime Stoppers does not supplant the needs of the Department's informant system, nor does it affect established procedures for paying Department informants.

In order to publicize the Crime Stoppers program and maintain a continuing high profile in the community, a specific unsolved felony crime is selected each week from cases submitted to Crime Stoppers by area law enforcement agencies, and a reenactment is videotaped. This Crime of the Week will be publicized by the media (TV, radio, and newspaper).

The reenactment is intended to keep the public interest in Crime Stoppers at a high level and help locate an occasional "causal" witness to the crime who did not realize he was actually witnessing a crime.

While some tips have little value, many do result in arrests, the recovery of property and the seizure of drugs. Thus it is with full support that this Department utilizes the Crime Stopper program.

IV. Nothing herein (Collective Bargaining Agreement notwithstanding) shall preclude the Chief or his designee from authorizing exceptions to this Order as necessary for the benefit of the Department, on a case by case basis.

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GENERAL ORDER

<u>NUMBER</u>	400.65
<u>EFFECTIVE DATE</u>	7/18/00

<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Alcoholism, Drug Abuse, and Dependency Act	2
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 229-88
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
61.1.5, 61.1.11	N/A
<u>AUTHORITY</u>	John W. Stenson Police Chief

I. PURPOSE

Under the Alcoholism, Drug Abuse, and Dependency Act (20 ILCS 301), procedures were established for dealing with persons engaged in public drunkenness but had committed no other crime. Any law or city ordinance which makes simple intoxication a criminal offense was similarly repealed. This does not however, affect DUI statutes.

Although simple intoxication is not an offense, the fact that a person is intoxicated does not excuse guilt on any other offense committed. For example, a person committing disorderly conduct may still be charged with that offense even though intoxicated.

Emergency Response Service (ERS) personnel will respond to requests for requests to detoxification calls and to meet the medical and other treatment needs of intoxicated individuals within Peoria County who are in need of detoxification and related alcohol treatment services.

II. DEFINITIONS

- A. *Incapacitated by Alcohol:* A person, as a result of the use of alcohol, is unconscious or has his judgement otherwise so impaired that he is incapable of realizing and making a rational decision with respect to his need for treatment, and is a danger to himself or to others.
- B. *Intoxicated Person:* A person who, according to rules established by the Department of Mental Health, suffers from a substantial impairment of his mental or physical functions as a result of the use of alcohol. Generally, the difference between intoxicated and incapacitated persons is that an intoxicated person is able to give information concerning himself and his situation, whereas an incapacitated person is unable to communicate either because he is passed out or because he is incoherent.

III. PROCEDURES

- A. When an officer finds a person in a public place who appears to be intoxicated and who may not be a danger to himself or others, the officer may offer to transport the person for treatment to the Whitman Medical Detoxification Unit at White Oaks Center, 2101 W. Willow Knolls. This treatment for a person who is intoxicated but not incapacitated, can be only on a voluntary basis.
- B. When the officer finds a person in a public place who appears to be incapacitated by alcohol, the officer is required by law to take the person into protective custody. The incapacitated person will be delivered to the nearest hospital emergency room for examination via ambulance service. An incapacitated person must be delivered for such treatment even over his objection. Each incapacitated person will be examined by the emergency room doctor who, if he finds the person to be incapacitated, will refer him to a treatment program or sign a petition for involuntary commitment under this law.
- C. If the doctor does not certify the individual to be incapacitated, he will then be treated as an intoxicated person.
- D. If the person is to be taken to the hospital emergency room, the officer will advise the Emergency Communications Telecommunicator (ECT), who will promptly notify the on-duty personnel of ERS via PREP 2 or by calling 671-8084. ERS personnel will proceed to the officer's location and take custody of the intoxicated person.
- E. When a person is delivered to a hospital emergency room for medical examination and subsequent treatment under this law, no arrest report will be made and the officer will fill out a non-crime incident report titled *Drunk--Intoxicated or Drunk--Incapacitated*.
- F. The officer shall not go to the emergency room with the ERS personnel unless there is a substantial possibility that the person will create a serious disturbance, and then only with specific approval of a supervisor. The district car may be notified to go to the hospital.
- G. If the person creates a disturbance in the hospital and is arrested by hospital security officers for disorderly conduct (with the assistance of Peoria police officers if necessary), this department will transport the person to jail after a doctor has indicated that it is safe to do so, completing an appropriate crime report and arrest report titled *Disorderly Conduct, Battery*, or other appropriate criminal offense title.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	400.67
<u>EFFECTIVE DATE</u>	November 19, 2018
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Mental Health Procedures and ERS Counselors	9
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 204-89; 8/10/00
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
41.2.7	N/A
<u>AUTHORITY</u>	Loren Marion III
	Chief of Police

I. POLICY

Members of the Peoria Police Department may encounter persons who fall into the classification of “mentally ill”. The need to assess the mental state and intention of individuals is a routine requirement of officers performing enforcement, investigation, and medical functions. Dealing with individuals in law enforcement situations who are known or suspected to be mentally/emotionally ill carries the potential for violence. It often requires an officer to make quick judgements about the mental state of the individual and requires special skills to effectively and legally deal with the individual.

II. DEFINITIONS

Delusion—Individual/personal beliefs or impressions that are deeply entrenched despite being contradicted by reality or rational argument, or that are not justified by cultural beliefs, the person’s level of intelligence, and/or life experiences. Persons cling to these beliefs as their reality even after they are shown to be false.

Dementia—Two or more symptoms involving progressive impairment of brain function including, but not limited to, language, memory, visual-spatial perception, emotional behavior, personality changes, and cognitive skills.

Developmental Disability—A disability which is attributable to: (a) an intellectual disability, cerebral palsy, epilepsy or autism; or to (b) any other condition which results in impairment similar to that caused by an intellectual disability and which requires services similar to those required by intellectually disabled persons. Such disability must originate before the age of 18 years, be expected to continue indefinitely, and constitute a substantial handicap. (405 ILCS 5/1-106)

ERS Counselors— The Emergency Response Service (ERS) is a 24-hour-a-day, 7-days-a-week, police dispatched mobile crisis unit serving Peoria County, Illinois. ERS provides around the clock

crisis intervention, assessment and referral services to law enforcement agencies, hospitals, social services, and the general public. ERS Counselors are trained in:

- Crisis theory for effective interactions
- Basic legal rights related to behavior health, housing, and family issues
- Accessing community resources
- Supportive counseling techniques for interventions

Hallucination— An experience that does not exist outside the mind, in the form of auditory, olfactory, visual, or tactile false perceptions or unreal apparitions. They do not correspond to the stimuli that are present and have no basis in reality despite the person's powerful sense of reality. Hallucinations in one culture may not be considered hallucinations in another (they may be considered visions or conversations with a higher being).

Intellectual Disability — Significantly sub-average general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years. (405 ILCS 5/1-116)

Involuntary Admission; Petition—When a person is asserted to be subject to involuntary admission on an inpatient basis and is in such a condition that immediate hospitalization is necessary for the protection of such person or others from physical harm, any person 18 years of age or older may present a petition to the facility director of a mental health facility in the county where the respondent resides or is present. The petition may be prepared by the director of the facility (405 ILCS 5/3-601) or by a peace officer (405 ILCS 5/3-606).

Mental Health Crisis—A situation where a person's normal coping mechanisms have become overwhelmed causing that person to pose an immediate and significant risk to himself/herself or others.

Mental Health Facility—Any licensed private hospital, institution, or facility or section thereof, and any facility, or section thereof, operated by the State or a political subdivision thereof for the treatment of persons with mental illness and includes all hospitals, institutions, clinics, evaluation facilities, and mental health centers which provide treatment for such persons. (405 ILCS 5/1-114)

Mental Illness—A mental or emotional disorder that substantially impairs a person's thought, perception of reality, emotional process, judgment, behavior, or ability to cope with the ordinary demands of life, but does not include a developmental disability, dementia or Alzheimer's disease absent psychosis, a substance abuse disorder, or an abnormality manifested only by repeated criminal or otherwise anti-social conduct. (405 ILCS 5/1-129)

Peace Officers; Petitions—A peace officer may take a person into custody and transport him/her to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission on an inpatient basis and in need of immediate hospitalization to protect such person or others from physical harm. Upon arrival at the facility, the peace officer may complete the petition under Section 3-601. If the petition is not completed by the peace officer transporting the person, the transporting officer's name, badge number, and employer shall be

included in the petition as a potential witness as provided in Section 3-601 of this chapter (405 ILCS 5/3-606). The peace officer may witness a third party complete the petition.

Persons Subject to Involuntary Admission on an Inpatient Basis—(1) A person with mental illness and who, because of his/her illness, is reasonably expected, unless treated on an inpatient basis, to engage in conduct placing such person or another in physical harm or in reasonable expectation of being physically harmed; or (2) A person with mental illness who because of his or her illness is unable to provide for his or her basic physical needs so as to guard himself or herself from serious harm without the assistance of family or others, unless treated on an inpatient basis; or (3) A person with mental illness who: (i) refuses treatment or is not adhering adequately to prescribed treatment; (ii) because of the nature of his or her illness, is unable to understand his or her need for treatment; and (iii) if not treated on an inpatient basis, is reasonably expected, based on his or her behavioral history, to suffer mental or emotional deterioration and is reasonably expected, after such deterioration, to meet the criteria of either paragraph (1) or paragraph (2) of this Section. (405 ILCS 5/1-119)

Person Subject to Involuntary Admission on an Outpatient Basis—(1) A person who would meet the criteria for admission on an inpatient basis as specified in 405 ILCS 5/1-119 in the absence of treatment on an outpatient basis and for whom treatment on an outpatient basis can only be reasonably ensured by a court order mandating such treatment; or (2) A person with a mental illness which, if left untreated, is reasonably expected to result in an increase in the symptoms caused by the illness to the point that the person would meet the criteria for commitment under 405 ILCS 5/1-119, and whose mental illness has, on more than one occasion in the past, caused that person to refuse needed and appropriate mental health services in the community. (405 ILCS 5/1-119.1)

Psychosis—A mental state that markedly interferes with a person's ability to differentiate his/her own thoughts and perceptions with reality; typically includes delusions and hallucinations.

III. PROCEDURES

Mental illness is quite often difficult to define in a given individual. Officers are not expected to make judgments of mental or emotional disturbance, but rather to recognize behavior that is potentially destructive and/or dangerous to self or others. The following guidelines are generalized signs and symptoms of behavior that may suggest mental illness, although officers should not rule out other potential causes, including but not limited to reactions to narcotics, alcohol, or temporary emotional disturbances that are situationally motivated. Officers should evaluate the following related symptomatic behavior in the total context of the situation when making judgments about the individual's mental state and need for intervention, absent the commission of a crime:

1. Reactions – Mentally/Emotionally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make the individual extremely reclusive or aggressive without apparent provocation.

2. Behavior – An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his/her frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.
3. Rigidity/Inflexibility – Mentally/Emotionally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.
4. In addition to the above, a mentally/emotionally ill person may exhibit one or more of the following characteristics:
 - a. Abnormal memory loss related to such common facts as name, home address, (although these may be signs of other physical, ailments such as injury or Alzheimer's disease);
 - b. Delusions, the belief in thoughts or ideas that are false, such as delusions of grandeur ("I am Christ.") or paranoid delusions ("Everyone is out to get me.");
 - c. Hallucinations of any of the five senses (e.g. hearing voices commanding the person to act, feeling one's skin crawl, smelling strange odors, etc.);
 - d. The belief that one suffers from extraordinary physical maladies that are not possible, such as persons who are convinced that their heart has stopped beating for extended periods of time; and/or
 - e. Extreme fright or depression.

A. Determining Danger

Not all mentally ill persons are dangerous while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether an apparently mentally ill person represents an immediate or potential danger to him/herself, the officer, or others. These include the following:

1. The availability of any weapons to the suspect.
2. Statements by the person that suggest to the officer that the individual is prepared to commit a violent or dangerous act. Such comments may range from subtle innuendos to direct threats that, when taken in conjunction with other information, paint a more complete picture of the potential for violence.
3. A personal history that reflects prior violence under similar or related circumstances. The subject's history may be known to the officer, family, friends, or neighbors who may be able to provide helpful information.
4. Failure of the subject to act prior to arrival of the officer does not guarantee that there is no danger, but it does tend to diminish the potential for danger.

5. The amount of control that the person demonstrates is significant, particularly the amount of physical control over emotions of rage, anger, fright, or agitation. Signs of a lack of control include extreme agitation, inability to sit still or communicate effectively, wide eyes, and rambling thoughts and speech. Clutching one's self or other objects to maintain control, begging to be left alone, or offering frantic assurances that one is all right may also suggest that the individual is close to losing control.
6. The volatility of the environment is a particularly relevant factor that officers must evaluate. Agitators that may affect the person or a particular combustible environment that may incite violence should be taken into account.

B. Dealing with the Mentally/Emotionally Ill

Interactions with individuals who may be mentally/emotionally ill may occur during daily activities including, but not limited to, field contacts, calls for service, and interviews and interrogations. Should the officer determine that an individual may be mentally/emotionally ill and a potential threat to himself, the officer, or others, or may otherwise require law enforcement intervention for humanitarian reasons as prescribed by statute, the following responses may be taken:

1. Request a backup officer, especially in cases where the individual will be taken into custody.
2. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds and assume a quiet non-threatening manner when approaching or conversing with the individual. Where violence or destructive acts have not occurred, avoid physical contact, and take time to assess the situation.
3. Move slowly and do not excite the individual. Provide reassurance that the police are there to help and that he/she will be provided with appropriate care.
4. Communicate with the individual in an attempt to determine what is bothering him/her. Relate your concern for his feelings and allow him to express his feelings. Where possible, gather information on the subject from acquaintances or family members and /or request professional assistance if available and appropriate to assist in communicating with and calming the person.
5. Do not threaten the individual with arrest or in any other manner, as this may create additional fright, stress and potential aggression.
6. Avoid topics that may agitate the person and guide the conversation toward subjects that help bring the individual back to reality.
7. Always attempt to be truthful with a mentally ill individual. If the subject becomes aware of a deception, he may withdraw from the contact in distrust and may become hypersensitive or retaliate in anger.

C. Taking Custody or Making Referrals

Based on the overall circumstances and officer's judgment of the potential for violence, the officer may provide the individual and family members with referrals on available community mental health resources, request an ERS counselor respond to the scene, or take custody of the individual in order to seek an involuntary emergency evaluation. When practical, prior to taking involuntary custody of an individual, officers should attempt to locate a petitioner who is familiar with the individual, an ERS counselor, or a qualified medical professional.

1. Make mental health referrals when, in the best judgment of the officer, the circumstances do not indicate that the individual must be taken into custody for his own protection or the protection of others or for other reasons as specified by state law.
2. If time and circumstances permit, request an ERS counselor prior to taking into custody a potentially dangerous individual who may be mentally ill or an individual who meets other legal requirements for involuntary admission for mental examination. Whenever possible, the ERS counselor, if available, should make the determination whether or not to seek involuntary admission.
3. Once a decision has been made to take an individual into custody, do it as soon as possible to avoid prolonging a potentially volatile situation. Remove any dangerous weapons from the immediate area and restrain the individual if necessary. Using restraints on mentally ill persons can aggravate their aggression. Officers should be aware of this fact, but should take those measures necessary to protect their safety. If utilizing an ambulance for transport, all appropriate medical protocols shall be followed.
4. The incident should be documented via an incident report whether or not the individual is taken into custody. If an officer is the petitioner of the involuntary admission, an incident report *shall* be completed by that officer. Ensure that the report is as explicit as possible concerning the circumstances of the incident and the type of behavior that was observed. Terms such as "out of control" or "psychologically disturbed" should be replaced with descriptions of the specific behaviors involved. The reasons why the subject was taken into custody or referred to other agencies should be reported in detail.
5. The Police Authority language from the Illinois Compiled Statutes shall be used as a resource and guide to assist with making involuntary referrals.

D. Police Authority

Illinois Compiled Statutes 405 ILCS 5/3-606 Police Authority

A peace officer may take a person into custody and transport him to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission and in need of immediate hospitalization to protect such person or others from physical harm. Upon arrival at the facility, the peace officer may complete the petition under

Section 3-601. (Source: P.A. 94-0202, eff. 7-12-05.). Illinois Compiled Statutes 405 ILCS 5/3-601 Involuntary admission; petition.

1. When a person is asserted to be subject to involuntary admission and in such a condition that immediate hospitalization is necessary for the protection of such person or others from physical harm, any person 18 years of age or older may present a petition to the facility director of a mental health facility in the county where the respondent resides or is present. The director of the facility may prepare the petition.
2. The petition shall include all of the following:
 - a. A detailed statement of the reason for the assertion that the respondent is subject to involuntary admission, including the signs and symptoms of a mental illness and a description of any acts, threats, or other behavior or pattern of behavior supporting the assertion and the time and place of their occurrence.
 - b. The name and address of the spouse, parent, guardian, substitute decision maker, if any, and close relative, or if none, the name and address of any known friend of the respondent whom the petitioner has reason to believe may know or have any of the other names and addresses. If the petitioner is unable to supply any such names and addresses, the petitioner shall state that diligent inquiry was made to learn this information and specify the steps taken.
 - c. The petitioner's relationship to the respondent and a statement as to whether the petitioner has legal or financial interest in the matter or is involved in litigation with the respondent. If the petitioner has a legal or financial interest in the matter or is involved in litigation with the respondent, a statement of why the petitioner believes it would not be practicable or possible for someone else to be the petitioner.
 - d. The names, addresses and phone numbers of the witnesses by which the facts asserted may be proved.
3. Knowingly making a material false statement in the petition is a Class A misdemeanor.

IV. ERS COUNSELORS

The Emergency Response Service (ERS) is a 24-hour-a-day, 7-days-a-week, police dispatched mobile crisis unit serving Peoria, County, Illinois. ERS provides around the clock crisis intervention, assessment and referral services to law enforcement agencies, hospitals, social services, and the general public. ERS Counselors are trained in:

- Crisis theory for effective interactions
- Basic legal rights related to behavior health, housing, and family issues
- Accessing community resources
- Supportive counseling techniques for interventions

An officer may call an ERS counselor to the scene of an incident when any of the following conditions exist:

- Mental disturbances
- Family disputes
- Suicide threats or attempts
- Alcohol and drug related crises
- Family crisis resulting from a death of one member
- Crises created by severe traffic or other types of accidents
- Victims of violent crimes who might benefit from counseling
- Homeless/abandoned persons/children
- Neighborhood disputes involving the elderly or senile
- Any other circumstance in which the officer feels that the presence of an ERS counselor may assist in bringing a favorable outcome to the situation.

Procedures for Utilizing ERS Counselors

- A. When a police officer is dispatched to a crisis call, mental health related or otherwise, he/she will attempt to defuse the situation. If, in the officer's judgment, the situation is resolved and the likelihood of its recurring is non-existent, the officer would not summon an ERS counselor. Any time an officer is in doubt about whether to make a referral to ERS, he should do so, and together they can decide upon the appropriate action to take.
- B. When the officer determines that immediate intervention and counseling is necessary, he would request an ERS counselor. This may be done on PREP 2 or by calling ERS directly at (309) 671-8084. In the majority of cases when the ERS counselor arrives, violence will be under control and the ERS counselor can attempt to bring about resolution. The ERS counselor will make all necessary referrals to appropriate social service agencies and will provide follow-up on all referrals.
- C. In those situations in which the immediate crisis is resolved by the officer but referral and follow-up may be necessary, the officer will, with the citizen's approval, summon an ERS counselor to the scene.
- D. All referrals to ERS will result in an ERS counselor being called to the scene at the time of the incident if available. Only in exceptional cases will a referral be made the following day.
- E. Any time an officer is in doubt about whether to make a referral to ERS, he should do so, and together they can decide upon the appropriate action to take.

V. REPORTING REQUIREMENTS

1. An incident report shall be written any time an officer has contact with a person suspected of suffering from mental illness *and* a crime was committed by that person, whether a custodial arrest was made or not.
2. An incident report shall be written any time an officer takes involuntary protective custody of an individual in the absence of an ERS counselor.

VI. TRAINING

1. All officers will receive documented entry level training on dealing with persons with mental illness
2. Documented refresher training for all personnel shall be conducted annually.
3. Training on dealing with persons with mental illness will be reviewed and/or updated at least every three years.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	400.69
<u>EFFECTIVE DATE</u>	July 30, 2018
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Conflicts with ECC Personnel	1
<u>DISTRIBUTION</u>	<u>UPERSEDES</u>
Commissioned Personnel, ECC	GO 218-75; 6/16/00
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Loren Marion, III Interim Chief of Police

I. POLICY

To establish procedures to resolve conflicts between officers and ECC personnel.

II. PROCEDURES

A. Communication

1. Any officer with a complaint or suggestion regarding the actions of ECC personnel will contact his supervisor to discuss the incident. A police lieutenant will then discuss the incident with the ECC supervisor.
2. If the complaint is not resolved between the lieutenant and the ECC supervisor, a police captain will contact the ECC manager.
3. At no time will officers call or radio ECC personnel to discuss complaints concerning actions of ECC personnel.
4. ECC personnel are to follow the same guidelines concerning complaints of actions of police officers.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding



GENERAL ORDER

<u>SUBJECT</u>	NUMBER
Telephone Tapes	400.70
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel, ECC	6/16/00
<u>CALEA REFERENCE</u>	<u>NUMBER OF PAGES</u>
81.2.8	2
<u>AUTHORITY</u>	<u>SUPERSEDES</u>
	GO 374-82
	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson
	Police Chief

I. POLICY

To ensure the safekeeping of ECC/telephone tapes that are to be held for evidence or court.

II. PROCEDURES

- A. With approval of a supervisor, an investigating officer may request a tape be held by contacting the ECC supervisor on duty. When he receives a copy of the tape, he will place it in evidence and document it in a police report or supp.
- B. At his earliest convenience the officer will listen to the tape and determine if the entire tape is needed or if a transcript is sufficient. The officer's sergeant must approve a request for a transcript.
- C. ECC will make the cassette recording of the incident and hold the copy until it is no longer needed.
- D. No outside agency may request a tape be held unless approved by the chief, assistant chief, or administrative captain.
- E. If the tape is being held as evidence in a criminal case, it shall be incumbent upon the case investigator and the state's attorney to check every six months to see if we should continue to hold the tape. Each check must be documented on a supp.
- F. If during inventory the property clerk finds tapes that have been held in evidence for a long time, he can check directly with the investigating officer or state's attorney for a disposition. A report shall be made showing final disposition.
- G. Routine/daily original tapes (radio communications, telephone tapes) are held for 200 days by ECC. Other tapes may be held indefinitely in cases where its use as evidence is crucial (homicides).

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GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Strip Searches	400.71
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	February 28, 2018
<u>CALEA REFERENCE</u>	<u>NUMBER OF PAGES</u>
1.2.8	3
<u>AUTHORITY</u>	<u>SUPERSEDES</u>
	GO 417-88; GO 400.71 5/15/00; 5/12/15; 11/13/17
	<u>OTHER REFERENCE</u>
	N/A
	Loren Marion III Interim Chief of Police

I. POLICY

It is the policy of the Peoria Police Department to conduct all strip searches within the guidelines of 725 ILCS 5/103-1. Persons who have been arrested for traffic, regulatory, ordinance, or misdemeanor offenses shall be subject to a strip search only in cases involving weapons or a controlled substance or where there are reasonable grounds to believe the individual is concealing a weapon or controlled substance (not including cannabis).

II. DEFINITION

Strip search as defined in 725 ILCS 5/103-1 means having an arrested person remove or rearrange some or all clothing to permit a visual inspection of the genitals, buttocks, anus, breasts, or undergarments of such person.

III. PROCEDURES

A. Authorization

1. A strip search must be authorized by a sergeant or above. The sergeant shall notify their supervising lieutenant, shift commander or unit commander of the strip search via email.
2. The department strip search authorization form (attached) allowing a strip search shall be filled out by the officer requesting the search and signed by the supervisor authorizing the search.

B. Conducting the Search

1. The search shall be conducted by officers of the same sex as the person to be searched.

2. The search shall take place in a private area where it cannot be observed by persons not physically conducting the search. The search shall not be conducted in view of any surveillance cameras or captured by an officer's body worn camera or any other video recording device.
3. The department Strip Search Authorization Form (which includes the name of the person subjected to the search, the name of the persons conducting the search, and the time, date, and place of the search (specify the specific room using the room number), and a listing of all objects recovered in the search) shall be completed, with a copy provided to the person who was searched.
4. No search of any cavity other than the mouth shall be conducted without a duly executed search warrant or a written consent signed by the person to be searched. Any warrant authorizing a body cavity search must specify the search will be performed under sanitary conditions and conducted either by or under the supervision of a physician licensed to practice medicine in all of its branches in the state of Illinois.

C. Provisions for Juveniles

Any strip search involving a juvenile shall require the direct involvement of a juvenile detective of the same sex as the person being searched to monitor the strip search process and fulfill all other requirements of the juvenile detective (See General Order 400.58 Juvenile Offenders Procedures)

D. Records

A copy of all strip search forms shall be forwarded to Professional Standards.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.

PEORIA POLICE DEPARTMENT
STRIP SEARCH AUTHORIZATION FORM

Date _____

Case # _____

Name of arrested subject to strip search _____

Sex _____ Race _____ Date of birth _____

Criminal charge(s) _____

Person conducting search _____

Assisted by _____

Location of search _____

Date of search _____ Time search began _____ Time search ended _____

I have authorized the search of the above mentioned arrestee, pursuant to 725 ILCS 5/103-1:

Authorizing supervisor or designee

List below a complete description and total number of items seized:

I have been supplied a copy of this report:

Signature of arrestee

Date

- c Case file
Case agent/arresting agent
Arrestee



GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Hazardous Materials (HAZMAT)	400.72
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	December 11, 2017
<u>CALEA REFERENCE</u>	<u>NUMBER OF PAGES</u>
46.3.2	6
<u>AUTHORITY</u>	<u>SUPERSEDES</u>
	GO 341-84; GO 400.72 6/16/00; 5/24/07
	<u>OTHER REFERENCE</u>
	GO 400.10; OSHA 1910.120
	Jerry E. Mitchell Chief of Police

I. POLICY

Police Department staff shall follow the procedures instituted by the Police Department, Fire Department, and other City Departments to minimize injuries and property damage in the event an incident involving hazardous chemicals or materials.

II. PROCEDURES

A. Assessment of the Scene

The responding officer shall be responsible for the following:

1. If officers believe an incident may involve hazardous materials, they shall approach only if necessary, and with extreme caution. Alert ECC, and remember safety first—use the protective equipment and approach from upwind and uphill. Keep a safe distance from the spill. *There shall be no smoking, eating, or drinking in this area.*
2. If possible, inform ECC of the following details, and in turn update the response team:
 - a. Identify what type of chemical is involved--solid, a liquid, or a gas.
 - b. Determine if anyone has been exposed to a toxic substance and what is his condition. Do not approach or touch any victim that has been in contact with toxic substances.
 - c. Determine if there is, or a possibility of, a fire or leakage.

- d. Identify the quantity of chemicals and what type of containers are they in.
- e. Determine if there are any placards, labels, or NFPA 704 placards visible.
- f. Determine what mode of transportation, if any, is involved.
- g. Obtain any shipping papers, waybills, wheel reports, etc., involved, if this can be done safely.

B. Response Procedure

- 1. Once ECC has been advised that hazardous chemicals are involved, they shall dispatch a sergeant, the Fire Department, and additional police personnel as necessary to isolate the area. The initial responding officer shall advise the first responding Fire Department Command Officer and Police Department sergeant of all information he has gathered and any actions he has taken.
 - a. The on-duty patrol lieutenant shall respond as soon as possible and assume Incident Command.
- 2. The on-scene Incident Commander or his designee shall make notifications to other agencies whose assistance may be required. The desk sergeant shall make proper notifications per department guidelines. The State Police shall be notified if commercial transportation vehicles or public carriers are involved.
- 3. The affected area shall be broken down into three separate zones-- hot, warm, and cold. Consultation with the Fire Commander and the Incident Commander shall determine the distance and direction of each perimeter.
 - a. For most explosive or hazardous chemicals, the area to be secured around the scene should be 2,000 feet in all directions. The Incident Commander shall use monitoring devices to ascertain the dimensions of these hot, warm, and cold zones.
 - b. Absolutely no entry shall be allowed into the hot zone and only qualified hazmat trained individuals shall be allowed into the warm zones.

4. Police personnel shall seal off the perimeter of the cold zone and establish a Temporary Command Post per the instructions of the Incident Commander and Fire Commander.

C. Scene Management (Patrol)

1. As additional police manpower becomes available, either through shifting of on-duty resources or through emergency call-in, the Patrol Lieutenant or his designee shall establish relief of each police post as needed.
2. The additional manpower shall be ordered to report to a staging area in uniform, where a designated officer shall direct personnel and equipment where they are needed. A separate staging area suitable for triage, ambulances, and all medical personnel will be set up
3. A traffic sergeant when available, or a second on-duty patrol sergeant, shall be dispatched to ensure that all emergency equipment and rescue personnel have direct access to the scene. He shall assist in the evacuation of the immediately endangered, and reroute traffic around and away from the affected area if necessary.
4. If needed for perimeter control, Public Works will be contacted for barricades for blocking streets, alleys, etc.
5. Decontamination (CID)

- a. Emergency decontamination of the injured shall be required before anyone (with the exception of trained medical personnel) can leave or be taken from the scene, to avoid or at least minimize secondary contamination to ambulances and hospitals. Sufficient Criminal Investigation Division (CID) personnel shall be assigned to on-scene first aid stations, hospitals, and/or morgues to obtain the following necessary information on all injured persons:

- Name, address, sex, age, and relatives of injured person
- Extent of injury (condition)
- How the victim came into contact with the toxic substance
- What hospital if any, was the victim taken to and how was he transported.

Before bodies may be taken from the scene to the morgue, they shall have to undergo decontamination.

All area hospitals shall be notified by the ECC to report any persons claiming injury as a result of this occurrence. The hospitals will also be

requested to report with what type of chemical the injured parties are purported to have come into contact.

6. Evacuation

In most circumstances, officers shall not engage in evacuation procedures from areas affected by the toxic materials.

- a. When an evacuation is necessary, officers responsible for notifying affected people to leave the area shall be briefed as to what information to give the people, such as:
 - Reason for the evacuation
 - Where food and shelter will be provided for the evacuee
 - Best estimated length of time the evacuation is expected to last
- b. The on-scene Incident Commander or his designee, in coordination with the Fire Commander, shall arrange for shelter and food for the affected persons, if needed, per ICS protocol.
- c. A sergeant and additional police shall be assigned to the evacuated area to prevent the possibility of looting (or if unsafe, assigned to tighten the perimeter's effectiveness).
- d. The Police Department will be responsible for providing security and traffic control at the sheltering location.
- e. If a serious life threat exists, fire companies can be requested to aid in evacuation notifications until police personnel can replace them.
- f. Mass Transit shall be notified if transportation is required to move evacuated persons to a designated area.
- g. The on-scene Incident Commander, or his designee, shall assign officers to the shelter areas to give information and assistance to evacuator displaced persons. These officers may also serve as or supplement security at the shelter areas.

D. Organization

Master Case Number - A master case number shall be assigned and all written police reports of the incident shall carry that number as the primary case number or as a related incident number.

E. Public Information

The on-scene Incident Commander, his designee, or Public Information Officer (PIO) shall keep the news media informed of developments during the course of the hazardous incident. If it becomes necessary to establish a joint information center, the on-scene Incident Commander shall designate a spokesperson to release pertinent information.

Peoria Police Officers are not authorized to disseminate information about the hazardous incident to the news media without consent from the on-scene Incident Commander or his designee.

F. Training

1. All officers shall be trained to the First Responder Awareness Level. First Responder Awareness Level is defined as:

Individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the authorities of the release. First responders at the awareness level shall have sufficient experience to objectively demonstrate competency in the following areas:

- a. An understanding of what hazardous substances are, and the risk associated with them in an incident.
- b. An understanding of the potential outcomes associated with an emergency created when hazardous substances are present.
- c. The ability to recognize the presence of hazardous substances in an emergency.
- d. The ability to identify the hazardous substance, if possible.
- e. The ability to realize the need for additional resources, and to make appropriate notifications to the communication center

2. All officers shall receive HAZMAT refresher training on an annual basis. (46.3.2)
3. Certificates of training for each officer shall be kept in the Training Unit.

G. Gas/Chemical Tanks

1. When approaching the area, the officer should look for a frost line on the affected transport or storage tank and be aware of any whistling or hissing sounds or visible vapor clouds. These are signs of a leak in the tank. The officer should not proceed any further if any of these signs are apparent. If any unusual smells are in the area, leave the area and report immediately to the dispatcher.

2. However, not all hazardous chemicals will show a frost line or have an odor. If the incident is a result of a traffic crash and the driver is present, keep him quarantined in a safe spot until proper decontamination is accomplished, before he is transported to a medical facility. If at all possible, the driver should be made available to the on-scene Incident Commander or his designee before he is allowed to leave the scene.
3. Most hazardous chemicals have a warning label attached to the container and a placard on a vehicle carrying them. The responding officers should refer to their issued Emergency Response Guidebook (ERG) and Department of Transportation (DOT) color charts to aid in identification of visible placards and labels. If the incident involves manufacturing facilities, warehouses or any other buildings, the responding officers should look for any NFPA 704 placards that may be affixed to the exterior, usually near an entrance door. Officers shall heed the warnings on the NFPA 704 and report their presence to the dispatcher. The laptops can help with identification if the four-digit identification number can be seen. Type in HAZMAT, enter the four-digit identification number, and the screen will give the chemical name of the substance, along with the guide on how to proceed until better qualified personnel are on the scene.

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GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
I-LEIN (Illinois Law Enforcement Information Network)	400.73
<u>EFFECTIVE DATE</u>	<u>6/16/00</u>
<u>NUMBER OF PAGES</u>	<u>2</u>
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 415-88
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	<u>John W. Stenson</u>
	<u>Police Chief</u>

I. PURPOSE

Initiated and coordinated with the core group of some fifty Illinois law enforcement agencies, the I-LEIN (Illinois Law Enforcement Information Network) was activated through the leadership of the Illinois State Police in October 1986. At that time at a meeting in Springfield, delegates from fifty participating departments ratified a constitution and bylaws.

Developed to enhance and foster the shared capabilities and criminal intelligence information among the law enforcement community within the state, I-LEIN will also:

- A. Gather, record, and exchange confidential information not available through regular police channels
- B. Establish a central clearinghouse for its information
- C. Provide for dissemination to the membership on a need-to-know and/or right-to-know basis
- D. Receive, analyze, and disseminate criminal information and intelligence provided by law enforcement member agencies
- E. Maintain an effective means of interface with federal, state, and local intelligence organizations across jurisdictional state and national boundaries, including the MOCIC

II. ORGANIZATION

I-LEIN is broken down into four geographic areas which mirror the four State Police Department of Criminal Investigation areas. Member departments within each area are governed by area boards composed of elected members from within their area membership. Statewide oversight is provided by an executive board composed of the senior board member

from each area board and a chairman designated by the state police superintendent in charge of the Department of Criminal Investigation. A sixth member of the executive board is a supervisor from I-LEIN's central coordinating agency as an ex-officio and nonvoting member.

III. PEORIA POLICE REPRESENTATIVE

Three members of the department will automatically be representatives of I-LEIN: the police chief, CID captain, and criminal intelligence officer (CIO). Each of the three persons are registered with I-LEIN through a security control sheet to access I-LEIN information systems. The CIO is responsible for keeping I-LEIN membership records current and is the liaison between I-LEIN and the Peoria Police Department. The CIO will be responsible for maintaining the I-LEIN constitution and bylaws, in addition to attending annual meetings as the department's representative.

IV. ILLINOIS INTERPOL LIAISON

I-LEIN reached an agreement with the Interpol U.S. National Central Bureau at the U.S. Department of Justice whereby I-LEIN will serve as a point of contact with the state of Illinois in all law enforcement matters which prove to be international in scope. This means that all requests for investigative assistance from Interpol countries which have leads anywhere within the state of Illinois will be transmitted by the U.S. National Central Bureau to the Illinois/Interpol liaison office, which has been set up within the state police criminal investigation division—criminal intelligence command. Information on methods to interact with Interpol are maintained by the CIO.

V. ILLINOIS/MOCIC LIAISON

In addition to previously mentioned liaisons, I-LEIN will serve as a conduit for MOCIC and intelligence networks for the states of Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas. This organization provides correlation and dissemination of intelligence/investigative data on individuals and groups believed to be involved in inter-state crime in this nine-state region. Approximately 980 member agencies make up this group. Representatives from Peoria are the chief, CID captain, special investigations lieutenant, SCU sergeant, and the CIO. The CIO has responsibility for maintaining an active roster to MOCIC and serves as the department's liaison.

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GENERAL ORDER

<u>NUMBER</u>	400.74
<u>EFFECTIVE DATE</u>	January 31, 2018
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Sexual Assault Investigations	12
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 312-90; 8/10/00; 1/22/08
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	410 ILCS 210/1, 410 ILCS 210/3 Public Act 099-0801, 725 ILCS 203
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police

I. POLICY

The Peoria Police Department is committed to the proper investigation of sexual assault incidents, and is committed to supporting the health and welfare of the victims.

II. SEXUAL ASSAULT RESPONSE PROCEDURES AND VICTIM ASSISTANCE

A. Sexual Assault Survivors Emergency Treatment Act

The Sexual Assault Survivors Emergency Treatment Act requires every hospital licensed by the Department of Public Health to provide emergency hospital service to all alleged sexual assault survivors who apply for such hospital emergency services relative to injuries or trauma resulting from the sexual assault. When any hospital or ambulance provider furnishes emergency services to any alleged sexual assault survivor who is not covered for such services by either the Department of Human Services (DHS) or other insurance policy, the hospital and ambulance provider shall provide services to the person without charge. The provider of services will receive reimbursement for its billed charges by DHS.

B. Illinois Attorney General's Crime Victims Compensation Act

Additional treatment of injuries sustained as the result of an alleged sexual assault are not covered under this act, but may be covered by the Illinois Attorney General's Crime Victims Compensation Act. Psychological counseling for trauma resulting from an alleged sexual assault may also be covered under the Attorney General's fund. Sexual assault survivors and their significant others should be advised of their rights under the Crime Victims Compensation Act. Assistance with filing for crime victim compensation is available through the victim/witness advocate program of the State's Attorney's Office.

C. Sexual Assault Response Team (SART)

1. The concept of the Sexual Assault Response Team (SART) is a coordinated response between law enforcement and medical personnel to prevent the victim from reporting the account of the sexual assault repeatedly, and to meet the needs of the victim throughout the healthcare and criminal justice system. The intent of this response is to obtain all necessary information for both agencies to continue with their duties.
2. The SART response is initiated upon notification, usually at the hospital Emergency Department. Law enforcement will be contacted when determined that a sexual assault crime has been committed and if criteria is met, a rape crisis advocate shall be contacted.
3. A Sexual Assault Nurse Examiner (SANE) is a Registered Nurse who has been trained to provide comprehensive care, competency in conducting a forensic exam and collection of evidence, expertise for effective courtroom testimony, and show compassion and sensitivity to survivors of sexual assault.
4. Having this in mind, SANE personnel and law enforcement should coordinate their approach for these types of crimes in the following ways:
 - a. Prior to the sexual assault examination, SANE and law enforcement should briefly confer to coordinate their questioning to reduce repetition.
 - b. The SANE personnel will take a history from the victim for the purpose of making a nursing diagnosis and detective/investigative officer will then conduct remainder of the investigation. By having the victim relay their story and account of the events only once can save time, promote consistency, and potentially reduce the anxiety experienced by victims of multiple interviews.
 - c. Upon completion of the interview process, detective/investigating officer will leave in order to continue with their investigation and allow for the Sexual Assault Evidence Collection Kit (SAECK).
 - d. Officers should refer to Consent by Minor (410 ILCS 210/1) and Situations where Consent Need Not Be Obtained (410 ILCS 210/3) when uncooperative minors or parents/guardians are involved.

III. SEXUAL ASSAULT EVIDENCE COLLECTION

The Illinois State Police are responsible for the administration of the statewide sexual assault evidence collection program. This program is designed to facilitate the prosecution of persons accused of sexual assault. The state police are to train hospitals and their personnel in the correct use and application of the sexual assault evidence collection kit, also known as Sexual Assault Evidence Collection Kit (SAECK).

A. Victim Consent

1. After leaving the hospital, the victim may consent to testing in any of the following ways:
 - a. Signing the original Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form, given to the officer who picked up the evidence, at the law enforcement agency where the evidence is stored.
 - b. Signing a consent form in the presence of a sexual assault advocate who will deliver the written consent to the law enforcement agency on behalf of the victim.
 - c. Provide verbal consent to the law enforcement agency and confirming the verbal consent by email or fax.

B. Consent for Medical Care

1. Consent to the performance of a medical or surgical procedure by a licensed physician can be given by a married person who is a minor, a parent who is a minor, a pregnant woman who is a minor, or by any person 18 years of age or older.
2. Consent need not be obtained if in the sole opinion of the physician, dentist, or hospital, the obtaining of consent is not reasonably feasible under the circumstances, without adversely affecting the condition of the minor's health.
3. Where the minor is a victim of a predatory criminal sexual assault, aggravated criminal sexual assault, aggravated criminal sexual abuse, or criminal sexual abuse, the consent of the minor's parent or legal guardian need not be obtained to furnish medical care or counseling related to the diagnosis or treatment of any disease or injury arising from such an offense. See Consent by Minor (410 ILCS 210/1) and Situations where Consent Need Not Be Obtained (410 ILCS 210/3) for current law.

C. Chain of Custody for Evidence in Sexual Assaults

1. The officer shall obtain a receipt for the state police Sexual Assault Evidence Collection Kit (SAECK) signed by the patient or legal guardian, along with the signature of the Sexual Assault Nurse Examiner (SANE) hospital staff member giving us the kit. The officer receiving the kit from the hospital personnel shall sign on the kit his name, badge number, time, date, and the incident number.
2. The officer shall transport the kit to the Peoria Police Department and affix a property tag on the back of the SAECK box. This box shall then be placed in an evidence locker (not a processing locker). Any other evidence received from the hospital staff (i.e. clothing) shall also be transported to the Peoria Police Department where it shall be separately packaged and a property tag affixed before placing it in an evidence locker (not a processing locker). A supplemental report shall be completed by the officer. The patient consent form should be contained in the SAECK, however, if it is submitted separately, it should be tagged as evidence with the SAECK.
3. The Criminal Investigation Division officer in charge will confer with the Crime Scene Unit (CSU) staff as to the disposition of the evidence and the current status of the investigation as it relates to any examination and testing of evidence. The Property Room staff shall notify the CID supervisor, or his designee, of any evidence as described above.
4. All sexual assault evidence collected at the hospital will be released to the custody of law enforcement whether or not the victim has signed a consent form for testing of the evidence. The evidence may include an Illinois State Police Sexual Assault Evidence Collection Kit, clothing, blood and/or urine samples, and other items.
5. The hospital will notify the law enforcement agency having jurisdiction when evidence has been collected. The agency shall take custody of the evidence as soon as practicable, but not later than 5 days after the medical forensic exam was completed. If the evidence is not picked up, the hospital will notify the local state's attorney's office, which will contact the law enforcement agency within 72 hours to request that the agency take immediate physical custody of the evidence. The mandatory written report of the sexual assault or sexual abuse must include the date and time the evidence was picked up from the hospital.
6. If the Patient Consent Form has been signed, the law enforcement agency must, within 10 days of the receipt of the evidence, send the evidence to an Illinois State Police Crime Laboratory or other appropriate laboratory for testing under the Sexual Assault Evidence Submission Act.

7. If the victim declines to consent to test the evidence on the Patient Consent Form, the law enforcement agency must store the evidence. If the victim is an adult, the evidence must be stored for 5 years. If the victim is under 18 years of age, the evidence must be stored until the victim's 23rd birthday.

Upon a victim declining to consent to test the evidence on the Patient Consent Form, officers shall provide the victim with the 'Storage and Future Testing of Sexual Assault Evidence' form, located [here](#). A copy of this form will also be available in the Police Information Office.

8. The hospital will provide the original consent form to test the evidence to the law enforcement agency which picks up the evidence, for the agency's case file.

D. Release of Information to the Victim Related to Evidence Testing

When a victim has signed a consent form to test evidence, the Peoria Police Department shall provide the victim with written information informing the victim of his or her right to request test result information. A victim may designate another person or agency to receive this information.

Upon request, the Peoria Police Department shall provide the following information in writing to a victim. If this information is requested, it must be provided to the victim within 7 days of receiving the results from the laboratory.

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory. If this information is requested, it must be provided to the victim within seven days of the transfer of the evidence to the laboratory.
2. Test results provided to the agency by the laboratory, including, but not limited to:
 - a. Whether a DNA profile was obtained from the testing of evidence.
 - b. Whether the DNA profile developed from the evidence has been searched against the DNA Index System of any state or Federal DNA database.
 - c. Whether an association was made to an individual whose DNA profile is consistent with the sexual assault evidence DNA profile, provided that disclosure would not impede or compromise an ongoing investigation.
 - d. Whether any drugs were detected in a urine or blood sample and information about any drugs detected.

IV. MANDATORY REPORT WRITING

A. Required Incident Reports

Officers must document every allegation of sexual assault or sexual abuse and prepare a written report when contacted by any of the following:

1. A person who alleges to have been sexually assaulted or abused.
2. Hospital or medical personnel, when reporting under the Criminal Identification Act.
3. A witness who personally observed what appeared to be a sexual assault or sexual abuse or an attempt of either crime.

The victim is under NO obligation to speak to an officer or submit to an interview. The officer shall still prepare a report and document any information made available to the officer.

The officer shall make the report without making a determination of whether the statute of limitations has expired.

B. Required Elements

The written report shall include the following, if known:

1. The victim's name or other identifier and contact information
2. The time, date, and location of the offense
3. Any information provided by the victim
4. Any information about the suspect, including description, name, and contact information
5. Names and contact information of persons with knowledge of what happened before, during, or after the assault or abuse
6. Names of medical professionals who examined the victim and any information they provide
7. If sexual assault evidence was collected, the name and contact information for the hospital, and whether the victim consented to testing of the evidence

8. If a urine or blood sample was collected and whether the victim consented to a testing of a toxicology screen
9. Information the victim consented to allow the medical professionals to disclose
10. Any other relevant information

C. Additional Responsibilities

Officers responding to incidents involving sexual assault or sexual abuse must:

1. Provide victims with written information advising them of their rights and options. The written information can be found on the Illinois Attorney General's website, and a link to P.A. 99-0801-Form A, can be found here.
2. Offer to provide or arrange transportation to a hospital emergency room for medical and forensic services
3. If the courthouse is closed but a judge is available, offer to provide or arrange transportation so the victim may file for an order of protection or civil no contact order.

D. Third Party Reports

A victim of sexual assault or sexual abuse may give consent to another person to provide information about the incident to law enforcement. The third party reporter does not have to disclose the victim's name. The officer must complete a written report if the person contacting law enforcement:

1. Provides their own name and contact information.
2. Affirms that he or she has the consent of the victim to make the report.

Officers must give the person making the third party report a copy of all victim notices required under law and ask that the person give the notices to the victim.

E. Incidents that Occurred in another Jurisdiction

1. Officers must write a report regardless of the jurisdiction where the incident took place. An officer who receives information about an incident in another jurisdiction must prepare a written report. Within 24 hours of receiving the information, the officer must submit the report to the agency having jurisdiction. The officer shall use the Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction (P.A. 99-0801 – Form D).

2. Upon receiving a report from another agency the Peoria Police Department shall confirm the transfer of the report. The written confirmation must include:
 - a. The name of the person who received the report
 - b. A name and phone number of a contact person that can be given to the victim.

V. ALLEGATIONS AGAINST EMPLOYEES

A. Criminal Investigation

1. Any allegation of criminal sexual assault involving a Peoria Police Officer shall be investigated by an outside agency pursuant to Public Act 100-0515.
 - a. The investigation shall be conducted by at least two investigators who have received training in accordance with the Act.
 - b. Upon receipt of a complaint or allegation of an officer involved criminal sexual assault, the division commander shall notify the chief of police who in turn shall cause an outside agency to be called in to investigate.

B. Professional Standards

Professional Standards may conduct an internal investigation regarding allegations of criminal conduct per General Order 200.02 (Professional Standards). Professional Standards shall hold administrative complaint process in abeyance pending sufficient completion of the criminal investigation but may continue to compile any available information to include copies of any criminal investigative materials.

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Peoria Police Department

Storage and Future Testing of Sexual Assault Evidence

A consent form to test the sexual assault evidence collected today must be signed before law enforcement can send this evidence to a laboratory to be tested. You have indicated that you do NOT want to sign the consent for testing at this time.

If you are an adult, this evidence will be stored by law enforcement for five (5) years from today's date, _____.

If you are under 18 years of age, this evidence will be stored until your 23rd birthday.

You may request to be notified prior to the destruction of the evidence at the end of the storage period. This evidence will be stored at the law enforcement agency list below.

A consent form for the testing of this evidence may be signed at any time during the storage period. This can be done by contacting the law enforcement agency listed below or by working with an advocate from a rape crisis center.

Law Enforcement Agency Peoria Police Department
Address 600 S.W. Adams Street, Peoria, Illinois 61602
Phone Number (309) 673-4521
Report Number
Rape Crisis Center The Center for Prevention of Abuse
Address 720 W. Joan Court, Peoria, IL 61614
Phone Number (309) 691-0551 or 1-800-559-7233

This form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview, pursuant to 725 ILCS 203/30(e). This requirement is effective January 1, 2017.



Peoria Police Department

Mandatory Notice of Victim's Right to Information Regarding Sexual Assault Evidence Testing

You have consented to the testing of sexual assault evidence collected in your case.

This law enforcement agency must provide you with the following information regarding the testing of the evidence, at your request. You may designate another person to receive this information on your behalf.

You are entitled to the following information:

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory by this agency. If you request this information, it must be provided to you within seven (7) days of the transfer of the evidence to a lab by this law enforcement agency.
2. Test results provided to this agency by the laboratory, including, but not limited to:
 - DNA test results, and
 - whether any drugs were detected in a urine or blood sample and information about any drugs detected.

If you request this information, it must be provided to you within seven (7) days of this law enforcement agency receiving the results from the laboratory.

Requesting the Information

You may submit a request for this information at this time or by contacting this law enforcement agency at the address or phone number below at a later date.

Law Enforcement Agency
Peoria Police Department

Address

600 S.W. Adams Street, Peoria, Illinois 61602

Phone Number

(309) 673-4521

Email (if available)

Report Number

You or your designee must keep the law enforcement agency informed of the name, address, phone number and email of the person to whom information should be provided and any changes to that information.

This form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate pursuant to 725 ILCS 203/35(c). This requirement is effective January 1, 2017.



Peoria Police Department

Mandatory Notice for Survivors of Sexual Assault

MEDICAL AND FORENSIC SERVICES

Survivors of sexual assault should seek medical attention as soon as possible. You may request transportation to the hospital.

Services Available

If you request medical forensic services, the hospital must offer a general medical exam, treat injuries, evaluate the need for medications, and collect forensic evidence. Upon request, a hospital must perform a forensic exam and complete an evidence kit up to 7 days after the assault regardless of your age.

Evidence Preservation

You may not be sure whether or not you want to participate in the criminal justice process right now, but it is important to know that critical evidence may be lost if you change clothes; bathe, shower or douche; use the restroom; eat; smoke; or brush teeth or gargle, depending on the nature of the attack.

The sooner the medical forensic exam is performed, the more evidence is available for collection.

Storage of Evidence

If evidence is collected from you, but you are unsure about allowing law enforcement to test the evidence, the evidence will be stored for 5 years or, if you are under the age of 18, until your 23rd birthday. You can consent to test the evidence at any time during this period.

You will NOT be billed for any services provided in the emergency room. In addition, if you are eligible, the hospital will give you a voucher for 90 days of follow-up care.

HOSPITAL INFORMATION

The nearby hospital below provides emergency medical and forensic services for sexual assault survivors:

Hospital Name	1. OSF Saint Francis Medical Center 2. UnityPoint Health Methodist 3. UnityPoint Health Proctor
Hospital Address	1. 530 NE Glen Oak Ave, Peoria, IL 61637 2. 221 NE Glen Oak Ave, Peoria, IL 61636 3. 5409 North Knoxville Ave, Peoria IL 61614

This hospital employs a Sexual Assault Nurse Examiner: Yes: No *(Check One)*

This form must be provided by the responding law enforcement agency at time of initial contact pursuant to 725 ILCS 203/25(a). This requirement is effective January 1, 2017.



Peoria Police Department

Confirmation of Transfer of Sexual Assault Report To Law Enforcement Agency Having Jurisdiction

Within 24 hours of receiving a sexual assault report of an incident in your jurisdiction from another law enforcement agency, you must provide that agency with the following information.

Law Enforcement Agency That Received the Initial Sexual Assault Report

Initial Agency Name: _____ Case Number: _____
Initial Agency Contact Name: _____
Title: _____ Phone: _____ Fax: _____
Email: _____
Date Transferred: _____ Time Transferred: _____

Confirmation of Receipt of Sexual Assault Report to be completed by Law Enforcement Agency with Jurisdiction Receiving Report

Agency with Jurisdiction Name: _____ Case Number: _____
Name of Person Receiving Report: _____
Title of Person Receiving Report: _____
Date Received: _____ Time Received: _____

Law Enforcement Agency Having Jurisdiction Contact Information to be Provided to Victim

Agency with Jurisdiction Name: _____ Case Number: _____
Name of Contact Person: _____
Title: _____ Phone: _____
Email: _____ Fax: _____

This written confirmation shall be delivered in person or via fax or email to
the law enforcement agency that received the initial report.



GENERAL ORDER

<u>NUMBER</u>	400.75
<u>EFFECTIVE DATE</u>	7/18/00
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
School Liaison Program	2
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 258-86
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
44.2.4	N/A
<u>AUTHORITY</u>	John W. Stenson Police Chief

I. PROCEDURES

- A. District 150 campus police shall have the responsibility of the initial on-scene investigation and reporting of any incident criminal in nature which occurs within their jurisdiction. The school liaison officer shall be made aware of any incidents occurring in his assigned school, and shall assist the campus police in the investigations. In the event a campus police officer is unavailable, the liaison officer or district officer shall complete the original police incident report.
- B. Liaison officers shall conduct follow-up investigations into any criminal incidents occurring on school property involving the possession or use of any type of weapon, the possession of drugs or alcohol, any assaults on school personnel, and any assaults resulting in serious injury. If information is developed regarding the source of any involved drugs or alcohol, it shall be forwarded to SID.
- C. If a student/suspect is arrested, the liaison officer shall interview the individual and ensure the requirements of the law are met regarding the processing of juveniles in custody, and that notification of the parents or legal guardian has been made. If the student/arrested is 17 or older, he shall be charged through the adult process.
- D. If school officials proceed with disciplinary action against the student, the liaison officer will testify at the hearing, if requested.

II. EVIDENCE

Evidence pertaining to a crime may be processed/packaged by either the liaison officer or the campus police officer and submitted to the Peoria Police Department property room, where it shall be retained until it is no longer required for court proceedings, legal appeals, or administrative disciplinary proceedings. The liaison officer shall assist in the processing of evidence, if requested.

If campus police officers are in the chain of evidence, it will be permissible for them to check evidence in and out of the property room for the purpose of an administrative hearing conducted by the school.

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GENERAL ORDER

<u>NUMBER</u>	400.76
<u>EFFECTIVE DATE</u>	7/18/00

<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Liquor Licensed Premises	3
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 302-78
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	John W. Stenson Police Chief

I. PHILOSOPHY

Patrol operations is primarily responsible for regulating licensed premises and enforcing liquor laws. SID will be used only for enforcement and regulatory situations which Patrol cannot accomplish by district car inspections or by observation by either plainclothes or uniformed officers on specialized assignments. SID is primarily responsible for liquor license investigations and liquor law violation follow-up investigations that cannot be conducted by the patrol officer because of time constraints or geographical barriers.

II. INSPECTIONS

Each patrol officer shall be responsible for violations occurring during his tour of duty, with the second shift district patrol officer regularly assigned to the district responsible for routine inspections for licenses required on the premises. Shift commanders will be responsible for ensuring that inspections are made and for having sergeants audit the inspection process through their own spot inspections, and by making personal inspections themselves on occasion. Shift commanders shall maintain a current list of licensed premises that have been inspected by district patrol officers.

III. LIQUOR LICENSE INSPECTION REPORT

An inspection report will be submitted each time a district officer inspects a licensed liquor establishment. The officer shall provide all information requested and any personal observations concerning the licensed premises he feels might be pertinent. Distribution of this inspection report is as follows:

- Copy handed to the licensee
- Copy to the patrol shift commander
- Copy to SID (liquor investigator)

IV. INTELLIGENCE INFORMATION REGARDING LICENSED PREMISES

Any Peoria police officer who comes into possession of information concerning illegal or suspected illegal activity involving a licensed liquor establishment, shall make a special report describing in detail the information received. This report shall be forwarded to an SID supervisor for follow-up investigation.

V. COMPLAINT REPORTS RE LICENSED PREMISES

If a licensed liquor establishment is directly or indirectly involved in any police investigation, a copy of the police report shall be sent to SID for review and possible follow-up investigation. The reporting officer shall include on the face of the report the name of the establishment and any employees involved in the incident.

VI. HEARING/WARNING LETTER REQUESTS

SID shall initiate a request to the liquor commissioner for action against a particular licensee or to the police chief for a warning letter when evidence warrants such action. SID will submit a report of its findings and a copy of all pertinent police reports, and shall draft the request for commission action or a letter of warning. The request will include a detailed explanation as to why action is requested, and cite the controlling city code and state statute provisions. The request for a hearing, if approved and signed by the chief, will go to the liquor commissioner. The warning letter will be written for the chief's signature and sent to the licensee. The liquor investigator will ensure the following copies are distributed:

- Copy of the chief's letter to the liquor commissioner
- Copy of the total investigation and letter to the corporation counsel
- Copy of the total investigation and letter to the SID liquor files

VII. LIQUOR LICENSE NONRENEWALS

SID shall routinely review the files of every licensed liquor establishment. If evidence warrants a police department position that a particular liquor license should not be renewed, SID shall draft a letter to the liquor commissioner stating the reasons for the request and citing all pertinent city ordinances and state statutes, and forward the letter with the chief's signature in the same manner as a request for a hearing.

VIII. LICENSEE BACKGROUND CHECKS

When SID is notified of an application filed for a new liquor license, or upon request by the liquor commissioner, they shall conduct a complete and detailed background check on the individuals involved. SID shall draft a letter of recommendation for the chief's signature. The letter, if approved, will go to the liquor commissioner. The liquor investigator will ensure the following copies are distributed:

- Copy of the chief's letter for the city clerk's office

- Copy of the chief's letter for the corporation counsel
- Copy of the total investigation and letter for the SID liquor files

IX. ENFORCEMENT DECISIONS

A complaint report must be made if an officer observes a violation in or concerning a liquor licensed establishment. Officers shall enforce all liquor law violations. The decision to warn a liquor licensed establishment will be made only by the police chief.

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GENERAL ORDER

<u>NUMBER</u>	400.77
<u>EFFECTIVE DATE</u>	7/26/00

<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Adult Use Licenses	2
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 327-79
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	John W. Stenson Police Chief

I. PURPOSE

To establish procedures for processing applications for adult use license and adult use employee permits, pursuant to Chapter 18 of the Code of the City of Peoria.

II. ADULT USE LICENSES

- A. Each applicant for an adult use license will be required to pay the license fee and fill out the application in its entirety before presenting it to the license clerk at the Peoria Police Department.
- B. When an applicant appears at the police department with an application completed and a receipt showing payment of the license fee, the applicant shall be directed to the license clerk, who shall photograph the applicant and take his fingerprints on an applicant fingerprint card. If the department has a recent card on file, it will not be necessary to fingerprint the applicant again. His picture shall be taken on an adult use identification card.
- C. The license clerk shall make two photocopies of the complete application. One copy shall be forwarded to SID and the other retained in the department license files, along with the applicant fingerprint card and one copy of the adult use identification card.
- D. The SID liquor investigator shall conduct a complete and detailed background investigation of all applicants for adult use licenses within 30 days. SID shall draft a letter of recommendation for the chief's signature, which shall include whether the application should be granted or denied or held for further investigation, with the reasons for such recommendation.
- E. If for any reason the investigation cannot be completed in that length of time, SID shall inform the chief not less than three days prior to the expiration of the thirty days, stating why the investigation has not been completed and when completion is anticipated.

- F. The chief's letter shall be returned to the license clerk, who shall forward it immediately to the city manager's office, with the original application, the original receipt, and one adult use license picture identification card. The license clerk shall retain a copy in the license file and forward one copy to SID.
- G. A renewal shall be handled in the same manner as an original application.

III. ADULT USE EMPLOYEE PERMITS

Adult use employee permits shall be processed in the same manner as adult use licenses, except that the liquor investigator shall conduct a background investigation of the applicant. He shall make his recommendation as to granting or denying it within fourteen days after the receipt of the application. If the investigation is not complete, the recommendation shall be based upon available information, with a notation of what remains to be done in the investigation.

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GENERAL ORDER

<u>SUBJECT</u>	NUMBER
Drug Field Tests	400.79
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	7/26/00
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u>
N/A	GO 277-85
<u>AUTHORITY</u>	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson
	Police Chief

I. POLICY

The Valtox field testing kit has been maintained by the Peoria Police Department as its standard field test. Since this device is only a preliminary indication of the presence of a controlled substance, the suspected controlled substance must then be submitted to a lab analysis to determine if it is in fact, a controlled substance.

Although this test kit appears to be among the most reliable available, it is the policy of this department that no person should be booked into the county jail for the felony offense of unlawful possession of a controlled substance except on the strongest probable cause that we can practically establish.

II. PROCEDURES

- A. Valtox field test kits will be kept by Patrol and SID. SID personnel, all lieutenants, and sergeants shall be trained in its use. When an officer has been trained, he shall be authorized to conduct field testing on controlled substances regardless of his current assignment.
- B. If a person is found in possession of a suspected controlled substance by police officers, the suspect may be detained while field tests are conducted on the suspected substance by any officer trained in the use of the kit.
- C. A positive reaction for the presence of a controlled substance shall be considered adequate probable cause to book the person on the charge of unlawful possession of a controlled substance. If the results of the field test are inconclusive, the person should not be booked on the drug charge unless other adequate evidence of the identity of the suspected controlled substance exists. Such evidence might include positive identification of pills from the PDR by an SID officer, an admission by the suspect of what the suspected substance is, or other similar evidence.

- D. In any case where the individual has been booked only on the strength of the field testing procedures for possession of a controlled substance, it shall be the responsibility of SID to transport it to the state crime lab as soon as possible. They will be requested to analyze the substance and the state's attorney's office will be notified by SID as soon as the results are obtained.
- E. In a case where the arresting officer desires fingerprinting of the evidence seized in a controlled substance arrest, he shall first attempt to contact an officer of the CSU to process the evidence for fingerprints. When a member of the CSU is not available, the arresting officer shall place the evidence in a red processing locker with a copy of the police report. It will then be the responsibility of the CSU to process this evidence as soon as possible, then immediately notify SID that they have completed their work with the evidence. The CSU will then seal the evidence in an appropriate packaging, place a property tag on it, and place it into evidence. SID personnel shall take charge of this evidence as soon as possible for transportation to the state crime lab.
- F. In the event the evidence is not to be processed for fingerprints, the arresting officer shall package the evidence appropriately, affix the property tag to it, and place it into evidence. SID shall remove this evidence as soon as possible for transportation to the state crime lab.

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GENERAL ORDER

<u>NUMBER</u>	400.80
<u>EFFECTIVE DATE</u>	December 11, 2017
<u>NUMBER OF PAGES</u>	8

<u>SUBJECT</u>	Missing Person/Runaway Investigations
<u>DISTRIBUTION</u>	Commissioned Personnel
<u>CALEA REFERENCE</u>	41.2.5, 41.2.6
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police
<u>SUPERSEDES</u>	GO 409-87; 8/10/00;
<u>OTHER REFERENCE</u>	N/A

I. MISSION

The Intergovernmental Missing Child Recovery Act of 1984 requires the police department to take immediate steps to locate lost or missing children (defined as persons under 21 years of age). Moral obligation requires the same care for adults who may be incapacitated or unable to care for themselves. The families of missing persons need assurance the department is making every reasonable attempt to prevent possible harm, criminal acts, or other damage to the welfare of the missing person. Many missing person reports involve individuals who have voluntarily left home for personal reasons, while other reports are often unfounded or quickly resolved. However there are many instances in which persons disappear for unexplained reasons and under circumstances where they are at risk. The roles of the call taker and the initial responding officer are critical in identifying the circumstances surrounding missing persons and in identifying those persons at risk. (41.2.6a)

II. PURPOSE

To establish a policy for the investigation of missing and unidentified persons and guidelines for entry of these reports into the LEADS/NCIC automated files.

III. PROCEDURES

A. Report Responsibilities

All reports of missing persons will be given full consideration and attention by all members of this department, including careful recording and investigation of factual circumstances surrounding the disappearance. Particular care should be exercised in instances involving missing children and those who may be mentally or physically impaired, or others who are insufficiently prepared to care for themselves.

B. Reporting/Classification of Missing Persons

1. There is no waiting period for reporting a missing person.
2. Missing person reports will be taken in conformance with the criteria of this policy and the criticality of the incident.
3. A person may be declared missing when his whereabouts is unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans, or routines.
4. An individual may be considered missing/critical if he meets the following criteria: (41.2.5g)
 - a. Appears to be missing under circumstances that suggest he may be the subject of foul play, or the victim of an accident, natural disaster or suspicious circumstances.
 - b. Because of his age (young or old), may be unable to properly safeguard or care for himself.
 - c. Suffers from diminished mental capacity or medical conditions that are potentially life threatening if left untreated/unattended.
 - d. Is a patient of a mental institution and considered potentially dangerous to himself or others.
 - e. Has demonstrated the potential for suicide.

The field supervisor and the shift commander will be notified immediately upon classification of a report as missing/critical.

5. Reports of juveniles who have voluntarily left home should be classified as a runaway after an initial investigation by the responding officer. Detailed reports will be written to document circumstances of the incident.
6. Based on the outcome of initial inquiries, a decision will be made concerning the potential danger posed to the missing person/runaway, and the police response.
7. The initial call taker must gather as much pertinent information as possible to properly classify a missing person/runaway report and initiate a proper response, including: (41.2.6e)

- a. Name, age, sex, physical and clothing description of the missing person/runaway, and relationship of the reporting party to the missing person/runaway.
- b. Time and place of last known location and the identity of anyone accompanying the missing person/runaway
- c. Extent of any search for the subject.
- d. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans.
- e. Whether the individual has been involved recently in domestic incidents, suffered emotional trauma or life crises, demonstrated unusual, uncharacteristic, or bizarre behavior, is dependent on drugs or alcohol, or has a history of mental illness.
- f. Current physical condition of the subject and whether the person is currently on prescription medication.
- g. When the missing person is a child, an investigative inquiry should determine if the child:
 - 1) Is or may be with any adult who could cause him harm.
 - 2) May have been the subject of a parental abduction.
 - 3) Has previously run away from home, has threatened to do so, or has a history of explainable or unexplainable absences for extended period of time.
- h. If the missing person is a child (especially a young child missing from the home or near the home), every effort should be made by initial responding units to make a thorough search of the child's home and immediate vicinity. Circumstances and information will determine the extent and scope of search.

C. Preliminary investigation (41.2.5a)

- 1. The preliminary investigation is intended to gather information and take steps that will aid in the search and location of the missing person/runaway. Illinois law mandates that as soon as the minimum information required for a LEADS entry is available, the missing person will be entered into LEADS, regardless of whether the reporting person signs the waiver form and report.

2. Complete description of the missing person and a recent photograph (a-j are mandatory for LEADS/NCIC entry):

- a. Name
- b. Sex
- c. Race
- d. Height and weight
- e. Eye color
- f. Hair color
- g. Date last seen
- h. Date of birth (if a juvenile)
- i. Date of emancipation, if applicable
- j. Adult's date of birth, and one or more of the following identifiers:
 - 1) FBI number (if applicable)
 - 2) Social security number
 - 3) Driver's license number, state, and date issued
 - 4) Other miscellaneous identification types and numbers
 - 5) Scars, marks, tattoos, type of jewelry worn
 - 6) Vehicle description, if applicable, including license number and VIN

3. Other information:

- a. Possible destination/mode of travel.
- b. Details of any physical or emotional problems.
- c. Identity of the last person(s) to have seen the subject, as well as friends, relatives, coworkers, or associates who were or may have been in contact with the subject prior to disappearance.

- d. Plans, habits, routines, and personal interests of the subject, including places frequented or locations of particular personal significance.
 - e. Indications of missing personal belongings, particularly money or other valuables.
 - f. Any suggestions of foul play or accident.
 - 1) In the case of missing children, officers should be particularly aware of information that may suggest the potential for parental abduction or the possibility of stranger abduction, as well as:
 - g. The presence of behavioral problems.
 - h. Past instances of running away.
 - i. Signs of an abusive home environment or dysfunctional family situation.
 - j. Whether the child is believed to be with adults who may pose a danger.
 - k. Name and location of the school attended by the child and any persons who may be responsible for private transportation to and from the location.
 - 1) When possible, the officer should gain permission to search a missing child's home and school locker.
4. Completed missing person/runaway report
- The signature indicates that they are willing to accept the liability of the report in regards to the missing persons "right to privacy." If the subject making the report of a subject over 18 years old is not able to sign, then the form can be faxed or mailed for the signature, or there can be a verbal waiver.
- a. A missing person report when the person is 18 years and older, needs to be signed by the complainant.
 - b. Juveniles who are 18 years of age and older and are "Wards of the State" do not need signatures
 - c. A runaway report does not need to be signed by the complainant.

For juvenile runaways of any age, the reporting officer must give the LEADS entry number and police report number to the person making the report. The reporting officer will list LEADS number in police report. For missing person reports of subjects 18 years and older, then a police report number will be given to person making the report.

D. Communications (41.2.5b, 41.2.6b, 41.2.6d)

1. Emergency Communication Center personnel will use the information available from the reporting officer and make the appropriate computer database entries (LEADS, NCIC, etc.). Officers shall relay missing person/runaway information to ECC via telephone.
2. The ECC will include the missing person data in the 49 information display of the CAD system, which sergeants will use in roll call.
3. In the case of a person designated as missing/critical, the shift commander will:
 - a. Direct that the on-duty/on-call investigator is notified.
 - b. Make notification to the uniformed services captain, if deemed necessary.
 - c. Direct that available information regarding the subject is broadcast to all officers on duty and via LEADS, to other area jurisdictions.
 - d. Ensure that an ISPERN 2, PREP 2, or ISPERN 1 (if needed) dispatch is broadcast.
 - e. Ensure that ECC has activated the community messaging system for the area residents so they are aware of the situation and can alert us should anyone see or locate the person. This system will be used only between 0800 and 2200 hours, unless the shift commander approves otherwise. The shift commander or supervisor should contact an ECC supervisor for its use.
4. Notify and request assistance from helicopters units in the area if needed.
5. Summon a K-9 officer if a ground search is indicated.
6. If additional assistance is needed, then command personnel or supervisors will determine what units, or who to call.

E. Ongoing Investigation (41.2.5f, 41.2.6f)

1. Request release of dental records and any available fingerprints.

2. Contact hospitals (including neighboring hospitals) and the Coroner's Office for injured or deceased persons.
3. Thoroughly check the location where the missing person was last seen, and conduct interviews with persons who were with the individual or who may work in or frequent the area.
4. Conduct interviews with any additional family, friends, work associates, schoolmates, teachers, school counselors, and social workers to explore the potential for foul play, voluntary flight, or in the case of juveniles, parental kidnapping or running away.
5. Provide identification and related information to all units of this department, the Illinois State Police missing persons unit, neighboring police departments, and if parental or stranger-to-stranger abduction is suspected, the FBI.
6. Decisions to use local media for press release to help locate missing persons will be made with the approval of command personnel or a supervisor. Public Information Officer (PIO) will put out press release unless unavailable. Command Officers or supervisors can also put out press release if needed. PIO or designee will post the missing person/endangered runaway information to social media, and will monitor any received information. PIO will advise the investigating detective of any leads received via social media.
7. The lead investigator will maintain contact with the missing person's closest relative, or the complainant, concerning progress of the investigation. These and other relevant individuals will be informed that they must notify the lead investigator, or another police officer as soon as any contact is made with the missing person. (41.2.5e)

F. Recovery of a Missing Person and Case Closure

1. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals will:
 - a. Advise them that they are the subject of a missing person investigation.
 - b. Ask if they desire the reporting party or next of kin to be notified of their whereabouts, and share this information if permission is granted.
2. In all cases, reporting parties will be informed of the well-being of located missing persons. Unless criminal matters necessitate other action, the desire of a missing person not to reveal his whereabouts will be honored.

3. Missing persons will be questioned in an attempt to establish the circumstances surrounding their disappearance.
4. In cases involving juveniles, officers will ensure that:
 - a. The juvenile receives medical attention if necessary. The initial questioning of the youth identifies the circumstances surrounding the child's disappearance, any individuals who may be criminally responsible, and/or whether an abusive or negligent home environment was a contributing factor.
 - b. Parents, guardians, and/or the person reporting the missing youth are notified in a timely manner.
5. Upon location of a missing person, all agencies and information systems previously contacted for assistance will be notified. The LEADS message will be canceled by ECC. (41.2.5c)
6. Where indicated, follow-up action will include filing of an abuse and neglect report with the Illinois Department of Children and Family Services.
7. The case report will include a complete report on the whereabouts, actions, and activities of children while missing.
8. Where indicated, criminal charges can be filed with the state attorney's office.

G. Unidentified Persons

1. The purpose of the automated NCIC unidentified person file is to aid in the identification of unidentified living persons who may be amnesia victims, or persons of any age who are unable to ascertain their own identity, and deceased individuals. The file includes descriptive data such as blood type, dental characteristics, amputations, corrective visual description, etc.
2. The entry of all possible physical descriptors is crucial to the timely and positive identification of an unidentified person. Fingerprint classification and dental characteristics are vital in these records.

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GENERAL ORDER

<u>NUMBER</u>	400.81
<u>EFFECTIVE DATE</u>	June 24, 2018
<u>SUBJECT</u>	Non-Biased Policing
<u>NUMBER OF PAGES</u>	3
<u>DISTRIBUTION</u>	All Personnel
<u>SUPERSEDES</u>	5/15/00, 12/11/17, 1/12/18
<u>CALEA REFERENCE</u>	N/A
<u>OTHER REFERENCE</u>	N/A
<u>AUTHORITY</u>	Loren Marion III Chief of Police

I. POLICY

The race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable characteristics of an individual *shall not* be the basis for the detention, interdiction, or any other disparate treatment of an individual by any member of the Peoria Police Department.

II. PURPOSE

To prevent and prohibit discriminatory actions by members of the Peoria Police Department.

III. DEFINITIONS

A. *Biased Policing*: The selection of an individual(s) for enforcement action based in whole or in part on a trait common to a group, without actionable intelligence to support consideration of that trait.

IV. NON-DISCRIMINATORY PRACTICES

Officers shall treat every person with courtesy and respect. An officer shall provide his name, badge number, and reason for a vehicle stop whenever a motorist or passenger requests such information (See General Order 100.05 Rules and Regulations). Supervisors shall ensure that officers follow the policies and procedures outlined in this directive.

A. Responding to Calls for Service

When responding to a specific call for service, the report may describe the victim, witness, or suspect by race, ethnicity, age, gender or sexual orientation.

1. In the absence of a report, race or ethnicity of an individual shall not be a factor in determining the existence of probable cause to place in custody or arrest an individual, or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a motor vehicle.
2. It is prohibited to detain any individual based on factors unrelated to a violation of the law.

B. Traffic and Pedestrian Stops

1. An officer may stop a motor vehicle or pedestrian upon a reasonable suspicion that the individual committed a violation of the law. Such stops shall be executed according to department policies and procedures, and be documented pursuant to state law.
2. This directive does not preclude an officer from stopping a vehicle or pedestrian to offer assistance (such as to inform a driver of an item left on the roof, or community caretaking functions). Such actions should be reported as an “assist” call, and do not require written documentation under most circumstances.

C. Curfew Violations

Officers may consider a person’s apparent age when investigating a possible curfew violation.

V. DEPARTMENT RESPONSIBILITIES

A. Complaints

Whenever a person complains that an officer has engaged in practices prohibited by this directive, the person receiving complaint shall immediately notify the shift supervisor. An on-duty supervisor shall promptly respond to an incident when advised that a person is making a complaint alleging profiling or other improper conduct, and follow the procedures outlined in General Order 200.02 Professional Standards.

B. Training

All police department personnel shall receive initial and on-going annual training on the harms of racial profiling and discrimination, including the review of this policy. Additional diversity and sensitivity training shall be designated for officers with sustained racial profiling or other sustained discrimination complaints filed against them.

C. Discipline

Violation of this policy or failure to report any observed or known violations of this order by any police department employee may result in disciplinary action (See General Order 200.01 Corrective Action System).

D. Administrative Review

In order to ensure compliance with this order, the Office of Professional Standards shall conduct an annual administrative review of agency practices including citizen concerns and any corrective measures taken. The review shall indicate any policy, training, equipment or disciplinary issues should be addressed. The review shall be conducted on the following police actions:

1. Field contacts (pedestrian stop)
2. Traffic stops (IDOT)
3. Asset forfeiture
4. Interrogations

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GENERAL ORDER

<u>NUMBER</u>	400.82
<u>EFFECTIVE DATE</u>	June 24, 2018
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
DUI	9
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 392-89, GO 400.82, 7/26/00, 11/13/17
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
61.1.5a, 61.1.10, 61.1.11, 61.2.1d, 61.2.2c	GO 400.27
<u>AUTHORITY</u>	Loren Marion III Chief of Police

I. POLICY

The goal of Driving Under the Influence (DUI) enforcement is to reduce the number of impaired drivers on our streets thereby reducing the number of crashes, injuries and deaths. Individuals under the influence of intoxicating liquor or drugs observed prior to the act of driving a motor vehicle shall, if possible, be prevented from driving. No member of this Department shall allow any person to drive a motor vehicle for the sake of making an arrest for Driving Under the Influence.

The Peoria Police Department authorizes its personnel to use breath analysis, blood analysis, and urine analysis, as may be appropriate.

II. DUI PROCESSING PROCEDURES

A. Recordings Interactions

1. Video shall be utilized in the processing of DUI cases and marked as evidence.
2. When conducting traffic stops and DUI investigations, officers shall adhere to General Order 400.27 Mobile Video Systems (MVS) in order to document the following:
 - a. Actions of violators during traffic enforcement activities
 - b. Field sobriety tests
 - c. Documentation of evidence seized
 - d. Removal of personal property from an arrested individual

3. When interviewing subjects in the Breathalyzer Room, video shall run continuously. If another officer arrives with a second subject under arrest for DUI, do not stop and restart the L-3 video system. Simply continue recording seamlessly and annotate such in the police report.

B. Field Sobriety Tests

In compliance with numerous statutes and case law dealing with the impaired driver, DUI investigations shall be conducted systematically through the utilization of Standardized Field Sobriety Tests (SFSTs).

1. Administering the SFSTs

- a. Unless the suspected impaired driver is injured or refuses to be tested, officers shall have the suspect perform field sobriety tests at the scene in the order listed on the Field Sobriety Alcohol and/or Drug Influence Report.
- b. Whenever possible these tests shall be performed within view of the in-car video with the audio turned on.
- c. It is not necessary to advise the suspect of *Miranda* warnings when requesting field sobriety tests, as long as no interrogation is done.
- d. Prior to the testing, officers shall ask the person if they are injured, sick, have any medical disabilities that might affect the test, and whether the person's shoes are comfortable. Documentation of the suspect's answers shall be noted in the DUI Report along with the surface and lighting conditions for the tests.
- e. The packet is to be treated as evidence. It shall be scanned by the administrative assistant into ADSi, and the original packet shall be tagged into evidence.

2. Preliminary Breath Tests (PBT)

- a. A PBT may be requested after reasonable suspicion has been established and, when practical, after the standardized field sobriety tests have been administered.
- b. All tests must be conducted by a trained PBT operator.
- c. The PBT devices should be certified by a technician or an individual specially trained to perform PBT accuracy checks at least once every 93 days.
- d. The PBT results shall be included in the report.

C. DUI Arrest Procedures

After probable cause has been established, place the driver under arrest for driving under the influence of alcohol, other drug or combination of both, in violation of 625 ILCS 5/11-501.

1. Per the State's Attorney's Office (SAO), Miranda shall be read to the arrested subject so that any voluntary admissions can be used in court.
2. Complete the Illinois Citation and Complaint Form.
3. If the officer cannot complete the citation at the time and place of apprehension, the citation will be completed as soon as possible.
4. The citation shall be issued *before* reading the *Warning to Motorist* to the driver.
5. Complete the *Warning to Motorist* form.
6. Provide a copy of the *Warning to Motorist* and read it to the driver.

D. Chemical Tests

Upon completion of the reading of the *Warning to Motorist*, the driver will be submitted to chemical testing. Chemical testing shall not be administered without the permission of the suspect to be tested, unless the person is unconscious or a search warrant is obtained for the required test.

If the subject has been in a vehicle crash and must be treated or is currently being treated by a physician licensed to practice medicine for injuries sustained in the crash, the arresting officer will consult with the treating physician to determine how best to test the subject without unreasonably jeopardizing the subject's treatment.

1. Breath Test

Breath analysis is the preferred chemical test and should be used in all cases except where another test is clearly indicated:

- a. Where the individual is physically incapable of performing the breath test.
- b. Where it is impractical to transport the person to the location of the breath testing device and no portable device is available (ie; the person is hospitalized).
- c. Where the officer has strong reason to believe that the intoxication is a result of drugs other than alcohol.
- d. Where an injury to the individual causes blood to be mixed with their saliva.

- e. Even when DUI is not suspected at a fatality or serious collision scene, the driver may be offered to take the breath test voluntarily to help establish that the driver was not under the influence of alcohol.

Evidential breath tests must be conducted by a licensed Breath Analysis Operator in accordance with standards promulgated by the Illinois State Police (ISP). The appropriate information required to complete the Instrument Log Book will be placed in the log book by the Breath Analysis Operator.

2. Blood/Urine Test

Submission to a urine test will be requested when a breath test or blood test is not possible or appropriate or when drugs/intoxicating compounds are suspected.

- a. Blood/urine samples will be collected only by authorized persons in accordance with standards promulgated by the ISP.
- b. Blood/urine samples will be collected in the presence of the arresting officer, another law enforcement officer, or an agency employee who can authenticate the sample.
- c. In cases involving the arrest of the opposite sex, the urine sample will be collected by an officer of the same sex as the arrestee.
- d. The individual tubes of drawn blood will be labeled with the name of the subject and the date of the withdrawal and treated as biohazard evidence.
- e. The container holding the urine sample will be labeled with the name of the subject and the date of the collection.
- f. Package samples according to instructions contained in the ISP specimen collection kit.

On duty Peoria Police Officers causing a serious injury or fatal accidents are required to submit to chemical testing as soon as possible, at least by the end of the officer's shift, in accordance to the standard department testing procedures outlined in the Collective Bargaining Agreement (Appendix F, Part II, sub section A).

3. Non-Consensual Blood Draw Procedures: *Search Warrant*

When an officer is unable to obtain a chemical sample through consent and no sample is taken under a medical draw, the officer will obtain a search warrant for a blood and/or urine sample, especially in cases of:

- a. Death or serious injury collisions
- b. Felony offenses
- c. Misdemeanor cases where the suspect appears to be over a .08% BAC in order to assist in charging for the extreme DUI offense

- d. Misdemeanor cases, in which a suspect has refused all Field Sobriety Tests and refused chemical testing.
 4. Non-Consensual Blood Draw Procedures: *When the driver causes a Type A injury (625 ILCS 5/11-501.2)*
 - a. After completing the DUI arrest procedure and the driver refuses to submit to testing, the driver shall be transported to a medical facility for testing and the officer shall complete the Non-Consensual Blood Draw Request Form
 - b. Deliver a copy of the Non-Consensual Blood Draw Request to the medical personnel and request blood and urine samples are obtained in accordance with ISP standards (ISP DUI Kit), and follow the standard collection procedures
 - c. Complete Law Enforcement Sworn Report for refusing the original test(s) requested and complete the arrest report.
 5. Failed Test Results
- If blood or urine samples are collected, a toxicology report will be returned to the officer.
- a. If the driver agrees to submit to and completes the chemical test(s) requested, the arresting officer will complete the appropriate section of the Sworn Report and issue a citation for 625 ILCS 5/11-501a.1, if the tests indicate the alcohol concentration is .08 or more.
 - b. If the report shows any amount of a drug, substance, or compound in the blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act (720 ILCS 550/1) or a controlled substance listed in the Illinois Controlled Substances Act (720 ILCS 570/100) or an intoxicating compound listed in the Use of Intoxicating Compound Act (720 ILCS 690/0.01), the officer shall send a copy of the lab results to the SAO along with his supplemental report and the SAO will file new charges, long form.
 - c. If the driver refuses or fails the chemical test(s) requested, the arresting officer will confiscate all Illinois Driver's License(s) or Permit(s) on their person and immediately forward it to the Circuit Court along with the Sworn Report.
 - 1) If the Illinois Driver's License or Permit is valid at the time of arrest, a receipt to driver will be issued.
 - 2) If the Illinois Driver's License is not valid, the receipt to drive will be voided.

E. Transportation to PCJ

All individuals arrested for DUI shall be transported to the PCJ for processing, unless a medical situation exists that prohibits the arrested from being transported.

F. DUI Evidence Kit Procedure

Once a DUI kit has been collected, the following steps shall be followed:

1. Put your initials on the seal of the kit.
2. Clearly write the case number on the kit.
3. Complete an evidence tag, affix it to the kit and complete a property/evidence entry on your report.
4. Complete a pink Illinois State Police Evidence Receipt-Forensic Toxicology form* (instructions are on the reverse).
5. Place the kit into the evidence refrigerator located in the Packing Room. Contact the desk sergeant if after hours to get a key to access the refrigerator. Flip the sign on the refrigerator to alert P/E Technicians.
6. Document this activity in the narrative of your report.

*Officers authorized to use ISP CALMS shall use that system instead of the pink evidence forms; the manifest should accompany the kit when shipped.

III. MEDICAL CANNABIS WARNING TO MOTORIST

A person who has been issued a registry identification card under the Compassionate Use of Medical Cannabis Pilot Program Act who drives or is in actual physical control of a motor vehicle upon the public highways of this State shall be deemed to have given consent to standardized field sobriety tests (SFSTs). If the person refuses to submit to the SFSTs then their driving privileges will be suspended for a term set by the General Assembly. The officer conducting this investigation shall complete the Medical Cannabis Warning to motorist form prior to requesting the subject to perform the SFSTs. The forms will be available in the Breathalyzer Room.

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PEORIA POLICE DEPARTMENT
Field Sobriety Alcohol and/or Drug Influence Report

INTERVIEW LOCATION:	DATE: / /	TIME: HRS.
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INFORM THE ARRESTEE OF HIS MIRANDA RIGHTS PRIOR TO ASKING THE FOLLOWING QUESTIONS:

MIRANDA WARNING GIVEN?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You are presently in which City and County? _____ What time is it now? _____		
What is today's date? _____ What is today's day of the week? _____		
Are you ill? _____		
If yes, what is wrong with you? _____		
Do you take insulin? _____		
If yes, when was your last dose? _____		
Have you been injured lately? _____		
If yes, describe the injury and when it occurred. _____		
Have you seen a doctor or dentist lately? _____		
If so, when and for what did you get treated? _____		
Have you taken any medication in the last 6 hours? _____		
If yes, what was it? _____		
When did you last eat? _____		
What did you eat? _____		
What were you doing for the last 3 hours? _____		
Have you consumed any alcoholic beverages today/tonight? _____		
If yes, what? _____		
How much? _____		
Where were you drinking? _____		
When did you start drinking and when did you stop? Start _____ Stop _____		
Were you operating a motor vehicle: <input type="checkbox"/> YES <input type="checkbox"/> NO		
On what street were you operating your vehicle? _____		
In what city were you driving your vehicle? _____		
In what direction were you traveling? _____		
Are you under the influence of Alcohol, drugs, or any other intoxicating substance at this time? <input type="checkbox"/> YES <input type="checkbox"/> NO		
If so, what? _____		
COMMENTS:		

PEORIA POLICE DEPARTMENT
Field Sobriety Alcohol and/or Drug Influence Report

ARRESTEE'S NAME (Last-First-Middle)	INCIDENT #	DATE: / /	TIME OF FIELD TEST: HRS.
Location Where The Tests Were Performed:		Ability to Understand Instructions: <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor	

Check the boxes below that reflect the appropriate conditions that you observed:

BALANCE: FALLING NEEDED SUPPORT WOBBLING SWAYING UNSURE SURE
 WALKING: FALLING NEEDED SUPPORT WOBBLING SWAYING UNSURE SURE
 TURNING: FALLING NEEDED SUPPORT WOBBLING SWAYING UNSURE SURE

Horizontal Gaze Nystagmus Test

Right	Left
<input type="checkbox"/> Eye does not smoothly follow object	_____
<input type="checkbox"/> Distinct nystagmus @ maximum deviation	_____
<input type="checkbox"/> Onset before 45° with some white showing	_____
_____ Total Score (Decision: 4 or more points)	

One Leg Stand Test

<input type="checkbox"/> Sways while balancing
<input type="checkbox"/> Uses arms to balance (Raises arms more than 6")
<input type="checkbox"/> Hops while balancing
<input type="checkbox"/> Puts foot down....Number of times _____
<input type="checkbox"/> Total Score (Decision: 2 or more points)

Walk and Turn Test

<input type="checkbox"/> Can't keep balance during instructions	
<input type="checkbox"/> Starts before instructions are finished	
<input type="checkbox"/> Stops walking to steady self	
<input type="checkbox"/> Does not touch heel to toe	
<input type="checkbox"/> Loses balance while walking (Steps off line)	
Number of times _____	
<input type="checkbox"/> Raises arms more than 6" for balance	
<input type="checkbox"/> Loses balance while turning or incorrectly turns	
<input type="checkbox"/> Takes the incorrect number of steps	
Number: Initial direction _____ Return _____	
<input type="checkbox"/> Cannot do test (Steps off of line 3 or more times)	
Total Score (Decision: 2 or more points)	

Preliminary Breath Test

Chemical Test Results

B.A.C. 0. _____ Breath Blood Urine

Refusal: YES NO B.A.C. 0. _____
Refusal YES NO

OFFICER'S OBSERVATION OF THE EFFECTS OF THE INTOXICATING SUBSTANCE ON THE ARRESTEE:

Extreme Obvious Slight None
Other Tests

BREATH:

Extent of the odor of an alcoholic beverage: Strong Moderate Slight None

ATTITUDE: Excited Comedic Talkative Carefree Sleepy Profanity
 Combative Indifferent Insulting Cocky Cooperative Polite

UNUSUAL ACTIONS: Hiccupping Belching Vomiting Fighting
 Crying Laughing Other

SPEECH: Not Understandable Mumbled Slurred Confused
 Thick Tongued Stuttered Accented

Unusual Statements:

Signs or complaints of illness or injury:

Reporting Officer:

NON-CONSENSUAL BLOOD DRAW REQUEST FORM
Peoria Police Department



Pursuant to 625 ILCS 5/11-501.2(c) (2):

I _____, Being a duly sworn Police officer in the State of Illinois, Hereby request the assistance of _____ in the collection of a blood sample from _____. I further certify that probable cause exists to believe **THAT** _____

HAS COMMITTED A DUI VIOLATION AND HAS CAUSED THE DEATH OR PERSONAL INJURY TO ANOTHER PERSON. Personal injury shall mean any type "A" injury as indicated on a traffic crash report that requires immediate professional attention in either a doctor's office or a medical facility. A type "A" injury includes severe bleeding wounds, distorted extremities, and injuries that require the person be carried from the scene.

Witness Signature

Date/Time

Officer's Signature

Date/Time

The officer witnessing the non-consensual blood draw or the attempt of a non-consensual blood draw must complete this section upon the completion or refusal of the blood draw. (**Check one box only**)

- 1. Non-consensual blood draw was successfully completed.
- 2. Hospital agreed to perform a non-consensual blood draw, but the arrestee physically refused to cooperate.
- 3. Arrestee was available to submit to a nonconsensual blood draw but the hospital staff declined to complete the blood draw. (Consider a Warrant)
- 4. Arrestee was unconscious and/or receiving medical treatment and blood draw was conducted for medical reasons.

Date _____ Time _____ Printed name of Attending Physician _____ Hospital _____

Officer's Name (print) _____ Signature _____ Badge # _____



GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Fire Calls	400.84
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	7/26/00
<u>CALEA REFERENCE</u>	<u>NUMBER OF PAGES</u>
N/A	1
<u>AUTHORITY</u>	<u>SUPERSEDES</u>
	GO 326-79
	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson
	Police Chief

I. PURPOSE

To ensure coordinated operations at the scene of a fire call and to reduce the obstructing of fire apparatus and personnel in the performance of their duties.

II. PROCEDURES

- A. If an officer is first at a fire scene, it should be checked to see if there is a need for any emergency service. If unneeded, the officer should make a status report to the emergency communications telecommunicator (ECT) and his supervisor, and set up traffic posts if necessary.
- B. At night if an officer is first at a fire scene, he should light the building with his spotlight, avoiding shining it on the doorway or steps. This light should be turned off as soon as possible after the arrival of fire equipment.
- C. An officer responding to a fire shall park his vehicle far enough from the scene so that he will not block fire equipment passage, and then close access to the fire scene.
- D. While working traffic, crowd control, etc., officers should keep their vehicles in view, moving them when necessary.
- E. If a command post is needed at a working fire, the patrol sergeant assigned will set up a location, in conjunction with the fire chief in charge, and notify the ECC of such.
- F. After the arrival of the fire department, officers will not be inside the structure unless actively participating in rescue operations or an arson investigation, or upon request of the fire department.

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GENERAL ORDER

<u>NUMBER</u>	400.85
<u>EFFECTIVE DATE</u>	6/16/00
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Assisting Animal Control Officers	2
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 273-77
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	John W. Stenson Police Chief

I. POLICY

Occasionally we may be called upon to assist animal control officers with removing animals from private property. This order is to establish guidelines for enforcement of 510 ILCS 5/17 of the Illinois Animal Control Act and Chapter 4, Sections 18 and 26 of the Code of Peoria involving animals.

Statute 510 ILCS 5/17 and Code of Peoria Chapter 4-26 gives the animal shelter director or his delegate the right of entry upon private property to apprehend any dog or other animal thought to be infected with rabies, a straying dog or other animal, a nuisance animal, a dangerous dog or other animal involving a bite case or not, or a person otherwise violating the Animal Control Act or codes.

Code of Peoria Chapter 4, Section 18 covers interference with animal shelter personnel.

II. PROCEDURES

- A. If the property owner gives animal shelter personnel trouble within the city limits, they will call the Peoria Police Department.
- B. If an explanation of the law and its purpose in controlling rabies by the police officer does not cause the citizen to cease obstructing the animal control officer, the citizen shall be arrested and charged with violating 510 ILCS 5/17 or any part of the Animal Control Act under 510 ILCS 5/26 or Chapter 4 of the Code of Peoria (violations punishment—resisting, obstructing, or impeding an officer in enforcement of the Animal Control Act).
- C. If entry into a building is refused and reasonable grounds exist to believe the animal is present upon the property, to gain entry the animal shelter director or his delegate may seek

the assistance of the city corporation counsel to obtain a search warrant or seek other legal relief from the Peoria County Circuit Court.

- D. If after the arrest the citizen permits the animal control officer to take the animal, the officer shall issue an NTA or MOVN, unless physical force has been necessary.
- E. If physical force is necessary to effect the arrest, or if the citizen still refuses to let the animal control officer have the animal after being issued an NTA or MOVN, then a custody arrest shall be effected.

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GENERAL ORDER

<u>SUBJECT</u>	NUMBER
Investigations in Other Police Jurisdictions	400.87
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	8/3/00
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u>
N/A	GO 101-71
<u>AUTHORITY</u>	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson
	Police Chief

I. POLICY

Recognizing criminal investigations may be multi-jurisdictional and the mobility of offenders, resolving incidents and investigations may require officers of the Peoria Police Department to travel to other police jurisdictions, or necessitate members of the other law enforcement agencies to act within the city of Peoria. It is the policy of the Peoria Police Department to fully cooperate and assist other law enforcement agencies acting within the city of Peoria, and ensure positive working relationships with them.

II. REGULATIONS

- A. Unless specifically directed otherwise by a division commander, whenever an officer travels to another police jurisdiction on department business, the officer shall contact the local law enforcement agency as to the nature of the business and determine if that agency would like to assign any of their officers to accompany them while in their jurisdiction. If an arrest is likely or a search warrant is to be executed, the officer must be accompanied by a member of the local law enforcement agency. Should special assistance be needed (plainclothes, K-9, etc.), advance notification is recommended to determine when and if the resources are available.
- B. If an officer from another law enforcement agency arrives at the department requesting our assistance, he should be directed to the on-duty shift commander, who shall make the determination of appropriate personnel to be assigned to assist and contact that division commander or OIC, if manpower is to be taken from a division other than patrol.
- C. A Peoria police officer conducting an undercover or confidential investigation which is mobile or short in duration and not expected to involve police action other than

intelligence gathering, is exempt from notifying the local law enforcement agency. If fixed surveillance of a location or person other than for a short period of time is required in another jurisdiction, the officer will notify the local law enforcement agency command personnel in which he is conducting the investigation. Prior to conducting such investigations, the appropriate division commander shall be advised via the chain of command that the investigation is occurring outside Peoria.

- D. When a Peoria police officer is handling a call without the presence of the other agency's personnel, the appropriate incident report shall be written as if the incident had occurred within the city limits, so that agency can receive the report and the benefit of a full, high quality Peoria Police Department handling of the incident.
- E. When a Peoria police officer is backing up another agency's personnel, a noncrime incident report shall be written on every service provided outside the city limits.

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GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Rape Crisis Center	400.90
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	8/3/00
<u>CALEA REFERENCE</u>	<u>NUMBER OF PAGES</u>
55.1.3, 55.2.1, 55.2.3	2
<u>AUTHORITY</u>	<u>SUPERSEDES</u>
	GO 198-90
	<u>OTHER REFERENCE</u>
	N/A
	<u>John W. Stenson</u>
	Police Chief

I. POLICY

The use of professionally trained staff and direct service volunteer advocates in assisting with the psychological, emotional, legal, and medical trauma experienced by rape victims and their significant others, can provide a valuable supplement to law enforcement policy and efforts. The use of such advocates is not inconsistent with the reporting of rape, as well as with the arrest and successful prosecution of the offender.

II. RAPE CRISIS CENTER

- A. The Rape Crisis Center--InnerStrength is a member of the Illinois Coalition Against Sexual Assault and is located at the Center for the Prevention of Abuse shelter. The crisis telephone line is available 24 hours a day at 691-4111, or toll-free at 1-800-559-SAFE. The crisis center and supportive phone crisis line can provide medical and legal advocacy on a 24-hour basis, including emergency shelter, transportation, emotional support, and information to victims and their significant others. In addition, the center can provide short-term counseling to adults, children, and a victim's significant other.
- B. Trained advocates are also available to support the victim and the victim's family as a liaison between the criminal justice system. Although these advocates cannot persuade a victim to act, they highly encourage reporting the rape to law enforcement, cooperating with the system, protecting and preserving evidence, and prosecuting the offender. Victims believed to be in need of assistance should be referred to the Rape Crisis Center—InnerStrength.
- C. It is not the role of the rape center advocate to be present during the law enforcement interview. If the victim requests the presence of the advocate, it must be explained to the victim that another supportive person, including a female officer, can be in attendance, but not the rape center advocate. Additionally, rape center advocates are not to interfere with or participate in the rape investigation. The CID commander is the designated liaison

between rape crisis staff and volunteers. Any difficulties shall be communicated directly to the CID commander through normal channels by confidential report.

III. RIGHTS OF CRIME VICTIMS

To afford crime victims their rights, law enforcement will provide at the request of the victim, notice of the status of the investigation, except where the state's attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.

IV. RESPONSIBILITIES OF VICTIMS/WITNESSES

Victims and witnesses have the following responsibilities to aid in the prosecution of a violent crime:

- Making a timely report of the crime
- Cooperating with law enforcement throughout the investigation, prosecution, and trial
- Testifying at the trial
- Notifying law enforcement of any change of address

V. PROCEDURES

- A rape victim may request a female officer to assist in the patrol preliminary investigative interview. If the victim does request to speak to a female officer, a female CID officer should be called if available. If unavailable, an available female patrol officer shall conduct the interview. The female officer will not supplant the CID investigator, unless CID so determines.
- The interview to learn all possible details of the alleged incident must be conducted in a sympathetic, patient style, without indication of blaming, skepticism, or cross-examination--but as firmly and completely as thoroughness requires.
- The decision to interrogate the victim is a CID decision based upon evidence or inconsistencies. By statute, the victim cannot be asked to submit to a polygraph examination. A polygraph can only be administered to a victim of a sex offense if the victim solely requests such an examination.

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GENERAL ORDER

<u>NUMBER</u>	400.91
<u>EFFECTIVE DATE</u>	8/3/00
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
False Alarms	3
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 418-89
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	John W. Stenson Police Chief

I. PURPOSE

The emergency nature of alarm calls requires an urgent response which exposes the police officer and citizen to the hazards incident to such responses. False alarms divert police resources from other urgent needs of the city, and constitute a considerable expense on the taxpayer. The false alarm ordinance is intended to reduce this workload and increase safety by reducing the number of false responses.

II. POLICY

Any alarm signal that elicits a response from emergency services when the situation requiring the response does not in fact exist is a false alarm. This does not include alarm signals caused by violent acts of nature or other extraordinary circumstances not reasonably subject to the control by the alarm user, including power outages and telephone service outages.

The city's alarm ordinance prohibits the direct dial by any automatic dialing device directly to a 911 emergency number, and the operation of any audible local alarm that does not automatically disconnect within fifteen minutes after beginning its audible signal.

Citizens are allowed up to three false alarms without penalty in any calendar year. On the fourth through the tenth false alarm, a fine of \$50 per alarm is imposed. At the onset of the eleventh false alarm call, a fine of \$100 per call begins.

III. PROCEDURES

The administration of this program requires the cooperation of both police officers and emergency communications telecommunicators (ECTs). The name, address, and alarm disposition codes are crucial to the monitoring and notification of false alarm calls, and the expected appeals of mailed false alarm notices.

- A. When dispatching an alarm call to police officers, the ECT shall notify the officer when the person or company in control of the alarm is not known.

- B. If the person is not known, the officer shall make attempts to obtain this information from whatever source is available. If available, the information will be given to the ECT on PREP 2 for inclusion on the dispatch screen before the officer goes 10-8 from the call.
- C. Officers will notify the ECT if the address as dispatched was in fact the correct alarm address. If the alarm is false, the officer shall go to PREP 2 and confirm the address and give the alarm owner's name prior to going 10-8.
- D. Officers clearing the call shall give the ECT the correct disposition code for the alarm. Officers are limited to only one two-digit code. The first digit must be F-Frank or V-Victor. It is critical that officers give the single most significant code when clearing the alarm call.

IV. ALARM DISPOSITION CODES

- A. Officers shall give the ECT the proper alarm code when clearing an alarm call.
- B. The following alarm disposition codes supersede any previous disposition codes issued:
 1. False alarms (F-Frank)
 - A audible – cannot/did not shut off
 - B audible – reset itself
 - C subscriber responded or is present
 - D no subscriber or runner responded
 - G government-owned
 - H subscriber or human error
 - N residence
 - O nonresidence
 - Q other – officer adds comments to dispatch screen (may require ID)
 - W weather or power failure
 - X undetermined
 2. Valid alarms (V-Victor)
 - A audible – cannot/did not shut off
 - B audible – reset itself
 - C subscriber responded or is present

- D no subscriber or runner responded
- G government-owned
- Q other – officer adds comments to dispatch screen (may require ID)
- R apprehension
- T working fire
- Z smoke detector

C. Examples of code use

2A02, 10-8 disposition code Frank, William
2A10, 10-8 disposition code Frank, Boy
2A16, 10-8 disposition code Victor, Charles

V. NOTIFICATIONS

The records unit administrator shall establish procedures for notifying citizens of false alarm calls, maintaining alarm records, and arranging for the billing of false alarm owners when appropriate.

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GENERAL ORDER

<u>SUBJECT</u>	NUMBER
Arson Investigations	400.92
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
Commissioned Personnel	8/3/00
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u>
N/A	GOs 373-82, 42-90
<u>AUTHORITY</u>	<u>OTHER REFERENCE</u>
	N/A
	John W. Stenson
	Police Chief

I. PURPOSE

To ensure that police and fire department personnel and equipment are effectively utilized in arson and suspected arson investigations, to establish jurisdiction of investigations which involve crimes other than arson, and to promote harmonious, mutually beneficial operating relations between police and fire department personnel.

For the purpose of this order, fire investigator refers to designated fire department personnel, and arson investigator refers to designated police department personnel.

II. PROCEDURES

- A. At least four CID investigators with one assigned to Juvenile, will be assigned to work with the fire department investigation division as arson investigators, reporting to the CID lieutenant.
- B. An arson investigator shall be sent by an emergency communications telecommunicator (ECT) to every fire where a death has occurred or is likely to occur, and to fires where a public safety employee or citizen has received serious injury.
- C. The arson investigator shall work harmoniously with fire department personnel and is authorized to disregard the chain of command and communicate directly with fire department personnel of any rank, in accordance with fire department policies, so long as he keeps the CID lieutenant closely informed of progress in the course of the investigation.
- D. Arson investigators will be issued and shall use helmet, coat, boots, and other appropriate gear to enable them to work safely at fire scenes.
- E. The arson investigator assignment does not preclude the investigator receiving other case assignments, but the lieutenant, in making case assignments, shall give priority to arson cases involving death, extensive property loss, or patterns over cases of a less serious nature.

- F. A working file of active and unsolved (open) arson investigations shall be maintained by the arson investigators and shall contain copies of all reports made by fire department investigators and police department personnel. All the originals shall be filed in the police records unit unless following the police department confidential investigation records procedure in an individual case, with approval of the chief.
- G. It shall be the responsibility of the fire department to determine the cause of all fires.
- H. When the following circumstances are suspected, the investigation shall be the primary responsibility of the police department:
 - Fire used to conceal a crime (homicide, burglary, insurance fraud, escape, vandalism, etc.)
 - Fire used as the instrument of a crime (extortion, intimidation, obstruction of justice, robbery, etc.)
 - Crimes arising out of and after fire (insurance fraud, etc.)
 - Arson by terrorists, political extremists, etc.
 - Bombings, bomb threats, detonation or theft of explosives
 - Conspiracies involving multiple suspected arson fires and multiple arsons with a pattern or similar MO, but not thought to be conspiracies

III. FIRE DEPARTMENT USE OF POLICE REPORT FORMS

- A. Police officers, when aware of or made aware that an arson has been committed or is suspected, shall report the offense. Fire investigators however, often discover arson long after police officers have left the scene and need report writing access to complement the arson investigation's effort. Fire investigators shall submit supps before leaving duty, reporting all their involvement in a case, or submit an original incident report if police officers have not written the original report.
- B. To ensure essential cross-referencing, fire department incident numbers are to be shown as a related case number on all police reports and supps, etc., and police incident report numbers will be recorded on all fire reports.

IV. FIRE DEPARTMENT ACCESS TO POLICE RECORDS

- A. Requests for criminal history information, for Peoria Police Department records, and for LEADS/NCIC inquiries by fire department investigators, must be made by a police arson investigator or a CID supervisor.

- B. Fire investigators shall not disclose any information obtained from police records or criminal history information to any other person or agency except superiors with a need to know. Fire investigators shall be familiar with current privacy/security rules, legislation, etc., as furnished by the records unit administrator.

V. FIRE PHYSICAL EVIDENCE SCENE PROCESSING

- A. All investigative equipment of a nonpersonal nature necessary to determine fire cause will be furnished and maintained by the fire department and available in a fire vehicle for response to a fire.
- B. The collection, photographing, processing, and packaging of evidence will be the responsibility of the fire department fire investigator conducting the investigation. All evidence collected will be submitted to the proper agency for analysis.
- C. Fire investigators will take fire scene photographs and will be assisted by the Peoria traffic unit when necessary.

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GENERAL ORDER

<u>NUMBER</u>	400.94
<u>EFFECTIVE DATE</u>	April 5, 2004

<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Street Crimes Alarms and Surveillance Cameras	2
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	N/A
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	John W. Stenson
	Police Chief

I. PURPOSE

To aid in the reduction of crime, protect life and safeguard property. The Peoria Police Department maintains a supply of panic (robbery) alarms, burglar alarms and surveillance cameras. The use of this equipment is to help deter crime and assist this department in the apprehension of criminals.

II. POLICY

To effectively utilize the resources of the Peoria Police Department and to establish a procedure for their use and installation of the following procedures shall be in effect.

III. PROCEDURE

A. Use of Street Crimes Unit panic and burglar alarms and surveillance cameras:

1. The Street Crimes Unit shall maintain a supply of both panic and burglar alarms and surveillance cameras. Alarms may be used in both residential and commercial settings.
2. Requests for alarm and camera installation shall be in writing and specify the reason or circumstances for the request. The request shall contain the name of the individual or business name receiving the alarm or camera, the street address where the alarm or camera is to be installed and the name and telephone number of a contact person. Completed requests shall be forwarded to the Street Crimes Unit lieutenant for review.
3. The Street Crimes lieutenant or Uniform Services division captain shall approve alarm and camera installation. Upon approval, the Street Crimes lieutenant shall schedule the installation of the alarm or surveillance camera. The Street Crimes lieutenant shall also notify, in writing, the Chief of Police and Uniform Services division captain of all alarm and camera installations.

4. The Street Crimes lieutenant or designee shall maintain records of all alarm and camera installations, inventory of equipment and equipment maintenance records.
5. The Street Crimes Unit shall be responsible for maintaining all equipment to ensure it is in good working condition.
6. Alarms and cameras may be installed for a period up to 60 days. At the end of this 60-day period, the Street Crimes lieutenant shall review the circumstances or conditions, which warranted the alarm installation. After review, the Street Crimes Unit lieutenant shall be responsible for deciding to remove the equipment or continue its use for an additional period up to 60 days. Each alarm installation shall be reviewed every 60 days.
7. To assist in monitoring the alarms and evaluate their use, ECC shall notify the Street Crimes Unit lieutenant in writing of all alarm calls they receive. This notification shall occur before the end of the shift the alarm was received. Notifications shall include the alarm number, location of the alarm, date, time alarm was received, the number of times the alarm was tripped, if the alarm was valid or a false alarm and the case number if one was issued.

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GENERAL ORDER

<u>NUMBER</u>	400.95
<u>EFFECTIVE DATE</u>	July 7, 2004

<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
CDR (Crash Data Retrieval) System	2
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	N/A
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Gary W. Poynter Police Chief

I. PURPOSE

The purpose of this directive is to establish policy and procedures for the operation and use of the Vtronix Crash Data Retrieval system.

II. DEFINITION

The Sensing Diagnostic Module, to be referred to as the SDM is a component of a vehicle that records data that includes change in forward vehicle velocity, seatbelt circuit status and brake switch circuit status, and may include engine RPM, percent of throttle and vehicle speed (MPH).

The Vtronix CDR is capable of recovering data concerning two types of events. The first is the near airbag deployment event, which is an event severe enough to activate the sensing system but not severe enough to deploy the airbag(s). The second type of recorded event is a crash that results in airbag deployment.

Traffic Accident Reconstruction is the effort to determine through analytical analysis, how a traffic crash occurred. Reconstruction goals might include, but are not limited to a vehicle or pedestrian's position on the road, facing and heading direction, speed, direction of travel, acceleration or deceleration and rotation.

III. POLICY

It is the policy of the Peoria Police department to:

- A. Provide instruction and training to qualified Peoria Police Accident Reconstructionists in the operation and use of the Vtronix CDR only as indicated in the below procedures and use of the Vtronix CDR system.
- B. To utilize the Vtronix CDR system only as indicated in the below procedures.

IV. PROCEDURES

- A. Only trained Accident Reconstructionists certified in the use of the CDR will be allowed to utilize the CDR system.
- B. The CDR system may only be used to download data when a traffic crash has occurred and a traffic crash reconstruction is conducted. The CDR is to augment a crash reconstruction and never to be used as a stand-alone system for determining cause or aspects of a collision. The data collected will be examined in conjunction with other available physical evidence from the vehicle and scene when assessing occupant or vehicle forward velocity change.
- C. A traffic crash reconstruction will normally be conducted in a fatal and/or potentially fatal crash. The reconstruction may also be conducted where a crash results in serious injuries and/or extensive property damage. The criteria to determine the use of CDR shall apply to City of Peoria owned vehicle involved in traffic crashes as well as privately owned vehicles.
- D. A traffic supervisor and/or the Chief of Police will determine the need for a traffic crash reconstruction.

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GENERAL ORDER

<u>NUMBER</u>	400.96
<u>EFFECTIVE DATE</u>	
March 16, 2015	
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Electronic Control Device (ECD)	3
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	5/8/09; 9/20/04
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police

I. PURPOSE

To facilitate successful conclusions from incidents that involve combative, non-compliant, armed or violent subjects, the Peoria Police Department will provide an Electronic Control Device (ECD) and relative training, to all commissioned officers. An ECD is designed to cause Neuro-Muscular Incapacitation (NMI) with minimal potential for serious injury or death. The ECD will be yet another tool for officers to use in resolving incidents by a less lethal means, thereby protecting both the officer and others, including the person on whom the ECD is being applied.

II. POLICY

To ensure maximum effectiveness and safety for all involved in its use, the Department will use the ECD by following the recommendations, training, and specifications prescribed by the manufacturer, and by Department policy.

This Order adopts all criteria as outlined in the Use of Force General Order 400.35 and nothing in this policy shall be construed as a higher standard of safety or care in an evidentiary sense to third party claims.

This policy is for Departmental use only and does not apply in any criminal proceeding.

III. DEFINITION

Less lethal force is defined as force used to subdue or render a subject non-threatening with a lower probability of effecting fatal consequences.

The ECD is considered a component of the less lethal force cadre of technology and when used according to Department policies, results in a reduced likelihood of death or serious injuries.

The ECD is an additional tool used by officers to protect themselves and the general public and may be used against subjects that are threatening to actively resist, or **ARE** actively resisting officer(s). Additionally, its' use is warranted when a subject poses an articulable threat of harm to an officer, other person, or himself as in the case of suicide.

An ECD is not intended to replace firearms or other self-defense equipment. It can be used to control dangerous, violent subjects when the use of deadly force does not appear justified or necessary.

IV. PROCEDURES

Upon initial certification and subsequent annual re-certification, officers shall carry and may use the ECD in the performance of their duties. Officers below the rank of Captain that are required to work in the duty uniform shall carry the ECD on the duty belt (utilizing the issued holster), at all times, including off-duty employment. Officers that are assigned regular duty out of uniform, may carry the ECD, but concealed from the view of the public.

The use of the ECD is equivalent to the use of OC spray as placed on the Use of Force continuum as described in General Order 400.35

Each use of an ECD, involving the deployment of an air cartridge or the use of a drive stun, shall require the completion of a police incident report AND a use report.

Upon using the ECD, officers shall ensure that the subject receiving the use is under control and shall monitor the subject for injuries or difficulties with breathing, and if needed, EMS shall be requested.

If the probes from the ECD have imbedded in the subject's neck, face, groin or the breast of a woman (those areas identified in training as "sensitive areas") transportation to a hospital for medical treatment shall be conducted.

If any probes are imbedded in any other area of the body, officers shall utilize the Peoria Fire Department for probe removal and additional medical treatment, if necessary.

Photographs of the probe contact site shall be taken, even if there are no visible wounds and shall be articulated in the officer's incident report. If, due to exigent circumstances, a supervisor determines to NOT have photos taken, the supervisor shall complete a report stating the reasons why.

Completion of the incident report, use report and ECD download shall be completed prior to the end of the officer's shift. Deployed air cartridges shall be placed into evidence using existing procedures.

V. VIDEO

Some ECD's are currently equipped with a video camera that activates during each deployment. All officers shall ensure that the video is properly attached to the ECD if equipped. Each video will be downloaded and viewed by a patrol sergeant. Videos which contain activities that do not confirm to Department policy and procedure shall immediately be brought to the attention of the on-duty patrol lieutenant.

VI. SUPERVISORS RESPONSIBILITIES

The sergeant shall:

1. Respond to the scene of an ECD use to evaluate the incident ensuring that Department policies are followed.
2. Ensure that medical treatment is provided if necessary and that photographs are taken.
3. Ensure that the required reports (incident, use and computer download) are completed prior to the end of the user's shift.

VII. ECD PROGRAM MANAGER

The ECD Program Manager, appointed by the Chief of Police or his designee, shall:

1. Order, receive, inventory and control all data concerning the ECD;
2. Ensure repairs, replacement of all related equipment, and procurement of additional equipment.
3. Ensure the certification of all ECD users, instructors and armors, in conjunction with the Department's Training Unit.
4. Ensure that changes, both positive and negative, to the technology improvements in technology from the manufacturer are brought to the Chief's attention.

VIII. Nothing herein shall preclude the Chief or designee from authorizing exceptions to this Order, as necessary on a case by case basis.

This directive provides general guidelines to personnel regarding Department practices and is for internal use only. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	400.97
<u>EFFECTIVE DATE</u>	
November 13, 2014	
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Electronic Recording of Interviews, Interrogations, Evidence and Search Warrants	6
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	Electronic Recording of Homicide Interrogations-5/11/05
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police

I. PURPOSE

This policy has been established specifically for members of the Department trained in the use of the department's digital video recording (DVR) interview systems. The purpose of this policy is to establish clear guidelines on the use of the DVR interview systems for recording interviews and the associated use, management, storage and disclosure of such recordings.

II. POLICY

The use of audio-video recordings during interviews is intended to enhance the investigative process and assist in the prosecution of criminal cases. The recording of interviews will assist the department in demonstrating the interview process, preserve the statements of persons, defend against claims, and increase officer credibility. This policy is mindful of the benefits of recordings, balanced with the overwhelming public demands upon the police in solving crimes.

III. LAW

- A. **(Illinois Public Act 93-0206):** Requires electronic recording of the custodial interrogations of persons accused in homicide investigations.
- B. 720 ILCS 5/14-2: Allows for the electronic recording of persons with the consent of all of the persons subjected to the recording.

IV. DEFINITIONS

- A. **Custodial Interrogation:** Any interrogation or interview during which a reasonable person in the subject's position would consider himself or herself to be in custody and during which a question is asked that is reasonably likely to elicit an incriminating response.

- B. **Electronic Recorded Interview:** Any motion picture, audio recorded, video recorded or digitally recorded interview.
- C. **Place of Detention:** A building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons or allegations that those persons are delinquent minors. This definition shall include any interview room of the Peoria Police Department.

V. PROCEDURES FOR THE RECORDING OF HOMICIDE INTERVIEWS

- A. Only officers trained in the use of electronic recording equipment shall be allowed to operate department recording equipment.
- B. Officers shall electronically record custodial interviews of adults and juveniles accused with any of the following:
 - a. First Degree Murder
 - b. Second Degree Murder
 - c. Involuntary Manslaughter
 - d. Reckless Homicide
 - e. Drug Induced Homicide
 - f. Intentional Homicide of an Unborn Child
 - g. Voluntary Manslaughter of an Unborn Child
 - h. Involuntary Manslaughter of an Unborn child
 - i. Reckless Homicide of an Unborn Child
 - j. Death as a result of Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof.
 - k. Predatory criminal sexual assault of a child.
 - l. Aggravated Arson
- C. **Beginning June 01, 2015**, Officer shall also record custodial interviews of adults and juveniles accused with any of the following:
 - a. Aggravated Kidnapping
 - b. Aggravated Vehicular Hijacking
 - c. Home Invasion
- D. **Beginning June 01, 2016**, Officers shall also record custodial interviews of adults and juveniles accused with any of the following:
 - a. Aggravated Criminal Sexual Assault
 - b. Armed Robbery
 - c. Aggravated Battery through Use of Firearm
- E. Any subject(s) who is to be interviewed under Section A of this General Order shall be electronically recorded from the commencement of the interview until the conclusion of the interview. If there are any breaks or interruptions in the interview (i.e. subject is removed from

the room and uses the bathroom), continue to record the interruption, and when the subject is returned to the room, indicate the date and time returned and clearly summarize anything that occurred during the interruption.

- F. If the interviewer needs to leave the room, recording of the subject shall continue.
- G. Any subject(s) who is to be interviewed under Section B of this General Order and or who is accused of any other criminal offense, shall be advised of their Miranda warnings, and shall have these warnings electronically recorded.
- H. Disclosure of recording to the subject(s) under Section B of this General Order is not required. If a subject, who is being recorded pursuant to Section A of this General Order, asks if the interview is being recorded, the interviewer can say that the interview is not being recorded even though it is. Further, if the subject refuses to be recorded, the refusal needs to be electronically recorded. The subsequent interrogation of the subject can then proceed without being recorded as long as the refusal to be recorded was, in fact, recorded. If a subject requests not to be recorded a supervisor shall be informed and approve the request.
- I. Pursuant to Section B of this General Order, anyone who is under age 13 must have an attorney and a juvenile officer present during an electronic recorded interrogation. When Miranda warnings are given to a juvenile who is being electronically recorded, the juvenile officer should have the juvenile explain in their own words what Miranda means to them.
- J. Electronic recordings of attorneys and their client's conversations are prohibited. Attorneys shall be allowed to speak with their clients in a different non-recorded interview room. Section C of this General Order shall also apply to interruptions caused by attorneys and their client's consultations.
- K. All electronic recordings pursuant to Section V shall be preserved forever.

VI. PROCEDURES FOR THE RECORDING OF OTHER CUSTODIAL AND NON-CUSTODIAL INTERVIEWS

- A. It is preferred that interviews be conducted at the Peoria Police Department and recorded utilizing equipment installed within department interview rooms, however when circumstances dictate, electronically recorded interviews of victims, witnesses and suspects can be conducted utilizing department issued portable DVR equipment. The circumstances justifying the use of the portable DVR equipment to conduct interviews shall be documented in the police report documenting the interview.
- B. Unless the recording of an interview occurs pursuant to Section IV of this policy, the interviewing officer shall obtain consent of all parties subject to video and audio recording **prior** to commencement of electronic recording.
- C. Once consent has been obtained and once the recording has commenced, the consent by recorded parties shall again be obtained and electronically recorded at the beginning of the recorded interview.

- D. Any non-consenting party entering the recording area during an electronically recorded interview shall be given notice that electronic recording is occurring.
- E. When utilizing the department issued portable DVR devices to record interviews, officers should place the recorder no farther than 15 feet from the subject, and no less than 5 feet from the subject to achieve the best video view and audio capture. Officers should also take into consideration lighting and background noise with the goal to achieve the best possible electronically recorded interview.
- F. Upon conclusion of a recorded interview, and as soon as practical, officers shall review the recorded interview to verify that the DVR equipment functioned properly and accurately captured the interview. Any errors that occurred during the recorded interview shall be reported to a supervisor in a timely manner and shall also be documented in the police report pertaining to the interview or recorded incident.
- G. The video data acquired of recorded interviews is evidence and shall be handled pursuant to General Order 500.02 (Property/Evidence Retention and Disposition).
- H. Officers shall not alter, destroy, or delete data acquired from any electronically recorded interview.
- I. Officers shall complete a police report in a timely manner, documenting use of the DVR equipment. The narrative of that report shall include the interview date, recording start time, recording end time, interruptions, persons recorded, equipment utilized to record interview and any equipment errors that occurred during the interview.

VII. DISTRIBUTION OF ELECTRONICALLY RECORDED INTERVIEWS

- A. Copying or reproduction of electronic recordings obtained under this policy shall be documented and are restricted to distribution only to the Peoria County State's Attorney Office, United States Attorney Office, pursuant to FOIA guidelines, or with the authorization of the Police Chief, or his designee. All requests for copies of electronic recordings from persons or other agencies outside the Peoria Police Department, other than those listed above, shall be directed in writing to the Police Chief or his designee.
- B. Electronic recordings obtained under Section IV of this policy are exempt from public inspection and copying as provided under Section 7 of the Illinois Freedom of information Act, and should not be transmitted to anyone except as needed to comply with Public Act 93-0206.
- C. With the exception of the Peoria County State's Attorney Office, the United States Attorney's Office, or the City of Peoria Legal Department, a reasonable fee may be charged for the reproduction of electronically recorded interviews.

VIII. USE OF PORTABLE DVR EQUIPMENT FOR PURPOSES OTHER THAN INTERVIEWS

- A. Portable DVR equipment can be utilized to capture evidence of a crime, such as victim injuries, damage to property, etc. The use of the portable DVR equipment can also be utilized to capture digital evidence, such as video surveillance data from a business video surveillance system. The use of the portable DVR equipment to capture digital evidence should only be utilized when no transfer method exists to acquire the evidence digitally (i.e. transfer to USB, CD or DVD media) The use of the portable DVR equipment may be used to expedite the investigation if there will be a delay transferring and acquiring digital evidence by preferred means (i.e. transfer to USB, CD or DVD media) and the delay would be detrimental to the investigation.
- B. Portable DVR equipment can be utilized to capture the premises of a search warrant execution, however the officer operating the portable DVR equipment shall give notice prior to and during the recording to all persons present at the premises to be recorded. The officer operating the portable DVR equipment shall narrate the time, date, address, case number and purpose of the recording. A description of what is being recorded along with a description of its location shall also be documented on the recording, (i.e. crack pipe, top dresser drawer, upstairs southwest bedroom).
- C. Upon concluding the use of portable DVR equipment to capture evidence of a crime or the premises of a search warrant execution, and as soon as practical, officers shall review the recorded video to verify that the portable DVR equipment functioned properly and accurately recorded the intended incident. Any errors that occurred during the recording shall be reported to a supervisor in a timely manner and shall also be documented in the police report pertaining to the recorded incident.

IX. TESTING OF VIDEO AND AUDIO RECORDING EQUIPMENT

- A. Testing of portable and fixed DVR and audio equipment may be necessary to ensure proper operation of the equipment. Testing shall be conducted on the DVR and audio equipment only subsequent to supervisor approval.
- B. After obtaining supervisor approval, consent of all parties subject to video and/or audio recording testing shall be obtained prior to the testing.
- C. Upon testing, any non-consenting party entering the recording area shall be given notice that recording is in progress.
- D. Upon conclusion of the testing process, officers conducting the testing shall submit a written memorandum to the supervisor indicating that the testing was conducted. That memorandum shall include the consenting parties names recorded, testing date and time, testing duration, equipment tested and status of recording data obtained during the testing.

- E. Data obtained from the testing of equipment shall not be distributed unless needed for diagnostic purposes and only after obtaining supervisor written approval.
- F. Data acquired from the testing shall be destroyed as soon as possible to complete testing process.

X. SUPERVISOR RESPONSIBILITY

Supervisors who manage officers conducting electronically recorded interviews shall ensure:

- A. Officers follow established procedures in the use of the interview DVR equipment and the handling of electronically recorded interviews.
- B. Electronic recordings are reviewed on a monthly basis, or as required, to periodically assess officer performance and identify training aids.

XI. TRAINING

- A. All officers shall receive training on the proper operation of the DVR equipment prior to being allowed to electronically record interviews or capture evidence.

XII. Nothing herein (collective bargaining agreement notwithstanding) shall preclude the Chief or his designee from authorizing exceptions to this order as necessary for the benefit of the Department, on a case by case basis.

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GENERAL ORDER

<u>SUBJECT</u>	NUMBER 400.98
Protective Mask & Personal Protective Equipment	<u>EFFECTIVE DATE</u>
<u>DISTRIBUTION</u>	May 24, 2007
Commissioned Personnel	<u>NUMBER OF PAGES</u> 5
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u> N/A
N/A	<u>OTHER REFERENCE</u> - GO 400.10, 400.21, 400.72; OSHA Section(s) 29 CFR 1910.134 / 1910.20
<u>AUTHORITY</u>	Steven M. Settingsgaard Chief of Police

I. POLICY

It shall be the policy of the Peoria Police Department to comply with the regulations of the Federal Occupational Safety and Health Act (OSHA) relating to the respiratory protection of our employees. It shall also be our policy to provide Personal Protective Equipment (PPE), and the training to properly utilize these items, so that our employees may continue to provide required services during an emergency situation. There shall be a Program Administrator, appointed by the Support Services Captain, to oversee the Respiratory Protection Program for the Department.

II. DEFINITIONS

- A. For the purpose of this General Order, the following terms and actions shall be defined as noted:
 1. *Respirator* - A device worn over the mouth or nose or both, for protecting the respiratory system. For the purpose of this General Order, we shall refer to the full-face respirator issued by the Department to all officers;
 2. *Personal Protective Equipment (PPE)* - Clothing and equipment worn by first responders to reduce their exposure to potentially hazardous chemicals, chemical agents, and other pollutants;
 3. *NIOSH Certification* - Protective filters that are certified by the National Institute for Occupational Safety and Health;
 4. *CBRN* - Acronym that stands for Chemical Biological Radiological Nuclear;
 5. *Decontamination* - A process that once in, an individual has been known to be, or suspected to have been exposed to some type of contamination, they must undertake prior to removing their personal protective equipment;

6. *Fit Test* - The effectiveness of a respirator will be reduced if it is not fitted properly. Either a quantitative or qualitative fit test must be conducted and passed prior to a respirator being issued.
7. *Medical Screening* - An annual on-line questionnaire that must be completed by all officers and reviewed by a qualified physician. This will identify any problems that may interfere with an officers' ability to operate in a potentially contaminated environment while wearing a respirator.

III. AUTHORIZED EQUIPMENT

A. Respiratory Protection

1. The Peoria Police Department currently issues and authorizes the use of the 3M FR-M40-Series Respirator. The respirator is currently used with the 3M FR-64 Cartridge to remove contaminants from the air. It provides respirator protection from certain organic vapors, sulfur dioxide, chlorine, hydrogen chloride, chlorine dioxide, hydrogen fluoride, ammonia, methylamine and formaldehyde. A complete list of contaminants and concentrations is available in the Training Unit.
2. During 2007, all of the issued respirators shall be upgraded to meet current CBRN standards. This shall include the addition of the 3M Second Skin and the 3M eyepiece outserts. There shall also be an FR-15-CBRN canister available for each respirator to use in case of a suspected Weapons of Mass Destruction (WMD) incident. Future evolutions in respiratory protection shall be evaluated by the WMD Supervisor and changes made as deemed necessary.

B. Personal Protective Gear (WMD Kit)

1. Each sworn member shall be issued a WMD kit that shall include all of the equipment necessary to continue to operate in a contaminated environment. This kit shall include the following items:
 - a. Duffle bag
 - b. Chemical / biological protective suit
 - c. Tyvek suit
 - d. Booties for wear with the Tyvek suit
 - e. Spare respirator filter (FR-15-CBRN)
 - f. 2-quart canteen with NBC-1 canteen cap
 - g. Canteen carrier
 - h. Butt pack for weapon and miscellaneous items
 - i. Plastic duty belt
 - j. Protective gloves with inserts
 - k. Protective over boots for wear with protective suit
 - l. Small roll of duct tape
 - m. Traffic vest

2. Every officer shall be required to have their WMD kits readily available in the event a need for them should arise. Officers are not required to carry the kit in their vehicle while on duty.
3. Care should be taken to ensure the packaging that the protective suits are sealed in has not been opened. The 120-day protective capabilities of the suit begin when the package is opened. Kits should be inspected on a periodic basic and any deficiencies brought to the attention of the officers' supervisor

IV. PROPER FITTING OF PPE

A. Initial selection of properly sized respirator face piece:

1. Fully loosen all six straps of the 3M head harness. Verify that nothing comes between the face and sealing surface of the respirator as the chin is placed in the chin cup of the respirator and press the mask snugly against the face.
2. Grasp the tab at the bottom of the head harness and pull the harness over your head. Be sure that your ears are between the temple straps and the bottom straps.
3. While holding the face piece firmly against your face and keeping the head pad centered on the back of your head, use the other hand to tighten the bottom straps one at a time. Tighten both sides equally so that the head pad stays centered on the back of your head. Ensure that the straps lay flat against your head.
4. Tighten the top straps until they are snug and evenly tensioned on both sides. Ensure that the straps lay flat against the head and are evenly tensioned.
5. Tighten the temple straps until they are snug and evenly tensioned on both sides. Ensure that the straps lay flat against the head.
6. To be certain that you have a good seal, you should now perform a negative pressure seal check. With the palm of your hand, cover the inlet port of the outside of the canister. Inhale gently. The face piece should collapse slightly and no air leaks between the face and face piece are detected, then a proper fit has been obtained.
7. If all of the following criteria are met, you have a properly sized mask:
 - a. Edge of the face piece should rest within one (1) inch of ear;
 - b. Bottom straps and temple straps do not cut into ears;
 - c. Eyes are looking between center and top 1/3 of the eye pieces;
 - d. Respirator does not press so tightly against the face that area are partly closed;
 - e. Bottom of the mask assembly does not cut into throat;
 - f. Nose cup does not obscure vision.

B. Proper fitting of Respirator:

1. Each **AND** every time that a respirator is donned, a negative pressure seal check shall be performed. If air leakage is detected, reposition the respirator on the face and/or

readjust the tension of the straps to eliminate leakage. **If you cannot achieve a proper fit, do not enter a contaminated area. See your supervisor immediately.**

2. Once each year, generally during CORE training, each officer shall have a **Quantitative** fit test performed by one of the qualified instructors. This test shall be performed by using the Porta-Count 8020 Fit Tester. One copy of the test results shall be kept in the officers mask carrier and one copy shall be kept in the officer's training file.
3. Individuals requiring inserts for their prescription eyeglasses should contact the Training Unit. They shall be required to have a current eyeglass prescription providing their Pupil Distance (PD).
4. On an annual basis, each officer shall complete an on-line medical screening questionnaire. This questionnaire shall be reviewed by a qualified physician to determine if there are any conditions that exist that may restrict the ability of an officer to wear a respirator. If any **potential** problems are identified through this process, an appointment with the current City physician shall be arranged by the Support Services Captain.
5. Officers with facial hair may prevent a possible fit. Officers shall need to contact the Training Unit for possible waiver for use with CS gas only.

C. Sizing of Personal Protective Suits (either Saratoga or Lanx)

1. Prior to being issued their WMD kit, each officer shall be sized using the PPE training items that are kept for training classes. The officer shall try on a protective suit top and bottom, over boots, and gloves. The sizes shall be recorded on a master list and then the officer shall be issued a kit with the appropriate sized items. It is the responsibility of each officer to make their supervisor aware of any sizeable weight gain or loss that would necessitate a change in the size of any items in their kit.

V. TRAINING

A. All officers shall be trained to the **AWARENESS LEVEL** as far as Hazardous Material Incidents or Weapons of Mass Destruction incidents are concerned. Initial Hazardous Material training, as well as annual refresher, shall be conducted by an instructor from the local Mobile Training Unit (MTU) 7.

The following are the minimum guidelines to be used:

1. Recognize and identify if hazardous materials are present in an emergency incident or event;
2. Know how to use the *North American Emergency Response Guidebook* (NAERG) published by the U. S. Department of Transportation;
3. Use the NAERG (or other available resources) to identify the hazardous material;

4. Understand what WMD agents or materials are and the risks associated with these materials in an emergency incident or event;
 5. Be familiar with the potential use and means of delivery of WMD agents or materials;
 6. Recognize unusual trends or characteristics that might indicate an incident or event involving WMD agents or materials;
 7. Understand the hazards and risks to individuals and property associated with WMD agents and hazardous materials. Recognize the signs and symptoms of exposure to WMD agents and hazardous materials;
 8. Know when to use, inspect, and properly maintain the issued PPE. Understand the limitations of this equipment in protecting someone exposed to WMD agents or hazardous materials;
 9. Be familiar with the Department's Emergency Response Plan and Procedures. Understand the individual officers' role in these procedures;
 10. Recognize the importance of crime scene preservation and initiate measures to secure the scene;
 11. Be familiar with the Department's Incident Command System.
- B. All officers shall complete Awareness Level training, as well as respirator and personal protective clothing training, prior to being issued their WMD kit. Training in this area should include, but not be limited to:
1. Proper use and limitations of the currently issued respirator
 2. Respirator donning and user seal (fit) checks
 3. Fit testing (Quantitative) with the Porta-Count 8020
 4. Operations in a contaminated environment
 5. Decontamination procedures necessary prior to movement to cold zone
 6. Decontamination of equipment after operations
 7. Maintenance and proper storage of equipment
- C. All supervisors shall receive specialized training in the area of Critical Incident Response. This training will help them to better understand the need to quickly identify a potential hazardous material, or WMD situation, and pass word along to the officers of the need to upgrade their protection. It shall then be the responsibility of the supervisor to be certain that each officer has the equipment necessary **PRIOR** to being sent into a potentially contaminated area.

VI. Nothing herein shall preclude the Chief or designee from authorizing exceptions to this Order, as necessary on a case by case basis.

This directive provides general guidelines to personnel regarding improper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in an employment related proceeding.



GENERAL ORDER

	<u>NUMBER</u>
	400.99
	<u>EFFECTIVE DATE</u>
	December 11, 2017
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Crime Scene Diagrams	5
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
ALL Personnel	
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	GO 500.08
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police

I. PURPOSE

Crime scene documentation is vital to the investigation and prosecution of incidents involving great bodily harm or death. The department currently utilizes a variety of measuring devices to diagram (map) and document scenes. The primary electronic instruments include a total station and a three dimensional scanner. This policy is established to delineate responsibilities for care, utilization, and training of this equipment.

II. POLICY

The department is committed to providing clear, accurate and professionally created documentation for court presentation and investigations. Therefore, officers that are training in the use of special equipment used in crime scene diagramming will be called upon to create scale diagrams that accurately and fairly represents the scene as found by law enforcement upon their arrival. These diagrams shall be used as evidence in court as well as for use during the investigation.

The Department is committed to enhancing investigations, when practicable, through the use of computer aided technology. The use of total station, 3D scanners, laser scanners, and other devices provide an opportunity to enhance investigations by recreating scale diagrams of scenes as they are discovered at the initiation of the investigation. The information gathered through the use of these technological items shall be used to aid in the investigation and be available for use as evidence by the courts.

III. DEFINITIONS

- A. *Diagramming Technician* - A person authorized and trained in the proper use and care of an automated three dimensional scanner, total station, and/or laser measuring devices.

- B. *Investigating Officer in Charge* - Either the lead criminal investigator from the Detective Division or the lead traffic fatality investigator/reconstructionist from the Traffic Unit.
- C. *Land Survey* - The technique and science of determining the terrestrial or three dimensional position of points and the distances and angles between them.
- D. *Total Station* - An electronic land surveying device, which is manually operated, to capture 3 dimensional data of a designated area. Components include a theodolite and a data collector.
- E. *Data Collector* - An electronic device used to record data from the total station.
- F. *Laser measuring device* - An electronic laser to accurately measure a distance between two points.
- G. *Three Dimensional (3D) Scanner (FARO)* - An automated electronic instrument used to capture three dimensional data of an area.
- H. *Computer Aided Design (CAD)* - Use of computer technology for design and design documentation.
- I. *Computer Generated Diagram* - The final visual product formatted from data collected and entered into the CAD program.

IV. PROCEDURES

- A. Care And Maintenance Of Equipment
 - 1. The total station, 3D scanner, Laser measurement devices, and all other related instruments shall be maintained by the Special Operations/Traffic Unit.
 - 2. The special operations/traffic lieutenant shall be responsible for ensuring diagramming technicians are trained and continually receive updated training to use the equipment as the technology evolves.
 - 3. The sergeant assigned to the traffic unit shall be responsible for ensuring the equipment is secured and accounted for at all times. The electronic equipment shall be secured in a case until needed for use and then returned to its case after use.
 - 4. The sergeant assigned to the traffic unit shall ensure that an adequate supply of SD memory cards and USB jump drives are available for use.

5. Diagramming technicians are responsible for the proper protection, operation, use, and care of the equipment to the standard of care presented during their equipment training. Technicians shall alert the traffic sergeant anytime any of the related equipment malfunctions, needs serviced, or repaired.

B. Deployment of Equipment and Diagramming Technicians

1. The supervisor on scene shall request crime scene diagramming equipment in the following circumstances:
 - a. An incident involving death or great bodily harm of a suspicious nature.
 - b. Fatal traffic accident, or potentially fatal accident
 - c. Unusual circumstances, with approval from CID lieutenant, special operations lieutenant, captains, or higher authority.
2. A technician “on call” list shall be established and available to the desk sergeant for incidents occurring between 2200 hours and 0600 hours, or when there are no diagramming technicians available.
3. If multiple incidents occur at the same time, priority use of the equipment shall be given to the criminal offenses first then traffic incidents, or the most needed based on the scene.
4. If a second incident occurs, the requesting supervisor may consider waiting for the initial scene to be completed, or request additional agencies, such as the Illinois State Police, to respond.
5. When electronic diagramming is requested for a scene, the investigating officer in charge shall brief the diagramming technician on what should be diagrammed as well as any other items or evidence that needs to be documented. Evidence markers shall be in place while 3D scanners are operating.
6. Supervisors must understand the limitations placed on electronic equipment during inclement or extreme weather conditions, as the equipment may not be used in some instances. A diagramming technician shall be consulted if there is a question regarding the ability for the equipment to be utilized.

C. Procedures for Equipment Use

Scenes will be documented using any or a combination of tape measure, laser measuring device, total station, or 3D scanner. The determination of which

equipment is most appropriate based on the scene will be made by the technicians. The final product shall be created within 10 work days, regardless of which electronic diagramming tool they utilize. Extensions may be granted by the traffic sergeant to account for exigent circumstances.

1. LASER Measuring Device

- a. Whenever an area is documented using a tape measure or a laser measuring device, the diagramming technician shall log all measurements and enter them along with a copy of the final drawing into the property room as evidence.
- b. Whenever the diagram is created by a CAD application, the electronic data shall also be entered in the property room as evidence.

2. Total Station

- a. Whenever an area is documented using the total station, the unit's data collector shall be downloaded into the diagramming computer as soon as practical to ensure the evidence points were captured.
- b. A scale visual diagram shall be completed and printed in a timely manner and presented to the lead officer in charge and his sergeant.
- c. A completed version shall be saved on CD or DVD and placed in the property room as evidence.
- d. A large scale diagram shall be printed for the State's Attorney's Office.

3. 3D Scanner (FARO)

- a. Whenever an area is to be scanned using the 3D scanner, the diagramming technician shall open a new, in- package SD card to store the scans for each incident. The SD card should have at least 4 gigabyte storage capacity.
- b. The subsequent raw data collected on the SD card shall be downloaded to the computer designated for CAD and 3D scan applications. The SD card shall then be entered as evidence into the property/evidence room.
- c. The diagramming technician shall complete the electronic visual production in a timely manner.

- d. Portable electronic reproductions (DVD/USB/Blu-Ray) of the scan shall be provided to the lead officer in charge and his supervisor. An additional copy shall be provided for the State's Attorney's Office.
- e. When the diagramming technician has completed the diagramming, they shall upload the entire production to the designated external hard drive. Two copies of the production shall be made on Blu-Ray discs, one will be saved as evidence secured in the property room and the other will be placed in the case file.

D. Freedom of Information Requests

- 1. Freedom of information requests for any scans, diagrams, measurements, or productions will be released according to General Order 500.08 and Illinois Code Chapter 5 ILCS 140.
- 2. A fee maybe charged for the reproduction of any requested data. Whenever a 3D scanner FOIA request is granted the requestor will be charged a minimum fee of \$100.
- c. The released data will be downloaded to a new, in the package, USB jump drive of suitable size to hold the information, which will be provided by the Department. Data saved on 3D scans may range from 3 to 20 GB.

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GENERAL ORDER

<u>NUMBER</u>	401.01
<u>EFFECTIVE DATE</u>	December 6, 2019
<u>SUBJECT</u>	<u>NUMBER PAGES</u>
Explosive Breaching	5
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	N/A
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Loren Marion III Chief of Police

I. PURPOSE

The purpose of this order is to establish guidelines for the use of explosive breaching practices in the execution of law enforcement activities.

II. POLICY

The utilization of explosive breaching charges can be a safe and viable tactic when supporting Special Response Team (SRT) personnel during the resolution of certain critical incidents.

These may include:

- Terrorist events
- Hostage rescue operations
- Service of particularly high-risk search/arrest warrants
- Barricaded gunman incidents
- Pre-detonate booby traps
- Civil disaster incidents

Tactical breaching charges commonly used by law enforcement are not “weapons”; as they are neither designed nor intended to be used as such. Tactical breaching charges are specialized tools which are deployed in the furtherance of legitimate law enforcement duties. Tactical explosive breaching/entry, the use of explosive materials to affect an entry, can be a useful tactical option. An explosive breaching charge should not be used as a “bomb”, but rather as a forced entry tool. An effective breach is designed where the most efficient use of the minimum amount of explosives is used to achieve successful penetration each time. Effective breaching techniques allow immediate entry with minimal risk to victims, tactical officers, and the suspect(s). This technique enhances the speed and shock effect required of dynamic rescue or entry operations. Explosive breaching may also be useful to pre-detonate any emplaced booby-traps known to be present at the crisis site.

III. DEFINITIONS

Explosive Breach: A technique of employing explosive materials to create an opening through a door, window, wall or other barrier to allow access.

Breacher: A member of the Explosive Ordnance Disposal Unit or Special Response Team who is specifically trained in the construction, placement, and firing of explosive breaching charges.

Assistant Breacher: A member of the Special Response Team or Explosive Ordnance Disposal Unit who works with and trains under the direction of the Breacher who assists with the construction, placement, and firing of explosive breaching charges.

Explosive Breaching Device: A target-specific device constructed with explosives and non-explosive materials for the purpose of gaining entry into a structure.

Breachers Report: A detailed form used to document the use of explosive breaching charges during training and actual operations.

Explosive Breaching Group (EBG): a team of officers whom have received specialized training in Explosive Breaching, and will execute explosive breaching operations authorized by this agency.

IV. RESPONSIBILITIES

- A. The responsibility for the development, training, and operational deployment of Explosive Breaching methods for use by this agency shall be the responsibility of the Explosive Breaching Group (EBG).
- B. Trained personnel from the EBG shall serve as the Breacher, Assistant Breacher, and/or EOD Observer at operations where explosive breaching methods have been authorized.
- C. The EBG shall be comprised of commissioned officers assigned to the following units and/or divisions.
 - 1. Special Response Team (SRT) – (2) Operators minimum
 - 2. Explosive Ordnance Disposal Unit (EOD) – (2) Technicians minimum
- D. Selection of personnel assigned to the EBG shall be at the discretion of the SRT Commander and the EOD Commander respectively.
- E. Personnel assigned to the EBG shall attend a reputable and accredited basic Explosive Breaching and Handlers Course.
- F. Personnel assigned to the EBG shall maintain an explosive license regulated by the Illinois Department of Natural Resources (IDNR). Explosive Licenses currently must be renewed every three years.

- G. An assigned member of the EBG holding the rank of Sergeant or higher shall be responsible for organizing and maintaining records related to EBG training and operational data.
- H. Personnel assigned to the EBG shall conduct regular training on a monthly basis to maintain and enhance capabilities.
- I. The EBG shall provide an annual report to both the SRT and EOD commander identifying current capability level and provide documentation regarding any capability gaps requiring attention.
- J. At a minimum, EBG personnel shall provide on-going training to both SRT and EOD unit(s) quarterly.

V. OPERATIONAL PROCEDURES

A. Operational Authorization

The authorization for the utilization of explosive breaching options shall be approved by the Captain assigned over the Special Response Team.

B. Target Analysis

1. The designated Breacher and/or Assistant Breacher shall be responsible for performing a target analysis and completing a breacher's report prior to initiating any operation.

2. The target analysis shall be completed utilizing information from:

1. Scouting
2. Known Target Intelligence
3. Experience

C. Charge construction shall be completed by (2) or more EBG personnel only, and only after conducting a target analysis. The designated Breacher and Assistant Breacher will ultimately be responsible for the selection of the type of charge to be utilized. Selection should be made based on training, acquired data, and circumstances. An available assortment of pre-constructed charges shall be readily available for deployment as needed, and may be utilized under the appropriate conditions based on the findings of target analysis.

D. When possible operational explosive breaching charges shall be dual primed to reduce misfire potential.

E. Except under exigent circumstances, a net explosive weight and safe stacking distance calculation shall be completed prior to executing any breach.

- F. Method of Initiation of the Breach shall be determined prior to execution of any breaching operation.
 - 1. Command Initiated
 - 2. Breacher initiated
- G. With the exception of exigent circumstances, a “Breacher’s Brief” shall be conducted with all personnel involved with the operation.
- H. Stacking Order(s), placement types, and “safe stacking distance” will be identified by the designated Breacher in consultation with the SRT Commander.
- I. Breaching charges shall be placed, handled, and initiated by the Breacher, Assistant Breacher, and/or EOD observer only.
- J. When possible an EBG EOD observer should be present at the breach site, but is not required to be the breacher and/or assistant breacher.
- K. EBG EOD personnel shall not be primarily tasked with SRT entry responsibilities unless otherwise directed by SRT Commander, or under exigent circumstances.
- L. Misfires and any render safe activity shall be mitigated by the EOD Observer or EOD Breacher.
- M. In the event of the explosive breaching option being terminated prior to execution, all efforts shall be made to maintain control of the explosive material.
- N. Remote breaching operations utilizing robotic platforms may only be executed by trained EBG EOD personnel.

VI. SAFETY PROCEDURES

- A. Except under exigent circumstances, fire suppression shall be readily available at the explosive breach location.
- B. Initiating “Firing” Devices and all explosive material shall remain under the control of EBG personnel at all times under operational conditions.
- C. EBG personnel shall utilize proper PPE, including but not limited to: ballistic vest and helmet, nomex gloves, eye protection, and hearing protection.
- D. Except under exigent circumstances, Emergency Medical personnel shall be present at any operation where an explosive breaching option is utilized.
- E. Barring exigent circumstances, explosive breaching options shall be considered prohibited under the following conditions:

1. Known presence of unstable chemicals or other potentially hazardous material(s) in close proximity to breach site.
 2. Construction, composition, occupancy, and layout of target is unknown.
- F. Explosive materials shall be stored in accordance with BATF and IDNR regulations.

VII. DOCUMENTATION

- A. EBG shall document every operational and training breach by completing a breacher's report.
- B. Breacher's reports shall be maintained in a centralized location accessible to all EBG personnel.
- C. Photographs shall be included in the breacher's report.
- D. Individual personnel shall maintain a breacher's logbook.
- E. EBG shall maintain an explosive breaching database accessible to EBWG personnel.

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GENERAL ORDER

<u>NUMBER</u>	401.02
<u>EFFECTIVE DATE</u>	January 3, 2013
SUBJECT	
Resident Officer Program	<u>NUMBER OF PAGES</u>
Commissioned Personnel	5
<u>CALEA REFERENCE</u>	<u>SUPERSEDES</u>
<u>AUTHORITY</u>	<u>OTHER REFERENCE</u>
	Steven M. Settingsgaard
	Chief of Police

I. PURPOSE

To provide a unique and individualized police service to citizens in an at-risk neighborhood by a Resident Police Officer who lives and works in the neighborhood. The Resident Officer will utilize necessary resources to improve the quality of life, enabling the citizens to take ownership of the neighborhood, build a mutual trust, leading to community self sufficiency.

II. PROCEDURE

The Resident Officer is assigned to the Uniformed Operations Division, within the Neighborhood Services Unit which also includes the Neighborhood Services Specialist and the Nuisance Abatement Officer. The Neighborhood Services Lieutenant commands the Unit and assists the Resident Officer in identifying strategies to achieve goals and objectives.

A. Goals and Objectives

Work closely with neighborhood residents to develop a mutual trust to help reduce crime and improve the quality of life. Organizing/participating in youth activities and serving as a mentor/role model will further develop that trust. As problems are identified, the Resident Officer shall coordinate with City departments, social agencies, and other organizations to solve those problems. The ultimate goal for the Resident Officer is to eventually empower and equip the neighborhood residents toward self sufficiency.

B. Identifying a Neighborhood

The Peoria Police Department will have the final determination as to Resident Officer's locations and boundaries. Resident Officer neighborhoods' will be subject to periodic review to determine the need for continuation of the program, or a change in boundaries, or the need for additional resources. Determining factors include but are not limited to:

1. Crime patterns that have not dissipated and/or continued quality of life issues.
2. Proliferation of nuisance properties, vacant properties, or problem landlords.
3. The community's ability to be self sufficient and carry on successfully without the assistance of a Resident Officer.
4. Other factors as identified by the Department.

III. RESPONSIBILITIES AND REQUIREMENTS

A. Departmental Responsibilities – Property/Supplies/Equipment

The Department shall provide the following:

1. Suitable residence.
2. Utilities (gas, electric, sewer, water)
3. Home security system.
4. Cell phone.
5. Squad car (fully marked).
6. Police bicycle (including certification training).
7. Computer with internet access.
8. Color Printer.
9. A yard sign identifying the officer's name and cell number.
10. Repairs to the home and property that are necessary due to normal wear and tear.

B. Resident Officer Responsibilities - Property

The Resident Officer shall be responsible for the following:

1. Pay television and internet service (i.e. cable, satellite, etc.).
2. Moving expenses.
3. Routine cleaning and maintenance of the home and property. (including lawn mowing, leaf raking, snow shoveling, etc.).

C. Resident Officer - Administrative Requirements

The Resident Officer shall:

1. Reside at the residence for the duration of the assignment and obey all applicable City and Departmental policies, rules, directives, General Orders including the Manual of Rules.
2. Vacate the residence on terms and conditions as directed by the Chief of Police or his/her designee. Absent exigent circumstances, officers shall be entitled to a minimum 30 days notice to vacate. ***Failure to vacate the residence by such date and by the terms and conditions as set forth by the Chief of Police shall constitute insubordination which will subject the Resident Officer to Departmental discipline as determined by the Chief of Police.*** For the purposes of this General Order, "vacate" means that the Resident Officer shall have removed all of the Resident Officer's personal property from the residence and that the officer shall no longer reside at the residence.
3. Obtain advance authorization for anticipated overtime. Unplanned overtime must be approved by an on-duty supervisor.
4. Make sick notifications to the direct supervisor or the on-duty Patrol Lieutenant when the direct supervisor is unavailable.
5. Notify the Department in writing of all persons residing in the house. Officers shall not permit any person who is not related to the officer by blood, marriage, or law, to reside or remain at the property between the hours of 2:00 a.m. and 6:00 a.m. for more than a cumulative two-week period during any twelve-month period. Requests for exceptions shall be in writing and may be granted by the Chief of Police or designee.
6. In conjunction with the Lieutenant, conduct an inspection of the property, semi-annually (also before and after occupancy) to document/photograph abnormal wear to the residence

and identify necessary repairs. All damage and repair costs to the property other than normal wear shall be reimbursed to the City by the Resident Officer. Any damage to the residence outside of normal wear constitutes damage to City property and may subject the officer to disciplinary action if it is determined to be intentional or due to recklessness. Determination of what constitutes “normal wear” for the purposes of this General Order, and determinations as to whether proper authorization has been granted for activity related to the Resident Officer’s use of the residence, shall be made by the Chief of Police in his/her sole discretion. The Resident Officer’s home and property shall be treated in the same respect as other City or Department owned property.

7. Not permit any animals to be inside the residence or on the property without prior written approval by the supervising Lieutenant. Verbal authorization is insufficient for these purposes. Damage to the residence or property caused by pets shall constitute damage in excess of normal wear.
8. Be assigned for a period of three (3) years consistent with the Department’s Rotation/Transfer policy. Officers may re-post and interview for another term at the end of a 3 year assignment.
9. Be eligible to request a transfer from the assignment within the three (3) term for hardship or other cause. The Chief of Police shall have the authority to grant or deny the request after considering all the contributing factors.

D. Resident Officer – Operational Requirements

1. Be flexible in shift and off days to address neighborhood needs or functions. Changes in days off shall be entered into On-Duty after the Resident Officer requests those changes through his/her supervisor.
2. Set an example for the neighborhood, maintaining the interior and exterior in such a way that exceeds community standards. The home should serve as a model to the community.
3. Make a point to visit every residence and tenant in the neighborhood presenting them with a letter of introduction and a business card. The Resident Officer shall be familiar with which houses are rentals and the property owner’s contact information. Resident Officers shall be cognizant of who moves into and out of the neighborhood, promptly introducing themselves to new residents.
4. Be accessible and accommodating, to the extent that is practicable, on a 24-hour basis. Issues may arise requiring your attention during what would otherwise be considered as off-duty time. Community residents will be encouraged to stop by the R.O. residence when they need to speak with the officer or for other official purposes.
5. Stay in contact with the Department as well as the community by checking and responding to e-mails, text messages, and voice messages in an expeditious manner. Resident Officers are encouraged to communicate through common social media resources such as Facebook, Twitter, etc.
6. Establish benchmarks and formulate goals using input from the neighborhood and the Department to produce monthly and annual reports. Those stats, combined with input from community meetings, should be used to analyze the continuous and changing needs of the neighborhood.

7. Establish effective neighborhood associates to serve as a liaison between neighbors, businesses, and organizations that will help identify and solve problems.
8. Conduct landlord/property manager meetings to brief them on problem properties or problem tenants.
9. Actively participate in school, civic and Neighborhood Association functions as well as coordinate events like cookouts and picnics, even at the Officer's residence.
10. Work closely with the Nuisance Abatement Officer and Neighborhood Services Specialist in starting Neighborhood Watch groups and Neighborhood Associations, and communicate and coordinate with the other Resident Officers frequently.

IV. TRAINING

Many duties that a Resident Officer will perform require specialized training which can be obtained through in-house classes as well as outside training classes. The Resident Officer shall work with the Training Unit to ensure that all necessary training is obtained.

V. REPORTING

A. Budget Requests

Non-budgeted purchases must be pre-approved by the Neighborhood Services Unit Lieutenant.

B. Time Keeping

As a Resident Officer you will be required to request time off such as vacation, personal, or roll call days using GroupWise and the On-Duty scheduling program. All time off requests shall be made through the Neighborhood Services Lieutenant. Since the assignment requires flexible hours and days off, it is not expected that there will be an abundance of overtime. When overtime is necessary, authorization must be obtained from the assigned supervisor or designee.

C. Monthly Reports

Resident Officers are required to provide a monthly activity report which shall give an overview of all activities relative to achieving the goals of the program. This report shall be submitted no later than the 10th day of the next month.

D. E-Mail Calendar

Citizens will be able to contact you via your City e-mail account. Officers are to become fully familiar with the email system including the calendar function.

E. Annual Survey

Each Resident Officer is responsible for a yearly neighborhood survey which will help identify the current needs of the community. The report will include a door-to-door survey of all households within your neighborhood boundaries. The report will identify current needs as well as identify what has already been accomplished. The report shall outline achieved goals and objectives.

F. Contacts

It is essential that the Resident Officer be familiar with those persons and agencies he/she will interact with on a regular basis. Many of them will help you accomplish specific goals and needs within the assigned neighborhood. The following is a brief sample of the types of contacts that a Resident Officer will need:

1. Peoria Housing Authority – Section 8 Housing
2. Nuisance Abatement Officer & Neighborhood Services Specialist
3. Code Enforcement
4. Social Service Agencies (including the Don't Shoot Service Coordinator)
5. Target Offender Unit
6. Multi-County Enforcement Group (MEG)
7. Juvenile Unit – School Liaison Officer & District 150

VI. Nothing herein shall preclude the Chief or designee from authorizing exceptions to this Order, as necessary on a case by case basis.

This directive provides general guidelines to personnel regarding improper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in an employment related proceeding.



GENERAL ORDER

	<u>NUMBER</u> 401.03
	<u>EFFECTIVE DATE</u> November 7, 2014
<u>SUBJECT</u> Seizure of Computers and Digital Evidence	<u>NUMBER OF PAGES</u> 10
<u>DISTRIBUTION</u> Commissioned Personnel	<u>SUPERSEDES</u> N/A
<u>CALEA REFERENCE</u> N/A	<u>OTHER REFERENCE</u> N/A
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police

I. POLICY

It is the policy of the Department to collect and analyze all evidence of a criminal nature which may be an aid in identifying and/or prosecuting an offender. As computer technology becomes easier to use and more accessible to the general public, criminal elements are increasingly utilizing the convenience of that technology. As a result, Department members are likely to encounter crimes committed with the aid of a computer. It is imperative that when this situation is encountered, certain measures are taken to ensure that the evidence that may be contained in the computer and or digital storage media is preserved and processed like any other piece of evidence vital to a case. The Computer Crime Unit (CCU) is responsible for advising officers as to how to recover computer related evidence and determine what evidence will be analyzed.

II. PURPOSE

To set forth Department policy regarding the seizure and processing of computers and digital evidence for forensic analysis, provide general information for identifying digital evidence, identify procedures for recovery of computer related evidence, outline the responsibilities of investigating officers and supervisors and identify the Computer Crime Unit as the unit responsible for the analysis of computer related evidence.

III. DEFINITIONS

- A. Digital Evidence Officer: a member of the Department specially trained in the techniques of computer data recovery and seizure.
- B. Computer Forensic Examiner: A member of the Department specially trained in the techniques of computer data recovery and seizure. It is the role of the computer forensic examiner to conduct evidentiary searches of electronic media and to report the findings to the employee assigned to investigate the involved case.

- C. Computer System: Computer monitor, CPU, personal communication device (cellular telephone), PDA, data storage device, or peripherals configured to work together as a unit or cabled together externally.
- D. Recording Device: CD ROM, CDR, floppy drive, tape drive, zip drive, jazz drive, magneto-optical drive, hard drive, and/or other mechanical, electrical, optical, or combination device used to store data that is not currently connected to an operating system.
- E. Electronic Media: Any material, written or photographic, that is actually stored on a computer's recording device.
- F. Network: Any two or more computer systems connected together that can communicate with each other and share resources.
- G. Operating System: Software used to allow the equipment in the computer to interact with the computer applications and user. Examples include DOS, Windows 3.x, Windows 95/98, 2000, XP, Windows NT, Windows Vista, Windows Seven, Windows Eight, Macintosh, Unix, Linux, OS/2, and Novell.
- H. Tool Kit: Used to document, remove, package, and transport electronic evidence and consists of cameras, crime scene tape, stick-on labels; and notepads, markers, evidence forms, and sketchpads.

IV. GENERAL INFORMATION

- A. Recognizing Potential Evidence
 - 1. The computer may be considered evidence if:
 - a. It is the fruit of a crime, that is, the computer and/or its software is stolen.
 - b. It was actively used to commit an offense. For example, false ID's or other counterfeit documents may be prepared by using a computer, scanner, or printer.
 - c. It was used incidental to committing an offense. For example, a narcotics dealer may use a computer to maintain trafficking records or financial documents.
 - d. It was used as both the instrument to commit the crime and as a storage device for proceeds. For example, an offender may use a computer to access other computers
 - e. Information found on the victim's computer indicates a crime has or will be committed. For example, a homicide victim may have threatening electronic mail messages on a computer that may help to identify or implicate a suspect.

- f. Information found on a DVR indicates a crime has been committed. For example, video surveillance captured of a suspect committing a retail theft.
- B. With the exception of a DVR, if during the course of an investigation an officer determines that a computer may have evidentiary value, the computer will be processed as evidence.
- C. Officers identifying computers or computer equipment as items to be seized in the execution of a warrant will contact the Computer Crime Unit (CCU) as soon as possible after learning the equipment is to be the subject of a warrant.
- D. Officers are advised that in the process of handling computers and related equipment, special precautions must be taken due to the delicate nature of the equipment. In transporting equipment, officers will take special care to ensure that the equipment is not dropped, jarred, or left unsecured during transport. Doing so may cause irreparable damage to sensitive components.
- E. Officers will also ensure that the equipment is not transported or stored near any other components that may contain magnetic material. Magnets may erase valuable evidence that is stored on the equipment.

V. PROCEDURES

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. This policy shall apply only in those cases where data residing on computer systems, recording devices, and electronic media are being sought as evidence in an investigation. Computers seized by departmental personnel as evidence (in cases such as burglary and retail theft, where the computer or related media is the actual item stolen/recovered), will be turned in at the Property Control Division according to departmental guidelines/policies. No employee, except the department's certified computer forensic examiner, or at the direction of the department's certified forensic examiner, will attempt to examine any computer system, personal communication device, digital storage media or like device used to store electronic media for potential evidence contained therein.

A. SEIZING DIGITAL STORAGE MEDIA

1. When seizing a computer and accessories the following steps should be taken:
 - a. Secure the scene and restrict access to the computer. Under no circumstances will any officer attempt to access any data on the computer after it is determined that the computer may have evidentiary value. A search warrant may be needed to access data. Officers will not make any attempt to shut down or disconnect the computer or any of its accessories. Doing so may cause severe damage or interruption of legitimate business in certain network systems.

- b. If possible, restrict phone access of suspects/offenders until communication lines are disconnected from the computer. Failure to do so may allow access to the computer from a remote location, which may provide for the opportunity to destroy data.
- c. Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.
- d. Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.
- e. If the computer is off, do not turn it on.
- f. If the computer is on, do not shut it down normally and do not click on anything or examine any files.
- g. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
- h. With current encryption utilities, a password may be required for the computer forensic examiner to access the digital storage media contained within a seized device. Therefore, during the seizure, officers shall make every reasonable attempt to obtain the password either through interviews of the device's owner or through other methods of investigation. Officers should document the use of a password if known in their seizure report.
- i. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery).
- j. Label each item with case number, evidence sheet number, and item number.
- k. Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, and external drives) with care so that potential evidence is not lost.
- l. Log all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.
- m. At minimum, officers should document the following in related reports:
 - 1. Where the computer was located and whether or not it was in operation?
 - 2. Who was using it at the time?
 - 3. Who claimed ownership?
 - 4. If it can be determined, how it was being used?

- n. In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.
- o. Digital storage media including hard drives, floppy discs, CD's, DVD's, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.
- p. If the media has a write-protection tab or switch, it should be activated.
- q. Do not review, access, or open digital files prior to submission. If the information is needed for immediate investigation, request the CCU copy the contents to an appropriate form of storage media.
- r. Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
- s. Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.
- t. Use plastic cases designed to protect the media or other protective packaging to prevent damage. Because electronic media is susceptible to electrostatic charges and magnetic fields, anti-static bags (original silver or chrome packages in which hard drives are shipped) should be used to store hard drives, floppy disks, zip disks, etc. In the event an anti-static bag cannot be located, an appropriately sized paper bag can be used.

B. SEIZING PERSONAL COMMUNICATION DEVICES (PCDs)

- 1. Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.
 - a. Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
 - b. Do not turn the device on or off. The seizing officer should remove the battery compartment cover and simply remove the battery. While doing so, the seizing officer shall document the PCD's model and serial number if available.
 - c. Due to the availability of spyware which can activate the microphone and or video camera of the PCD even when powered off, no PCD should be submitted to the

Property Room as evidence, and or to the Computer Crime Unit for analysis with a battery installed in the device.

- d. When seizing the devices, officer should also seize the charging units for the PCD if available.
- e. In cases involving personal communication devices such as cellular telephones, a passcode (PIN) may be necessary for the computer forensic examiner to access the digital storage media contained within. Therefore, officers shall make every reasonable attempt to obtain the passcode (PIN), either through interviews of the device's owner or though other methods of investigation.
- f. When possible, during the physical or logical forensic analysis, the device should be placed in a faraday bag to prevent the device from sending or receiving information from its host network.
- g. In cases in which a physical and or logical analysis is not possible, the computer forensic examiner may return a PCD to the officer in charge of an investigation for a manual examination of the device. In those situations, the officer in charge of the investigation shall utilize the Department's "Project-A-Phone" equipment to capture photographs and or video of the relevant evidence contained within the PCD. Upon capturing such photographs and or video evidence, the officer shall follow this directive in to the handling of the photograph and or video evidence captured of the PCD.
- h. During the manual examination of a PCD, officers will limit the acquisition of evidence to relevant data pertinent to the investigation and will protect all other non-relevant data and communications stored on the PCD in an attempt to preserve personal privacy of the device owner.

C. BUSINESS OR NETWORKED COMPUTERS

1. If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact the Department's certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

D. DIGITAL EVIDENCE RECORDING (DVR) SYSTEMS

1. Due to its value in the evidentiary process, as well as its potential value for intelligence and security matters, it is imperative that officers recognize, protect and properly collect video from DVR systems.

2. All DVRs utilize compression when recording video data to reduce the amount of storage and transmission requirements. Most digital video recording systems also utilize a native or proprietary file format to record video data. This usually requires a proprietary playback software or special codec from the manufacturer to play back the video files, along with any metadata (e.g., time, date, camera number).
3. In addition to the retrieval of the native/proprietary video files, many systems allow the video data to be downloaded/exported in an “open file format” that will be viewable in a non-proprietary software (e.g., AVI in Windows Media Player or MOV in QuickTime). It should be taken into consideration that these methods often further compress the video data and not always viewable.
4. Whenever possible, the native/proprietary recorded video file(s) from the DVR recording system should be retrieved to maintain the integrity and image quality of the evidence. In addition, consideration should be given to retrieving a non-proprietary video file to facilitate quick viewing.

5. Steps to Collect DVR Evidence:

1. Notes should be kept detailing the methods used and steps taken.
2. Determine if a manual is available to assist with system information (e.g., passwords, output/export methods).
3. Establish that relevant video has been recorded by reviewing the recording. Preferably, a person with knowledge of the recording device should operate it during playback, if it is appropriate for them to do so.
4. Determine the earliest recorded date. This will determine approximately how much time you have to retrieve the data before the system begins to overwrite it. For example, if the earliest recorded date is seven days prior to the incident date, you may have no more than seven days before the relevant data is written over.
5. Determine if retrieval can be performed by the venue owner/security system’s operator. If yes, will the retrieval be in line with best practices?
6. Determine if the DVR installer company or a trained operator is available to assist in the retrieval.
7. Compare the time displayed by the DVR system with the current time. Document the difference, if any.

Acquire and document the following information:

- a. Digital video recorder make, model and serial number
- b. Whether system is PC-based or Stand-Alone Embedded
- c. Number of recording units installed
- d. Whether system is networked
- e. System time and date displayed
- f. Actual current date and time (from reference clock)
- g. Recording capacity of the system and when it will overwrite

- h. Number of camera(s) and the active camera numbers
- i. System password
- j. Determine how much data needs to be retrieved.
- k. Determine the native/proprietary file format the system uses.
- l. Determine best method for retrieval.

Assessing the Recording System for Output (Exporting Video)

A determination should be made as to how much and what type of data needs to be retrieved from the DVR recording device. An evaluation of the system's output options should help determine the best and most practical method of outputting the video. When making this assessment, collection of the native/proprietary video file should remain the highest priority to ensure image quality. Other factors to consider include: the amount of media required, law enforcement hours that will be incurred, and the data transfer time.

Examples:

If the incident is a 10-minute robbery, the system has a CD writer and the proprietary file(s) fit on a CD, then collection on CD would be the best method

If the request is for 24 hours of video and the system has an external USB port, connecting an external USB hard drive may be the best option. This assumes that the system allows for recovery of large amounts of data at one time.

If the request is for 30 days of video, the best, or only, option may be producing a bit-for-bit duplicate of the hard drive(s) and/or removing the recording unit from the scene.

Removing the DVR Unit

- a. In circumstances where the above listed options have been determined to be either impractical or impossible, the decision may be made to remove the recording unit itself if justified. For example, where the volume of data required is very large, it may be time efficient to temporarily remove the recorder and perform the retrieval in a forensic environment, rather than on site. Alternatively, there may be no method for extracting the video data (e.g., CD writer or USB ports) and it may be necessary to remove the recorder and retain the unit as the evidentiary master. In addition to proper seizure authority, i.e. consent, search warrant, etc, **SUPERVISOR APPROVAL IS REQUIRED**.
- b. The recording device should be stopped and the system properly shut down prior to removal.
- c. Ensure all relevant components of the system are collected (e.g., power supply, remote control, dongle, manual, cables).
- d. Ensure all cables are uniquely identified (e.g., camera inputs) to facilitate reinstallation of the system.
- e. If no other method exists for extracting the video data from the DVR recording device retrieved from the scene, the DVR is considered the evidentiary master.

E. COLLECTION OF DIGITAL EVIDENCE

Once evidence is acquired it shall not be erased, deleted or altered in any way prior to submission.

F. PRESERVATION OF DIGITAL EVIDENCE

1. Other than digital photographs, DVR evidence, and or video interviews submitted to the Property Room, only the computer forensic examiner is authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered. Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
2. If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

G. FORENSIC EXAMINATION OF COMPUTERS

If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

- a. Completed computer forensic request form.
- b. Copy of report(s) involving the computer, including the Evidence/Property sheet.
- c. Copy of consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.
- d. A listing of the items to search for (e.g., photographs, financial records, e-mail, text messages, documents).
- e. An exact duplicate of the hard drive or disk shall be made using a forensic computer and a forensic software program by the computer forensic examiner.
- f. Forensic image duplicates acquired by the computer forensic examiner shall be archived to alternative media such as DVD as soon as possible with the DVD archives to remain secured within the CCU.
- g. In cases involving minor offenses, the computer forensic examiner may employ a limited forensic preview while utilizing forensically sound practices in search of digital evidence. In those situations a forensic image duplicate may not be necessary.

VI. NON-DISCLOSURE OF CHILD PORNOGRAPHY

1. Pursuant to Title 18, United States Code, Section 3509(m), any property or material seized by members of the Peoria Police Department, that constitutes child pornography, shall remain in

the care, custody and control of the Peoria Police Department, unless admitted as evidence directly to the court in a criminal proceeding or unless ordered to release by order of the court.

2. In any criminal proceeding in which evidence consists of child pornography, the officer in charge of the investigation and/or the computer forensic examiner shall provide ample opportunity for inspection, viewing, and examination at the Peoria Police Department of the property or material by the defendant, his or her attorney, and any other individual the defendant may seek to qualify to furnish expert testimony at trial.

VII. Nothing herein shall preclude the Chief or designee from authorizing exceptions to this Order, as necessary on a case by case basis.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	401.04
<u>EFFECTIVE DATE</u>	July 9, 2020
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Use of Force (UOF) / UOF Reporting	14
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	GO 400.35; 1/26/00; 3/8/15; 5/12/16, 11/06/16; 4/27/18; 6/24/18; 11/19/18
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.3.2, 4.3.4	GO 400.36, 400.15, 400.37, 400.96, 401.09, 50 ILCS 727/1-1 et seq
<u>AUTHORITY</u>	Loren Marion III Chief of Police

I. PURPOSE

The purpose of this order is to establish guidelines in the use of intervention or force to ensure it is reasonable and necessary under the circumstances. The use of alternative categories of officer intervention or force must be appropriate to the category of offender or assailant resistance in the confrontation. The essence of this policy is that intervention or use of force is assessed under the totality of the circumstances. This order sets forth departmental policy and procedures for use of force and the reporting, investigating, reviewing and managing use of force (UOF) incidents involving department personnel. For the purpose of this policy, references to the use of force by an "officer" or "personnel" applies to all commissioned personnel.

This policy is not intended to limit the ability of department personnel to use force, including deadly force, when objectively reasonable. Department personnel are expected to retain the right to defend themselves and others with as much force as is objectively reasonable based upon the totality of the circumstances.

II. POLICY

The reality of police work is that not all individuals comply with lawful directives given by officers. A degree of force is occasionally necessary to lawfully apprehend individuals. However, a police officer is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary to prevent death or imminent great bodily harm to himself or to another person.

III. DEFINITIONS

Excessive Force: Force in excess of what a reasonable police officer would believe is necessary given the facts and circumstances confronting the officer at that time.-(Graham vs. Connor)

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes permanent disfigurement, or which causes a permanent or protracted loss of impairment of the function of any bodily member or organ or other serious bodily harm. Permanent scarring, loss of a body part, or collection of injuries that, when viewed together, constitutes a high level of harm.

IV. TRAINING

At least annually, all officers authorized to carry weapons are required to receive in-service training on deadly force policies and demonstrate proficiency with all approved lethal weapons that the member is authorized to use. Officers will also receive annual in-service training for less-than-lethal weapons and any weaponless control technique that has potential for serious injury.

A. (UOF) Weapons

Officers may use only certified weapons, and only after successfully completing the department's required training for those weapons, except in those cases where the officers would be justified to escalate to deadly force.

B. (UOF) Reporting and Investigation

Supervisors shall complete a department approved training course for the Departmental Use of Force (UOF) policy prior to conducting any use of force investigation.

1. Medical Aid

Any time a member uses force, deadly or non-deadly, appropriate medical aid will be provided for any person involved without delay. Personnel shall request medical service when there is a request for medical assistance, complaint of injury, or there is reasonable expectation that the person needs medical care. If unsure, officers should contact a supervisor.

2. Notification

Personnel shall notify his/her supervisor immediately or as soon as practical of any actual or alleged UOF, or an allegation of excessive force. If the immediate supervisor is unavailable, another field supervisor or commander shall be notified.

A supervisor shall not investigate their own use of force. A lieutenant shall investigate use of force incidents involving sergeants, including circumstances in which the sergeant ordered the use of force. A UOF by a lieutenant or above may be investigated by a lieutenant, at the discretion of a captain or above.

V. DOCUMENTATION AND RESPONSE TO UOF

Reports related to a UOF shall be completed and submitted prior to the end of the tour of duty unless otherwise directed.

A. Officer UOF Documentation

1. Officers will complete a UOF Contact Form for use of force including Categories **II, III, IV** or **V**. (Category **V** incidents may be at the discretion of a division commander dependent on the circumstance)

Category **I** incidents will not be completed on a UOF form by officers unless the person is alleging a higher category of force by an officer.

2. All officers taking part of an UOF shall complete the applicable documentation from their viewpoint. Group UOF reporting (one report for multiple officers) is prohibited
3. All uses of force stemming from a single incident shall be documented on one UOF report, and shall be conducted at the highest category of force used
4. Officers will document their UOF in narrative form on an original or supplementary police incident report.

B. Supervisor UOF Documentation

1. Sergeants will complete a UOF Supervisor Investigation Form and narrative for incidents regarding use of force including Categories **III, IV**, or **V**.
2. Reports shall not contain “boilerplate” or “pat” language without descriptive or explanatory details of the action.
3. Supervisors shall be held accountable for the timely, accurate, and thorough required documentation of all UOF incidents.
4. Supervisors have the discretion to elevate any level of force investigation when necessary.
5. Supervisors may make recommendations for corrective action in the UOF Report. The Use of Force Board shall identify any training and/or tactical deficiencies based on the circumstances of a use of force or supervisor’s response to a UOF. If a deficiency or training issue needs immediate adjustment, the UOF coordinator and a division commander shall be notified.

Immediate compliance with the provisions of this order may be delayed if circumstances require; however, such circumstances shall be documented in the report and are reviewable by the Use of Force Board.

C. Sergeants Must Respond When:

1. Notified of a **Category III, IV or V** UOF. Supervisory response to a Category I or II is only required when that category UOF causes an injury or the person is alleging that force was used and the officer denies using force.
2. A person has an injury requiring more than basic first aid, and there was a UOF, regardless of whether the injury was a result of the UOF.
3. There is a discharge at an object (e.g., street lights, door lock, vehicle tire, or pepper ball use) by an officer to accomplish a tactical police purpose.

D. Lieutenants Must Respond When:

1. Notified of any **Category V** UOF.
2. Notified of a **Category III, IV, or V** UOF involving a sergeant.
3. Any UOF action involving unusual circumstances at the request of on scene officers.
4. Advised the incident involves significant department resources or is likely to generate unusual public interest.

VI. USE OF FORCE CONTINUUM

The Peoria Police Department's use of force continuum is founded upon the model researched and designed by the Federal Law Enforcement Training Center (FLETC) and the University of Illinois Police Training Institute.

The following specific force options covers five different categories, which include techniques that the officer may use at the different categories in response to the person's action. Even though these techniques are listed at a certain category, some of these techniques will be found to apply at multiple categories. As the person to which the officer is responding moves from one category to another, the officer's technique changes. Simply stated, the officer's response is not sequential (category 1, then 2, then 3), but rather the officer changes as the person's action changes.

Force applications are grouped in the following force categories:

A. ***Category I:*** Cooperative controls for **compliant persons**

Compliant persons are those individuals who offer no verbal or physical resistance to the officer and demonstrate their cooperation by responding to directions. Cooperative controls used by the officer at this category include:

- Verbal directions
- Handcuffing techniques
- Cuffed search
- Basic escort

1. Category I Supervisor Responsibilities

- a. Supervisor is only required to respond to a Category I UOF when that category UOF causes an injury or the person is alleging that force was used and officer denies using force.
- b. If notified of an allegation of unreasonable force, the supervisor shall conduct a preliminary investigation and ensure there is no injury requiring medical treatment. Photographs will be taken of the person's alleged injury whether visible or not.
- c. Absent corroborating evidence to substantiate excessive force occurred, the supervisor shall document the results of the preliminary complaint investigation in a Special Report, if no UOF report is completed.

B. ***Category II: Control techniques for passive resistant persons***

Passive resistant persons are those individuals that refuse to comply with the officer's verbal direction but are not attempting to physically prevent or defeat the officer's contact controls. Contact controls techniques include but are not limited to:

- Soft empty hand controls:
 - High gooseneck
 - Hand rotation position
 - Rear wristlock
 - Arm lock
- A firearm is intentionally pointed at a person for purposes of compliance:
 - “Felony” stops
 - Building or room clearing during incidents involving felony activity.

An officer may draw his weapon only when the action is reasonably necessary, based on his experience, training, and information available at the time prior to and at the time of the incident.

1. Category II Supervisor Responsibilities

- a. Supervisor is only required to respond to a Category II UOF when that category UOF causes an injury or the person is alleging that force was used and officer denies using force.
- b. If notified of an allegation of unreasonable force, the supervisor shall conduct a preliminary investigation and ensure there is no injury requiring medical treatment. Photographs will be taken of the person's alleged injury whether visible or not.
- c. Absent corroborating evidence to substantiate unreasonable force occurred, the supervisor shall document the results of the preliminary complaint investigation in a Special Report, if no UOF Supervisor Investigation Report is completed.

C. ***Category III: Compliance techniques for active resistant persons***

Active resistant persons are those individuals who refuse to comply with the officer's verbal direction and physically resist an officer's control techniques, or individuals whose combination of words and actions may present a physical threat to themselves or others. Compliance techniques include:

- Pressure points/distracters (can constitute Category 2 without potential injury)
- Category II techniques, with torque
- Takedowns with force
- Oleoresin Capsicum (OC/Pepper Spray, Pepper ball) is applied and makes contact with a person.
- An Electronic Control Device (ECD) (CEW/Taser) (as defined in General Order 400.96)
- A strike is applied other than soft empty hand contact control techniques.
- Impact weapon for pain compliance/come-along techniques
- A police K-9 causes injury (by bite or otherwise), while off duty and not in performance of a police action (on-duty or as part of a police action is a Category IV or V).

1. Category III Supervisor Responsibilities

- a. Respond to the location of the incident unless circumstances make response impracticable. In such instances, an alternate safe location (command post) shall be arranged.

- b. Discuss the general circumstances of the incident with the involved personnel and witnesses to assess the appropriate reporting category and to assess whether injuries, if present, are consistent with the force applied.
- c. Conduct a personal interview with the person(s) upon whom the force was used, to include a written or recorded statement, when possible.
- d. Take photographs to the extent of the person and involved officer to record the presence or absence of injuries, the location of the incident, and other relevant evidence. If photos are not taken, document the reason why.
- e. Interview available witnesses at the scene.
- f. Ensure personnel who assisted at the scene or who witnessed the UOF complete the appropriate report(s). When an officer is directed not to complete a required report, the reason shall be documented by the supervisor in the UOF report (e.g., an officer is incapacitated from an injury during an incident).
- g. Collect credible video evidence related to the UOF incident.
- h. Prepare a UOF Supervisor Investigation Form and narrative. **See Command Review and Endorsement procedures: Section- VII**

D. ***Category IV: Tactics against assaultive persons***

Assaultive persons are those individuals who attempt to defeat an officer's compliance techniques, in that they are resistant, combative, or overtly attempting harm and/or overpower the officer.

- Any UOF (under **Category V**) which results in serious injury to a person requiring medical treatment.
- Any strike to the head (except for an intentional strike with an impact weapon which constitutes a **Category V**);
- Impact weapons use for nonlethal strikes
- Any unintentional firearms discharge outside of the firing range, that does not result in injury (injuries constitutes a **Category V**, regardless of location). This provision is applicable to on-duty instances, or on/within city owned property, or while off-duty **and** performing police action.
- Police K-9 bites or causes injury while on-duty or in performance of a police action.
- Chemical Munitions deployment (with exception of Oleoresin Capsicum e.g., OC/Pepper Spray, Pepper Ball which is a **Category III**)

- Intentional firearms discharge to stop a vicious/ aggressive animal
 - Extended Range Impact Weapons (with Kinetic energy impact projectiles) as defined by General Order 400.37 (may constitute **Category V** depending on injury)
 - 12 gauge shotgun (bean-bag round)
 - 37 mm baton round (SL-6).
1. Category IV Supervisor Responsibilities
 - a. Respond to the location of the incident unless circumstances make response impracticable. In such instances, an alternate safe location (command post) shall be arranged.
 - b. Discuss the general circumstances of the incident with the involved personnel and witnesses to assess the appropriate reporting category and to assess whether injuries, if present, are consistent with the force applied.
 - c. Conduct a personal interview with the person(s) upon whom the force was used, to include a written or recorded statement, when possible
 - d. Ensure photographs are taken of the person and involved officer to record the presence or absence of injuries, the location of the incident, and other relevant evidence. If photos are not taken, document the reason why.
 - e. Interview available witnesses at the scene
 - f. Ensure officers who assisted at the scene or who witnessed the UOF complete the appropriate report(s). When an officer is directed not to complete a required report, the reason shall be documented by the supervisor in the UOF report (e.g., an officer is incapacitated from an injury during an incident)
 - h. Collect any creditable video evidence related to the UOF incident.
 - i. Ensure proper medical treatment is provided and documented. Ensure the person is transported to a medical facility in cases of: K-9 bites or less-lethal (kinetic energy round) impacts.
 - j. Assign any uninvolved personnel who did not witness the UOF to conduct a canvass and obtain names, statements or other pertinent information from witnesses to allow for follow-up.

- k. Contact medical personnel, when practical, who evaluated and/or provided treatment to the person for available information on the person's injuries or condition.
- l. Prepare a UOF Supervisor Investigation Form and narrative. **See Command Review and Endorsement procedures: Section- VII**

E. Category V: Deadly Force or In-Custody Death Incidents

- Any UOF resulting in death.
 - Any intentional firearm discharge at a person, regardless of injury.
 - Any force which creates a substantial risk of causing death.
 - Serious bodily injuries, to include loss of consciousness; protracted loss impairment, or serious disfigurement; or loss of any organ or bodily function (including paralysis).
 - Any unintentional firearms discharge when a person is injured as a result.
 - Any intentional impact weapon strike to the head.
1. Deadly Force Situations

In order to accomplish lawful objectives in a deadly force confrontation, officers are authorized to use force likely to cause death or great bodily harm:

 - a. To protect the officer or others from what is believed to be immediate threat of death or great bodily harm.
 - b. To prevent the escape of a fleeing forcible felon the officer reasonably believes will pose an immediate threat to human life should escape occur.
 - c. Where feasible, a police officer will give some warning before using deadly force to prevent the escape of someone who is fleeing (Tennessee v. Garner, 471 U.S. 1, 10S.Ct. 1694, 1985).

In the event of an officer involved shooting resulting in death or injury or an in-custody death, an outside agency may be called in to conduct an investigation. Professional Standards shall still conduct the internal investigation.

2. Deadly Force Guidelines

In deadly force situations where a firearm is necessitated, officers shall shoot as per firearm instructions.

- a. The firing of shots from a moving vehicle is prohibited unless objectively reasonable considering the totality of the circumstances.

- b. The firing shall be allowed only when objectively reasonably considering the totality of the circumstances.
 - c. The discharge of any firearm (other than with approval of a supervisor), whether intentional or accidental, other than at training or sporting events, shall be reported through the chain of command to the police chief and documented in an appropriate report.
 - d. Firearms may be used to dispatch sick or damaged animals with the approval of a supervisor, and shall be documented in a non-crime report (not a UOF report).
 - e. The firing of warning shots is prohibited.
 - f. Professional Standards must be notified whenever a weapon is discharged, except when dealing with animals.
3. Category V Supervisor Responsibilities
- These incidents require concurrent investigations by CID or an outside agency as appropriate and professional standards. In addition to the response requirements for a **Category IV** UOF as listed above, the following shall apply.
- a. On Scene Sergeant
 - 1) Maintain a Crime Scene Log as per GO 400.09.
 - 2) Notify the shift commander and Professional Standards.
 - 3) The supervisor shall not ask the involved personnel to provide a step-by-step narrative of the incident or to provide a motive for their actions.
 - 4) Coordinate the preliminary investigation with professional standards and CID investigators.
 - 5) Separate and prohibit communication between involved personnel and witnesses.
 - 6) Ensure involved personnel limit any discussion of the incident to information necessary for the investigation or the press release.
 - 7) Prepare a UOF Report.
 - b. Follow-Up Investigators Responsibilities

- 1) CID shall conduct a follow-up investigation and make all related reports available to Professional Standards.
 - 2) Notify the State's Attorney's Office (SAO) as soon as practical.
 - 3) Professional Standards shall conduct a concurrent but independent investigation and prepare a Use of Force/In-Custody Death Report.
- c. Shift Lieutenant Responsibilities
- 1) Respond to the scene and take command of the incident.
 - 2) Ensure proper scene management and a thorough preliminary investigation.
 - 3) Ensure to that the appropriate incident notifications as soon as possible.

VII. DUTY TO INTERVENE

Sworn Officers of the Peoria Police Department have an obligation to protect the public and other employees. It shall be the duty of every police officer present at any scene where physical force is being applied to either stop, or attempt to stop, another employee when their observations lead them to believe that the use of force being applied is inconsistent with this general order.

VIII. PROHIBITED USE OF FORCE

(720 ILCS 5/7-5.5)

Sec. 7-5.5. Prohibited use of force by a peace officer.

- (a) A peace officer shall not use a chokehold in the performance of his or her duties, unless deadly force is justified under Article 7 of this Code.
- (b) A peace officer shall not use a chokehold, or any lesser contact with the throat or neck area of another, in order to prevent the destruction of evidence by ingestion.
- (c) As used in this Section, "chokehold" means applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air.

(Source: P.A. 99-352, eff. 1-1-16; 99-642, eff. 7-28-16.)

IX. COMMAND REVIEW AND ENDORSEMENT

A. UOF Review (Sergeants) Responsibilities

1. Review the UOF packet and evaluate the UOF Report and ancillary documents for completeness, accuracy, and quality to ensure reports do not contain “boilerplate” or “pat” language without descriptive or explanatory details of the action. Return any reports that are incomplete or inadequate and ensure corrections are made.
2. Evaluate and document whether the UOF was in compliance with department policy and comment on any training and tactical issues, when appropriate.
3. Ensure the UOF Report has a UOF incident number.
4. Complete and sign a UOF Report signature page and forward the packet within four (4) calendar days to shift commander (lieutenant).

B. UOF Review (Lieutenant) Responsibilities

1. Supervisors shall review the circumstances of the incident with the involved personnel as necessary, and ensure the facts are consistent with the reporting level.
2. Order further investigation if necessary.
3. Conduct a thorough review of all documents to ensure completeness, accuracy, and quality, as required per this policy.
4. Prior to reducing a Category UOF to a lower Category UOF, a lieutenant shall ensure there is no injury requiring medical treatment (beyond first aid), or allegation of misconduct, and there is no indication the use of force was out of policy.

If notified of an allegation of excessive force, a supervisor shall conduct a preliminary investigation. If it is determined that excessive force occurred, the lieutenant shall initiate an internal investigation. Absent corroborating evidence to substantiate excessive force occurred, a supervisor shall document the results of the preliminary complaint investigation in a Special Report, if no Use of Force Report is completed.

5. Ensure the UOF Report packet contains the original UOF Report, copies of Offense/Supplemental reports, and copies of statements. Forward the packet to the division commander for review, within seven (7) days.
6. Upon approval, sign the reviewer box on the UOF report.

7. Document any extension approvals. The division commander shall ensure the administrative captain is notified of any approved extensions.
- C. Force Review Responsibilities (Training)
1. If a training issue arises from an incident, the shift lieutenant shall coordinate and/or direct training and a training memorandum should be completed and forwarded to the Training Unit.
 2. The Training Unit will arrange and document any training that cannot be accomplished at the division level.
 3. If a recommendation (e.g., policy revision, equipment evaluation, new department publication) arises from a UOF incident, the shift lieutenant shall prepare and forward a recommendation memorandum through the chain of command to the support services captain who shall forward it to the assistant chief of police.
- D. Category V Force Review Responsibilities
1. The CID captain shall conduct or require:
 - a. A follow-up investigation is conducted and proper reports are completed.
 - b. Review and forward reports to Professional Standards within 45 calendar days of the incident, unless extended by the chief or assistant chief.
- E. UOF Coordinator Responsibilities
1. Track UOF incidents using a Chronological Activity Log and the ADSI UOF Module Reports.
 2. Notify the appropriate commander if the UOF Report packet has not been received within 16 calendar days of the incident.
 3. Review the UOF Report and if it is returned for additional follow-up or clarification, the due date may be extended, as needed and documented in the Chronological Activity Log.
 4. Forward completed UOF Report packet to support services captain, within four (4) calendar days of receipt of a completed packet.
 5. Track the UOF report due date to ensure the timeliness of the investigation, and ensure the division commander has received the UOF Report packet. Contact support services captain and ascertain the delay if not received within 75 calendar days of the incident and notify the assistant chief of the delay.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way,

except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	401.05
<u>EFFECTIVE DATE</u>	November 13, 2014
SUBJECT	
District 150 School Resource Officer Position	<u>NUMBER OF PAGES</u>
	3
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	N/A
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Chief Jerry E. Mitchell

I. POLICY

- A. The Peoria Police Department is currently assisting Peoria Public School District 150 by providing a sworn officer to each one of the four (4) high schools. It is the intent of the Department to provide dedicated and professional officers to assist in providing a safe learning environment for the students being educated in our local public high schools. These officers will be titled School Resource Officers (SRO). Peoria Police Officers will work inside the schools on all school days during school hours. Peoria Police Officers will work with District 150 school staff to provide a professional level of law enforcement service for the students.
- B. Peoria Police Officers will be selected via the regular internal interview process to work inside the four (4) District 150 high schools. These officers will be assigned to the Uniformed Operations Division. SRO will also assist in the surrounding neighborhoods at the end of school to monitor students traveling home.
- C. SROs will provide a commissioned police presence inside the high schools. They will be responsible for ensuring the safety of students inside the schools and in the neighborhoods at school dismissal. SROs will be responsible for taking actions that would normally require police authority. SROs will not enforce school policy that falls outside the authority given to them via their official status as Peoria Police Officers in accordance with Federal and State laws.
- D. SROs shall abide by all District policies pertaining to District employees while on school property that by their nature are applicable to the Police Officer's position and function and that do not conflict with the policies/directives of the City.

II. ASSIGNMENT

- A. SROs will begin their yearly assignment in accordance with the school year beginning on August 15th. They will serve in the position for one and **one-half (1-1/2) years** with the first

term ending on December 21, 2015. All terms after December 2015 will be **two year** terms with a start date of January 2016. Officers wishing to re-apply for the position of SRO will need to re-apply in accordance with General Order *300.10 Transfer and Rotation*.

- B. SROs will be assigned a school by the Uniformed Operations Division Commander. Officers will not be allowed to use seniority or any other criteria to self-select their assignment. Officers may be moved from one school to another or to the Relief Position at the discretion of the Chief of Police or his designee.

III. HOURS OF WORK/DAYS OFF

- A. SROs will work an 8.25 hour shift that can be adjusted before the start of the school year to conform to changes in the District 150 school start and end times. In general, this time period will be 0715 hours-1530 hours. Officers will report to Police Headquarters at the start of their shift to pick up a squad car then report directly to their assigned high school.
- B. SROs will work in Patrol on any days when regular school is not in session (i.e., holiday vacations, teacher institutes, snow days, etc). These officers will work the general hours of 06:45-15:00 hours. During Dist 150 summer break officers will work the general hours of 1445-2300 with a two hour allowable variance either before or after the shift at the discretion of the Uniformed Operations Division Commander or his designee. SROs will be given a one week notice before their hours can be changed.
- C. During the District 150 school year, SROs will have Saturday/Sunday as days off. During the District 150 summer session, SROs will have Sunday/Monday as days off.
- D. On days when school has only a partial day session, SRO's may be asked to report to Patrol until the conclusion of their regular shift.

IV. ABSENCES

Scheduled absences of these officers will be covered by one of SROs that are assigned to the schools. One officer will serve as a relief officer during absences of the other SROs. When there are no absences, the Relief Officer will be assigned as needed to a District 150 school. The Relief Officer will also move from school to school to cover partial day absences (i.e. court). In the event that there is an unscheduled absence of one or more SROs, Officers may be dispatched to cover the school assignment as needed.

V. ENFORCEMENT OF LAWS AND MUNICIPAL ORDINANCES

- A. Peoria Police Officers assigned to work at a high school will enforce Federal, State, and municipal laws and ordinances. School rules and regulations will be enforced by District 150 employees.
- B. Peoria Police Officers assigned to, or covering District 150 high schools, will determine if an arrest is warranted in all school criminal matters which occur inside the school or on school

property. The Peoria Police Officers will use the same standards and procedures as they have used in the past when arresting a juvenile offender.

- C. Detectives will still be contacted when appropriate. Refer to the ***Peoria Police Department Juvenile Procedures Manual*** for additional information.

VI. REPORTS

SROs will complete police reports for incidents involving the schools. SRO's will not be required to fill out District 150 forms and reports. District 150 non-sworn officers can continue to do police reports as they have in the past with the following exceptions:

1. Peoria Police Officers shall complete an original report for all arrest reports.
2. Peoria Police Officers shall complete the original report for all serious crimes.
3. District 150 non-sworn officers shall complete a supplementary report to the arrest report or crime report when necessary to add pertinent information.
4. Cases requiring follow-up investigation should be forwarded to the regularly assigned SRO or Juvenile Detective if required.

VII. COLLECTION OF PHYSICAL EVIDENCE

A Peoria Police Officer will log any evidence collected during an arrest or crime investigation into the Department's Property Room. District 150 non-sworn officers will no longer be able to log evidence into the Department's Property Room; however they are able to tag property that is not evidentiary in nature such as found property which would be legal for any civilian to possess.

VIII. IN-SCHOOL TRAINING

SROs will be trained and certified to conduct Active Shooter Training. SRO's will facilitate and conduct Active Shooter Training in accordance with Illinois State Law for all required schools within the legally mandated time schedule. SROs may be required to conduct additional training based on new laws or needs of the School District and Police Department.

IX. NOTHING HEREIN SHALL PRECLUDE THE CHIEF OR DESIGNEE FROM AUTHORIZING EXCEPTIONS TO THIS ORDER, ON A CASE BY CASE, AS NEEDED BASIS.

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GENERAL ORDER

<u>NUMBER</u>	401.07
<u>EFFECTIVE DATE</u>	March 26, 2018
March 26, 2018	
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Use of Electronic Surveillance Equipment	5
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	11/13/14
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
43.1.4	N/A
<u>AUTHORITY</u>	Loren Marion III Interim Chief of Police

I. POLICY

The use of GPS tracking devices and overhear equipment is intended to enhance the investigative process and assist in the prosecution of criminal cases. GPS tracking devices and eavesdropping devices may also be utilized to ensure officer safety during high risk operations. The use of this equipment is very sensitive and the correct management and storage is of paramount importance.

II. LAW

- A. U.S. v Jones, 132S. Ct. 945 (2012): Requires law enforcement to get a warrant before utilizing a tracking device.
- B. 720 ILCS 5/14: Outlines how law enforcement is able to utilize eavesdropping devices.

III. DEFINITIONS

- A. *Tracking Device*: An electronic or mechanical device which permits the tracking of the movement of a person, vehicle or object.
- B. *Eavesdropping Device*: Any device capable of being used to hear or record oral conversation or intercept, retain, or transcribe electronic communications whether such conversation or electronic communication is conducted in person, by telephone, or by any other means.
- C. *Electronic Communication*: Any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, pager, computer, electromagnetic, photo electronic or photo optical system, where the sending and receiving parties intend the electronic communication to be private and the interception, recording, or transcription of the electronic communication is accomplished in a surreptitious manner.
- D. *Sign-out Log*: A sign-out log shall be created for the electronic surveillance equipment and shall indicate the officer's name requesting to use the equipment and the name of the

supervisor approving its use. The log shall include the following fields; the target vehicle description including color, make/model, and registration, warrant date, date signed out/date returned and case number if applicable. If the equipment is intended to be used on an object a full description of the object and its original location shall be described.

IV. PROCEDURES FOR USE USING

A. GPS Tracking Devices

1. Only officers trained in the use of GPS tracking devices shall be allowed to sign-out and utilize the devices.
2. GPS equipment shall be secured in a locked cabinet located in SID and CID. Keys to the cabinets shall be secured in the safes located in the respective Lieutenant's offices.
3. Prior to signing out a GPS tracking device, the requesting officer shall inform his or her supervisor of the intended use. If the supervisor concurs with the use of the tracking device, the officer shall complete a complaint for tracking warrant and tracking warrant.
4. The supervisor shall review the signed warrant prior to issuing the tracking device.
5. The officer must sign out the tracking device using the sign out log. If the tracking device is intended to be used for a package or other object, a complete detailed description shall be provided.
6. The officer executing a tracking warrant must complete a report documenting the date and time the device was installed.
7. Exceptions exist to the warrant requirement for utilization of GPS tracking devices:

Consent: The owner or any individual who demonstrates joint access or control of the vehicle can grant consent to officers to install a GPS tracking device on a vehicle. Under the consent exception, reasonable suspicion or probable cause of criminal activity is not necessary. This also applies to internal use of GPS tracking devices on City owned vehicles. A Consent Form shall be completed and signed by the person granting consent.

B. Eavesdropping Devices

1. Only officers trained and authorized to use eavesdropping devices shall be allowed to utilize them.
2. Eavesdropping equipment shall be secured in a locked cabinet in SID. The key to the cabinet shall be secured in the SID lieutenant's office.

3. Prior to using eavesdropping equipment, the requesting officer shall inform his supervisor of the intended use. If the supervisor concurs, the officer must complete all applicable fields on the sign out log. The officer shall sign the equipment back in when they have completed their investigation.
4. Illinois is a two party consent state, meaning that it is illegal to use an eavesdropping device for the purpose of hearing or recording all or any part of any conversation, or intercept, retain, or transcribe electronic communication unless all parties to such conversation or electronic communication have consented. In the absence of a warrant, there are some statutory exemptions to the consent rule that apply to law enforcement and the use of eavesdropping devices:
 1. The Illinois eavesdropping law is outlined in Section 720 ILCS 5/14. Exceptions to the law are outlined in paragraph (h), which permits oral recording of a conversation (recordings made simultaneously with a video recording of an oral conversation between a peace officer who has identified his office, and a person stopped for an investigation of an offense under the Illinois Vehicle Code [IVC]). Officers may video record without sound any enforcement stop or citizen or if a patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.
 2. With prior notification to the State's Attorney's Office, recording or listening with the aid of an eavesdropping device to any conversation where a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party and has consented to such recording or listening, where it is **necessary for the protection of the law enforcement officer or any person acting at the direction of law enforcement** in the course of an investigation of a forcible felony and other offenses listed in 720 ILCS 5/14-3(g). Any recording or evidence derived as a result of this exemption shall be inadmissible in any proceeding, criminal, civil or administrative, except where a party to the conversation suffers great bodily injury or is killed during such conversation, or when used in direct impeachment of a witness concerning matters contained in the interception or recording.
 3. With approval of the State's Attorney's Office, recording or listening with the aid of an eavesdropping device to any conversation where a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party and has consented to such recording or listening in the course of an investigation of involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons for forced labor or services, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal

sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age. In all such cases, an application for an order approving the previous or continuing use of an eavesdropping device must be made within 48 hours of the commencement of such use.

4. Recording or listening to an audio transmission from a microphone placed by a person under the authority of a law enforcement agency inside a bait car surveillance vehicle while simultaneously capturing a photographic or video image.
5. The use of an eavesdropping camera or audio device during an ongoing hostage or barricade situation by a law enforcement officer or individual acting on behalf of a law enforcement officer when the use of such a device is necessary to protect the safety of the general public, hostages, or law enforcement officers or anyone acting on their behalf.
6. With prior request to and verbal approval of the State's Attorney's Office, recording or listening with the aid of an eavesdropping device to any conversation where a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party and has consented to such recording or listening in the course of an investigation of a drug offense. The State's Attorney may grant this verbal approval only after determining that reasonable cause exists to believe that a drug offense will be committed by a specified individual or individuals within a designated period of time. To invoke this exemption the officer shall make a written or verbal request to the State's Attorney, which will include, at a minimum, the following information about each individual whom the officer believes will commit a drug offense:
 - a. His or her full or partial name, nickname, or alias
 - b. A physical description; or
 - c. Failing a. or b., any other supporting information known to the officer at the time of the request that gives rise to reasonable cause to believe the individual will commit a drug offense.

Each verbal approval by the State's Attorney shall be limited to a recording or interception conducted by the officer or his or her agent containing conversations with the individuals specified in the request for approval, provided that the verbal approval shall be deemed to include the recording or

intercepting of conversations with other individuals, unknown to the officer at the time of the request for approval, who are acting in conjunction with or a co-conspirators with the individuals specified in the request for approval in the commission of a drug offense for a reasonable period of time no longer than 24 hours. This section will no longer be Illinois law as of January 1, 2015.

C. Procedures for Internal Investigations

1. Due to necessity (internal confidentiality), it may be necessary in an internal investigation to bypass certain procedures such as the use of the sign out log.

The use of electronic surveillance equipment may be utilized for the purpose of an internal investigation only when all of the below requirements are met:

- a. When lawful
- b. When necessary for official purposes
- c. When authorized in writing by the chief of police or his designee.

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GENERAL ORDER

<u>NUMBER</u>	401.09
<u>EFFECTIVE DATE</u>	March 26, 2018
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Use of Force Review Board	4
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	4/8/15; 11/6/16;
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
4.2.2, 4.2.4	GO 401.04, 400.36; 490 U.S. 386
<u>AUTHORITY</u>	Loren Marion III Interim Chief of Police

I. PURPOSE (4.2.2)

Recognizing that Use of Force (UOF) incidents will occur despite all preventative efforts as a part of police work, this order establishes the following responsibilities and procedure:

- The establishment of a Use of Force Review Board of department members to review and assess all incidents in which officers use force at levels II through level V.
- Level I UOF incidents will be reviewed if a subject is alleging force was used by the officer at a higher level.
- Identification of patterns relative to specific officers or in general that require intervention (non-disciplinary) measures for improvement.
- Ensure that the department stays current on industry best practices relative to UOF.

II. POLICY

A. Board Composition

The UOF Review Board shall consist of the following 11 voting members: The uniformed operations captain (chairman), the department designated UOF coordinator (supervisor designated by the chief of police), three (3) patrol lieutenants (one from each patrol shift), CID and SID lieutenants, the training sergeant, a department defensive tactics instructor, a patrol officer, and a member of the city's Legal Department.

The president of the Peoria Police Benevolent Association (or his designee from the Executive Board) shall be an ex-officio, nonvoting member.

B. Board Meeting Procedures

1. The board shall meet quarterly, but may meet more frequently based on a recommendation by the board chairman or coordinator. The meetings will be called by the chairman.
2. No meeting of the UOF Review Board shall be held unless a quorum of six (6) voting members is present. The chairman's vote will decide any ties.
3. A police department administrative assistant will be present during board meetings for the purpose of creating meeting records. The UOF Review Board chairman will be responsible for maintaining all records relevant to the Board.
4. UOF Review Board members are required to keep all discussion relevant to UOF incidents confidential. Release of information internally or externally in any form will be grounds for disciplinary action.

C. Board Incident Review Procedures

The UOF Review Board will determine a classification for reported incidents of UOF, based solely on the particular incident under consideration.

1. The UOF Review Board will review all records relevant to the incident, including video/audio evidence, before voting on a classification.
2. The UOF Review Board may request additional information for a case they feel is incomplete, and defer a ruling until the next meeting. In the event additional information is requested, the case will be returned to the involved officer's shift commander, who will have the responsibility of ensuring proper follow-up is completed.
3. The UOF Review Board will not simultaneously review UOF incidents that are being investigated by professional standards.
 - a. The UOF Review Board will not have any authority to intercede in a professional standards investigation.
4. UOF classifications are based upon the Graham v Connor (490 U.S. 386) standards:
 - a. Conforms with Policy and Law
 - b. Refer for Administrative Review

5. The UOF Review Board may recommend the following actions for incidents:
 - a. Training for a specific officer
 - b. Training for the department, division, unit, or shift
 - c. Policy review
 - d. Review of the incident by the chief of police for a professional standards investigation.
 - e. Moving an officer from an assignment that by its nature is more likely to result in UOF incidents.

The UOF Review Board Chairman is responsible for follow up and documentation of these recommendations.

6. The chief of police (or his designee) must approve all rulings and recommendations made by the UOF Review Board before finalization.
7. Recommendations by the UOF Review Board will be directed through the appropriate chain of command.
8. The UOF Review Board will not have authority to recommend discipline.

D. Rights of Personnel Involved

1. Officers and supervisors will be notified in writing no less than five (5) days prior to the scheduled UOF Review Board meeting that the board is reviewing an incident in which they used force on an individual.
 - a. They will have the right to address the board during the meeting relative to their specific UOF incident.
 - b. Board members may ask clarifying questions of the officers/supervisors.
 - c. The officers and supervisors whose incidents are being reviewed will not be present during the voting portion of the meeting or during the review of any incidents except while the officer is discussing their incident.

- d. Legal representation (other than the city corporate council) for officers or supervisors involved in a UOF incident will not be allowed to attend any portion of a UOF Review Board meeting.
2. Officers and supervisors who have a UOF incident reviewed by the board will be notified of the board's ruling in writing.

E. Annual Review (4.2.4)

The UOF Review Board will review statistical information regarding the departments UOF annually during the month of November. The UOF coordinator will be responsible for delivering a written report containing any recommendations or observations for improving the UOF department practices to the chief of police no later than January 7th annually.

This directive provides general guidelines to personnel regarding proper practices and is for internal use only. It is not intended to enlarge an officer's criminal or civil liability in any way, except as to any disciplinary action that might arise. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	401.10
<u>EFFECTIVE DATE</u>	March 8, 2015
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Lineup Procedures	9
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	N/A
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Jerry E. Mitchell, Chief of Police

I. PURPOSE

The purpose of this policy is to establish clear guidelines on the procedures for conducting lineups (photo and live).

II. POLICY

The Peoria Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent. When conducting a photo lineup, the officer/ detective administering a photo lineup procedure may use either a sequential or simultaneous lineup.

III. LAW

725 ILCS 5/107A-2: Establishes specific guidelines for lineup procedures.

IV. DEFINITIONS

- A. **Eyewitness:** a person viewing the lineup whose identification by sight of another person may be relevant in a criminal proceeding.
- B. **Filler:** a person or a photograph of a person who is not suspected of an offense and is included in a lineup.
- C. **Independent Administrator:** a lineup administrator who is not participating in the investigation of the criminal offense and is unaware of which person in the lineup is the suspected perpetrator.
- D. **Lineup:** includes a photo lineup or live lineup.
- E. **Lineup administrator:** the person who conducts a lineup.

- F. **Live Lineup:** a procedure in which a group of persons is displayed to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime, but does not include a show up.
- G. **Photo lineup:** a procedure in which photographs are displayed to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime.
- H. **Sequential lineup:** a live or photo lineup in which each person or photograph is presented to an eyewitness separately, in a previously determined order, and removed from the eyewitness's view before the next person or photograph is presented, in order to determine if the eyewitness is able to identify the perpetrator of a crime.
- I. **Show up:** a procedure in which a suspected perpetrator is presented to the eyewitness at, or near, a crime scene for the purpose of obtaining an immediate identification.
- J. **Simultaneous lineup:** a live or photo lineup in which a group of persons or array of photographs is presented simultaneously to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime.

V. PRIOR TO CONDUCTING LINEUPS

- A. The eyewitness shall be instructed that:
 - (1) The lineup will be audio and video recorded for the purpose of accurately documenting all statements made by the eyewitness, unless the eyewitness refuses to the video recording of the lineup.
 - (2) The perpetrator may or may not be presented in the lineup.
 - (3) The independent administrator of the lineup does not know the suspected perpetrator's identity.
 - (4) The eyewitness should not feel compelled to make identification.
 - (5) It is as important to exclude innocent persons as it is to identify a perpetrator.
 - (6) The investigation will continue whether or not identification is made.
- B. The eyewitness shall acknowledge in writing the receipt of the instructions and, if applicable, the refusal to be recorded.
- C. If the eyewitness refuses to sign the acknowledgement, the lineup administrator shall note the refusal of the eyewitness to sign the acknowledgement and shall also sign the acknowledgement.

VI. METHODS OF ADMINISTERING LINEUPS

- A. All lineups shall be conducted using one of the following methods:
 - (1) An independent administrator, unless it is not practical.
 - (2) An automated computer program or other device that can automatically display a photo lineup to an eyewitness in a manner that prevents the lineup administrator from seeing which photograph or photographs the eyewitness is viewing until after the lineup is completed. The automated computer program may present the photographs to the eyewitness simultaneously or sequentially.
 - (3) A procedure in which photographs are placed in folders, randomly numbered, and shuffled and then presented to an eyewitness such that the lineup administrator cannot see or know which photograph or photographs are being presented to the eyewitness until after the procedure is completed. The photographs may be presented to the eyewitness simultaneously or sequentially.
 - (4) Any other procedure that prevents the lineup administrator from knowing the identity of the suspected perpetrator or seeing or knowing the persons or photographs being presented to the eyewitness until after the procedure is completed.

VII. PROCEDURES FOR SHOWING A SEQUENTIAL LINEUP

- A. Solely at the eyewitness's request, the lineup administrator may present a person or photograph to the eyewitness an additional time but only after the eyewitness has first viewed each person or photograph one time.
- B. If the eyewitness identifies a person as a perpetrator, the lineup administrator shall continue to sequentially present the remaining persons or photographs to the eyewitness until the eyewitness has viewed each person or photograph.

VIII. PROCEDURES FOR MULTIPLE WITNESSES

- A. When practicable, the lineup administrator shall separate all eyewitnesses in order to prevent the eyewitnesses from conferring with one another before and during the lineup procedure.
- B. If separating the eyewitnesses is not practicable, the lineup administrator shall ensure that all eyewitnesses are monitored and that they do not confer with one another while waiting to view the lineup and during the lineup.
- C. Each eyewitness shall perform the identification procedures without any other eyewitness present.
- D. Each eyewitness shall be given instructions regarding the identification procedures without other eyewitnesses present.

IX. RULES FOR COMPOSING LINEUPS

- A. The lineup shall be composed to ensure that the suspected perpetrator does not unduly stand out from the fillers.
- B. Only one suspected perpetrator shall be included in a lineup.
- C. The suspected perpetrator shall not be substantially different in appearance from the fillers based on the eyewitness's previous description of the perpetrator or based on other factors that would draw attention to the suspected perpetrator.
- D. At least five (5) fillers shall be included in a photo lineup, in addition to the suspected perpetrator.
- E. When practicable, at least five (5) fillers shall be included in a live lineup, in addition to the suspected perpetrator, but in no event shall there be less than three (3) fillers in addition to the suspected perpetrator.
- F. If the eyewitness has previously viewed a photo lineup or live lineup in connection with the identification of another person suspected of involvement in the offense, the fillers in the lineup in which the current suspected perpetrator participates shall be different from the fillers used in the prior lineups.
- G. If there are multiple eyewitnesses, subject to the requirements in Section VI of this general order and to the extent possible, the suspected perpetrator shall be placed in a different position in the lineup or photo array for each eyewitness.
- H. When using a photo lineup, the photograph of the suspected perpetrator shall be contemporary in relation to the photographs of the fillers and, to the extent practicable, shall resemble the suspected perpetrator's appearance at the time of the offense.

X. RULES FOR ADMINISTERING LINEUPS

- A. Nothing shall be communicated to the eyewitness regarding the suspected perpetrator's position in the lineup or regarding anything that may influence the eyewitness's identification.
- B. No writings or information concerning any previous arrest, indictment, or conviction of the suspected perpetrator shall be visible or made known to the eyewitness.
- C. Any non-consenting party entering the recording area during an electronically recorded interview shall be given notice that electronic recording is occurring.
- D. During a live lineup, any identifying actions, such as speech, gestures, or other movements, shall be performed by all lineup participants.

- E. When conducting a live lineup, all lineup participants must be out of view of the eyewitness prior to the lineup.
- F. The lineup administrator shall obtain and document any and all statements made by the eyewitness during the lineup as to the perpetrator's identity.
- G. When practicable, an audio and/or video recording of the statements shall be made.
- H. If the eyewitness identifies a person as the perpetrator, the eyewitness shall not be provided any information concerning the person until after the lineup is completed.
- I. Unless allowed under Section VI of this general order, there shall not be anyone present during a lineup who knows the suspected perpetrator's identity, except the eyewitness and the suspected perpetrator's counsel if required by law.

XI. REQUIREMENTS OF THE LINEUP ADMINISTRATOR

- A. The lineup administrator shall make an official report of all lineups, which shall include all of the following information:
 - (1) All identification and non-identification results obtained during the lineup, signed by the eyewitness, including any and all statements made by the eyewitness during the lineup as to the perpetrator's identity as required by Section X (F) of this general order. If the eyewitness refuses to sign, the lineup administrator shall note the refusal of the eyewitness to sign the results and shall also sign the form.
 - (2) The names of all persons who viewed the lineup.
 - (3) The names of all law enforcement officers and counsel present during the lineup.
 - (4) The date, time, and location of the lineup.
 - (5) Whether it was a photo lineup or live lineup and how many persons or photographs were presented in the lineup.
 - (6) The sources of all persons or photographs used as fillers in the lineup.
 - (7) In a photo lineup, the actual photographs shown to the eyewitness shall be tagged as evidence.
 - (8) In a live lineup, a photograph or other visual recording of the lineup that includes all persons who participated in the lineup shall be taken and tagged as evidence.
 - (9) All forms filled out by the lineup administrator shall be tagged as evidence.

- (10) If applicable, the eyewitness's refusal to be recorded.
- (11) If applicable, the reason for any impracticability in strict compliance with 725 ILCS 5/107A-2.

XII. RECORDING OF LINEUPS

- A. Unless it is not practical or the eyewitness refuses, a video record of all lineup procedures shall be made.
- B. If a video record is not practical or the eyewitness refuses to allow a video record to be made, the reasons or the refusal shall be documented in the official report required under Section XI of this general order. The lineup administrator shall also complete the Peoria Police Department "Request not to record lineup" form
- C. If an eyewitness refuses to be video recorded, the eyewitness shall be audio recorded, if practical; and if it is a live lineup, the lineup shall be photographed.
- D. If an audio record is not practical, the reasons shall be documented in the official report required under Section XI of this general order.

XIII. SUPERVISOR RESPONSIBILITY

Supervisors who manage officers/detectives conducting lineups shall ensure officers/detectives follow established procedures when conducting the lineup.

This directive provides general guidelines to personnel regarding Department practices and is for internal use only. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in an employment related proceeding.

Case # _____

PEORIA POLICE
LINEUP ADVISORY FORM

I, _____, agree to view a lineup/photo spread
(Printed name of person viewing lineup)

administered by _____
(Name of Administrator)

at _____ on _____, _____ AM/PM.
Location of Lineup) (Date) (Time)

I understand the following:

- 1) This lineup is being audio/video recorded to accurately document all statements made by me unless I refuse to be video recorded.
- 2) The suspect may or may not be presented in the lineup/ photo spread.
- 3) The officer presenting the lineup/ photo spread does not know the suspected perpetrator's identity.
- 4) I am not required to make identification.
- 5) It is as important to exclude innocent persons as it is to identify a perpetrator.
- 6) This investigation will continue whether or not identification is made.

(Signature of person viewing lineup)

(Date) / (Time)

(Lineup Administrator)
Peoria Police Department

Revised: 01/2015

PEORIA POLICE
LINEUP ADMINISTRATOR FORM

On _____ I, _____ administered a
(Date) (Print name)

photo/ live lineup pursuant to Peoria Police incident #_____.
(Report number)

This lineup was administered at the request of _____
(Person requesting lineup)

in further investigation of the aforementioned case. I had no prior knowledge of the identity of the potential suspect in this case prior to administering the lineup, nor did I have any involvement in the creation or procurement of said lineup.

Printed Name _____

Signature _____

Date _____

Case # _____

PEORIA POLICE
REQUEST NOT TO RECORD LINEUP FORM

I, _____, do hereby request
(Printed name of person viewing lineup)
_____ not to video record any portion of the
(Name of Administrator)

Line up I am about to view at _____ on _____,
Location of Lineup (Date)
_____ AM/PM
(Time)

I understand there is a preference under the law [725 ILCS 107A-2(f)(10)] that this procedure is to be recorded.

No police officer has suggested in any way that I should refuse to have this lineup recorded.

The refusal to have this lineup recorded is my personal preference.

(Signature of person viewing lineup/photo spread)

/ _____
(Date) (Time)

(Witness)

(Lineup Administrator)
Peoria Police Department



GENERAL ORDER

<u>NUMBER</u>	401.12
<u>EFFECTIVE DATE</u>	September 28, 2015
SUBJECT	
Intranasal Naloxone (Narcan)	<u>NUMBER OF PAGES</u>
6	<u>DISTRIBUTION</u>
Commissioned Personnel	<u>SUPERSEDES</u>
N/A	<u>CALEA REFERENCE</u>
N/A	<u>OTHER REFERENCE</u>
AUTHORITY	Jerry E. Mitchell Chief of Police

I. POLICY

It is the policy of the Peoria Police Department that all officers are required to be trained in the use of the nasal naloxone by the Central Illinois Police Training Center (MTU #7) or designee, pursuant to 20 ILCS 301/5-23 (Public Act 96-361) and the Illinois Department of Human Services guidelines.

II. PURPOSE

To establish guidelines and regulations governing utilization of the nasal naloxone administered by the Peoria Police Department. The objective is to treat opioid overdoses and reduce fatalities due to opioid overdoses.

III. DEFINITION

Naloxone (Narcan) – An opioid antidote such as naloxone hydrochloride or any other similarly acting and equally safe drug approved by the US Food and Drug Administration for the treatment of drug overdoses. (20 ILCS 301/5-23 (d)(4)).

IV. NALOXONE ADMINISTRATION PROGRAM

- A. The Illinois Drug Overdose and Prevention Program (20 ILCS 301/5-23) authorizes the institution of education and training projects on drug overdose response and treatment for emergency services and law enforcement personnel, in an effort to reduce the death rate from drug overdoses.
- B. The Central Illinois Police Training Center (MTU #7) is overseeing the training of Peoria Police officers in the administration of Naloxone (Narcan), an opioid antidote that is effective in preventing death during a drug overdose. Peoria police officers are authorized to administer and shall report any Naloxone administration as directed in section VII below.

- C. The Peoria Police Department authorizes trained sworn police officers to administer Naloxone, after those officers have received the required training program from the Central Illinois Police Training Center (MTU #7) or their designee.
- D. The Illinois Drug Overdose and Prevention Program (20 ILCS 301/5-23) authorizes persons who are not licensed to administer an opioid antidote may in an emergency administer an opioid antidote. The person shall not, as a result of his or her acts or omissions, be liable for any violation of the Medical Practice Act of 1987, the Physician Assistant Practice Act of 1987, the Nurse Practice Act, the Pharmacy Practice Act, or any other professional licensing statute, or subject to any criminal prosecution arising from or related to the unauthorized practice of medicine or the possession of an opioid antidote.
- E. The Support Services Captain shall administer the Naloxone Administration Program, and is responsible for:
 - 1. Ensuring initial training is done
 - 2. Ensuring any needed refresher training is done
 - 3. Reporting incidents to the Illinois Department of Human Services
 - 4. Maintaining the Department's supply of Naloxone

V. ISSUANCE

The Peoria Police Department will issue the Nasal Naloxone kit to each officer in the following units / assignments or location:

- A. Uniform Patrol
- B. Traffic Unit
- C. Neighborhood Services Unit (SRO's, Resident Officers & Nuisance Abatement Officers)
- D. Any other commissioned personnel designated by the Chief of Police

In addition, one kit will be located in the information office sergeant's desk

VI. NALOXONE USE

- A. When using the nasal naloxone kit, Officers shall use universal precautions and protections from blood borne pathogens and communicable diseases when administering naloxone. Officers should be cognizant of the presence of needles, sharp objects, drugs, and drug paraphernalia near a possible drug overdose patient.
- B. Officers shall conduct a patient assessment which may include but may not be limited to determining unresponsiveness, absence of breathing and or pulse and other indications of an opiate-induced overdose.
- C. After the patient assessment, officers shall administer the medication following established training guidelines. Officers shall follow the protocol and training guidelines as provided by Central Illinois Police Training Center (MTU #7) Naloxone (Narcan) training and in compliance with 20 ILCS 301/5-23.

- D. The officer shall inform the Emergency Communication Center that the patient is in a potential overdose state and request an ambulance.
- E. The officer shall immediately inform responding EMS/paramedics that he/she has administered naloxone and the number of doses used.
- F. Officers shall dispose of used naloxone vials / syringes and nasal dispersing tips by depositing them in a sharps container either in an ambulance or at a hospital.

VII. MAINTENANCE, INSPECTION AND REPLACEMENT

- A. An inspection of the Nasal Naloxone kit shall be the responsibility of the personnel assigned the equipment and will be conducted each shift.
- B. Each kit shall contain one dose of naloxone. Due to the fact that naloxone is sensitive to extreme temperature, officers shall carry and maintain their naloxone kits to ensure consistent and proper temperature levels and avoid degrading naloxone's effectiveness. Kits should not be placed in the trunks of police vehicles. Officers shall store naloxone kits within the police vehicle's passenger compartment while on duty.
- C. Naloxone kit inspection is the individual officer's responsibility. Supervisors should also regularly inspect the kits as part of normal inspections.
- D. Officers shall report lost, damaged, opened or used Naloxone kits to their immediate supervisor. The supervisor shall forward a request to the Support Services Captain.
- E. Replacement: Upon administering Nasal Naloxone and or supporting documentation.

VIII. DOCUMENTATION / NASAL NALOXONE REPORT

- A. Following naloxone administration, the officer shall submit an incident report detailing the nature of the incident, the care the patient received, and the fact that the naloxone was deployed. Evidence collection reporting procedures shall be followed when evidence is collected.
- B. The officer is responsible for completion of the Illinois Department of Human Services Drug Overdose Reversal and Naloxone Administration Reporting Form (Attachment A). The form shall be submitted for approval along with all other paperwork related to the incident.
- C. The patrol lieutenant shall forward a copy of the reports to the Support Services Captain or his/her designee.
- D. The Support Services Captain or designee shall ensure a copy of the report is forwarded to the Illinois Department of Human Services and in compliance with program guidelines and 20 ILCS 301/5-23.

IX. STORAGE OF NALOXONE KITS

The Department shall ensure Naloxone kits are stored in a manner that they are immediately available to trained police officers and are properly safeguarded from extreme temperature changes that may affect the effectiveness and integrity of the medication.

X. NOTHING HEREIN SHALL PRECLUDE THE CHIEF OR DESIGNEE FROM AUTHORIZING EXCEPTIONS TO THIS ORDER, AS NECESSARY ON A CASE BY CASE BASIS.

This directive provides general guidelines to personnel regarding Department practices and is for internal use only. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in an employment related proceeding.



OVERDOSE REVERSAL AND NALOXONE ADMINISTRATION REPORTING FORM

(THIS FORM IS TO BE COMPLETED WITHIN FIVE (5) BUSINESS DAYS OF NALOXONE ADMINISTRATION.)

Program Name: _____	Site Name: _____	Date: _____		
Name of Trained Overdose Responder: _____				
Use of Naloxone During Emergency Drug Overdose				
How many doses of naloxone did you use? _____	How was naloxone given? _____			
Date naloxone was used (MM/DD/YY): _____	If exact day is unknown, please provide month and year (MM/YY): _____			
Location of Use/Location of Overdose				
County: _____	Town/Neighborhood: _____	Zip Code: _____		
Was this location? _____				
About the Overdoser/Is the Overdoser? (Check all that apply)				
<input type="checkbox"/> Male	<input type="checkbox"/> Transgender	<input type="checkbox"/> Unknown Sex		
<input type="checkbox"/> Female	<input type="checkbox"/> Intersex	<input type="checkbox"/> Other If Other Please Specify: _____		
Is the Overdoser (Check all that apply)				
<input type="checkbox"/> African-American/Black	<input type="checkbox"/> Hispanic/Latino(s)	<input type="checkbox"/> Caucasian/White	<input type="checkbox"/> Other Race/Ethnicity	
<input type="checkbox"/> Asian/Pacific Islander	<input type="checkbox"/> Native American	<input type="checkbox"/> Unknown	Please Specify: _____	
About how old is the overdoser? (Use your best guess) _____ years old				
What Drugs Had Been Used/Did the Overdoser (Check all that apply)				
<input type="checkbox"/> Inject Heroin	<input type="checkbox"/> Sniff Heroin			
<input type="checkbox"/> Not Use Heroin	<input type="checkbox"/> Not Sure if Heroin was Used	(Please Specify) _____		
Was the Overdoser Using Anything Else? (Check all that apply)				
<input type="checkbox"/> Methadone	<input type="checkbox"/> Amphetamine	<input type="checkbox"/> Alcohol	<input type="checkbox"/> Unknown	<input type="checkbox"/> Use Heroin, But How is Unknown
<input type="checkbox"/> Pain Pills	<input type="checkbox"/> Cocaine	<input type="checkbox"/> Benzos	<input type="checkbox"/> Other Drugs	Please Specify: _____
Condition of Overdoser				
Was overdoser conscious before naloxone was used? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown				
Was overdoser breathing before naloxone was used? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown				
Actions Taken				
Was rescue breathing performed? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown				
Were Emergency Medical Services (911) contacted? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown				
Did Emergency Medical Services assist in overdose? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown				
Outcome				
Did the overdoser survive? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown				
Other Information				
Please provide any information that would be helpful in describing the overdose: _____				



State of Illinois
Department of Human Services - Division of Alcoholism and Substance Abuse

ATTACHMENT A

OVERDOSE REVERSAL AND NALOXONE ADMINISTRATION REPORTING FORM

Signature of Program Director and Health Care Professional

Program Director's Signature

Date

Program Director's Printed Name

Date

Health Care Professional's Signature

Date

Health Care Professional's Printed Name

Date



GENERAL ORDER

<u>NUMBER</u>	401.13
<u>EFFECTIVE DATE</u>	October 5, 2015
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Responding to and Handling of ShotSpotter Incidents	4
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	N/A
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
N/A	N/A
<u>AUTHORITY</u>	Jerry E. Mitchell Chief of Police

I. POLICY

The Peoria Police Department utilizes the services of SST, Inc. through implementation of their ShotSpotter Gunfire Location, Alert and Analysis Service. The intent of this program is to enhance the Department's ability to respond effectively to and investigate violent crime involving gunfire. The system uses audio sensors placed in selected areas to identify the location of gunshots. ShotSpotter incidents may be replayed to hear the actual audio component of the incident, aid in the collection of evidence at crime scene, and aid in the investigation and prosecution of crimes. The purpose of the system is to reduce violent crime and incidents of indiscriminate gunfire in the City of Peoria and to be incorporated into the Department's overall violent crime reduction efforts.

II. PURPOSE

The Purpose of this directive is to create consistent policies and procedures for the receipt, dispatch, and investigation of gunfire incidents that are received by agency personnel using the ShotSpotter Gunfire Location, Alert and Analysis Service.

Commentary: The ShotSpotter Gunfire Location, Alert and Analysis Service (ShotSpotter) is a reliable and accurate means for law enforcement to have greater and faster awareness of gunfire and explosion incidents occurring within their jurisdiction. The technology and combination of real-time alerts and accumulated data with accurate incident locations significantly changes how law enforcement officers respond and investigate these incidents. The ShotSpotter increases the reporting and awareness of these incidents, provides precise location information of each incident within seconds of the discharge(s). Fast, accurate audio information captured with an acoustic surveillance system can provide invaluable situational intelligence that can illustrate the severity of an incident which is critical to determine the appropriate level of field response. It will also better prepare first responders so they can safely manage a gunfire or explosives event which can include the dispatching of medical emergency personnel, investigative units, crime scene investigators and additional support units. ShotSpotter allows multiple entities within an agency to have simultaneous access to current, and historical incident information. This information access can create an

environment where illegal gunfire and explosives can be comprehensively addressed on a short term basis (tactical/operational) and a long term basis (strategic). These previously unavailable benefits change the dynamics involved with the receipt, dispatch, and investigation of gunfire incidents

III. PROCEDURE

- A. When a ShotSpotter alert notification is received by either a mobile console or dispatch console the initial receiving party will announce the notification on the main dispatch radio channel; responding units will identify themselves and the location from where they are responding.
- B. The Emergency Communications Center (ECC) will update with a radio broadcast any pertinent information related to the notification for the benefit of responding units and those units not equipped with the ShotSpotter alert notification software.
- C. Responding units will activate their in-car camera and approach the scene utilizing a tactical approach bearing in mind that the perpetrator may still be armed and on-scene.
- D. The decision to clear the air with the alert toner will be at the discretion of the responding officer or ECC, dependent upon circumstances.
- E. The initial officer on the scene will assume command of the call until relieved by a supervisor.
- F. Once officers establish there is no immediate threat at the scene a thorough search for victims will be conducted and appropriate medical aid rendered.
- G. A thorough search for evidence shall be conducted. The search, at a minimum, shall begin with the coordinates provided by the ShotSpotter alert and a radius of 82 feet in all directions from the center point. The search shall also include an examination of the scene for projectile strikes, projectiles and other evidence related to the discharge of a firearm and related crimes. Officers shall be mindful that their in-car video footage may contain data pertinent to the investigation.
- H. Officers on scene will actively seek witnesses, including canvassing nearby residences, and document their statements in a police report. While at the scene, officers will review the ShotSpotter audio files and other information provided on the ShotSpotter alert report. If needed, officers at the scene will confer with the ECC regarding the exact location of the identified firearm discharge location.
- I. A police report will be completed on all ShotSpotter alerts. That report, at a minimum, shall include the following information:
 1. Suspect information, including identification, if he/she was contacted or arrested.
 2. Documentation of any evidence located and/or recovered.
 3. Identity and location of witnesses.

4. The ShotSpotter ID number generated by ShotSpotter will be documented in the report.
 5. ShotSpotter shall be listed as a business entry utilizing the ADSi MNI database: ShotSpotter, 7979 Gateway Blvd., Suite 210, Newark, CA 94560-1156; 1-510-794-3100
- J. Each ShotSpotter alert notification and ShotSpotter ID number shall be documented in the Significant Events by the patrol commander.
- K. Officers may communicate directly with ShotSpotter technicians via the chat function and email, available in both the Alert and Investigative portals, to address problems or make inquiries regarding the program's performance and operation.

IV. INVESTIGATIONS

- A. Any officer assigned follow-up investigations of incidents where a ShotSpotter alert notification was received shall review the incident via the ShotSpotter Investigator portal and utilize any historical data captured pertinent to the investigation.
- B. ShotSpotter sensors hold audio for a period of 72 hours. Generally, ShotSpotter only publishes 8 seconds of audio to the Investigator Portal. In situations where additional audio may be of value to the investigation, officers will contact ShotSpotter as soon as possible, within the 72 hour incident window, and request that the additional audio beyond the 8 seconds published be downloaded from the sensors. Officer should be specific in their request to ShotSpotter and limit the timeframe relevant to the investigation. Additional audio received from ShotSpotter will not be available in the Investigator Portal and shall be archived to CD and or DVD and submitted to the property room as evidence.
- C. ShotSpotter audio files may be saved in MP3 format to a compact disc or DVD. When this is done, the investigator shall review the original MP3 recording within ShotSpotter. Upon archiving a copy of the MP3 to compact disc or DVD, the investigator shall review the archived MP3 copy to verify that it transferred accurately and completely. The disc shall be entered into evidence and maintained in the property room. The officer shall complete a supplemental report documenting the acquisition of the audio files and their submission to the property room as evidence.
- D. Commanders of special units detailed with investigating and deterring crimes involving gunfire shall implement a practice of periodically reviewing ShotSpotter historical data to identify patterns of gunfire activity and, where applicable, develop an appropriate response.
- E. A detailed forensic report shall be requested from SST, Inc. in all incidents of victims being shot, including police officer involved shootings where ShotSpotter data was captured.
- F. To request a detailed forensic report of a ShotSpotter incident, the officer shall click on the relevant incident within the Investigator Portal and select the "Click to chat with SST about this incident" icon on the bottom left. Upon clicking this icon, a window will open which will require the officer to fill in the requesting officer's name and contact information. In the "problem description" window the officer will add a description such as "request a detailed

forensic report on this incident as the incident resulted in a homicide". The forensic request can then be sent as a "secure email" to SST.

- G. Officers not receiving a detailed forensic report from SST within two weeks of requesting the report shall contact SST to follow up on the status of the report completion.
- H. When receiving a detailed forensic report from SST, officers shall save the report to CD or DVD and place the disc into the property room as evidence. A supplemental report shall be completed documenting the request, and the acquisition of the report from SST and subsequent submission of the report to the property room.

V. CRIME ANALYSIS

When reviewing gunfire related statistical data collected from the ShotSpotter coverage area, the Peoria Police Department's criminal analyst shall employ practices that accurately measure the performance and effectiveness of the system.

VI. PROGRAM MANAGEMENT

- A. The Technical Services Lieutenant, or a designee, shall coordinate communication with ShotSpotter, Inc. with regard to the system's performance and contractual obligations of both the City of Peoria and the vendor.
- B. The Captain of Patrol shall designate a Patrol Lieutenant to oversee the implementation of the ShotSpotter system within the Patrol Division. That designee shall manage the daily use of ShotSpotter to assure the technology is effectively utilized and accurately reported. That designee shall also coordinate with the Technical Service Lieutenant to address any concerns with regard to the system's performance.

VII. NOTHING HEREIN SHALL PRECLUDE THE CHIEF OR DESIGNEE FROM AUTHORIZING EXCEPTIONS TO THIS ORDER, AS NECESSARY ON A CASE BY CASE BASIS.

This directive provides general guidelines to personnel regarding Department practices and is for internal use only. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in an employment related proceeding.



GENERAL ORDER

<u>NUMBER</u>	401.14
<u>EFFECTIVE DATE</u>	March 26, 2018
<u>NUMBER OF PAGES</u>	4

<u>SUBJECT</u>	Confidential Informants
<u>DISTRIBUTION</u>	Commissioned Personnel
<u>CALEA REFERENCE</u>	42.2.6
<u>AUTHORITY</u>	Loren Marion III Interim Chief of Police

I. POLICY

It is the policy of the department to insure that rigid controls are maintained when dealing with informants, and strict guidelines used in the control of confidential funds.

II. PURPOSE

The purpose of this directive is to provide for the confidentiality and management of confidential activity, files and funds.

III. DEFINITIONS

A. *Informant:* Any individual who, under the direction of an officer, supplies assistance or information regarding criminal activity, usually with an expectation of some form of compensation. The informant is different than other concerned citizens who do not work under the direction of the officer or becomes a party to the investigation itself.

IV. INFORMANT PROCEDURES

A. Master File Record Keeping (42.2.a,b,c,d)

1. A record of all informants utilized by this department will be included in a master file, one each for CID and SID.

2. Information in these files will contain the following:

a. CEF-01, Confidential Informant Activity: This form is required for every paid transaction involving the informant. It is mandatory that the informant and two witness officers sign their names for the disbursement of confidential funds.

- b. CEF-02, Memo of Understanding: When an informant is working as a paid informant it is necessary to have him read and sign this form. It is optional if he wants to include his attorney, but it is not normally done.
 - c. CEF-03, Informant Contract Agreement (if applicable): This form is required when an informant is not working for money and instead is working off charges or for a reduction in charges or for consideration of a reduction in charges. That determination rests solely with the Peoria County State's Attorney's Office.
 - d. CEF-04, Confidential Informant Personal Data Sheet: This form is required for all confidential informants regardless of whether they are working for money or working off a contract agreement. It establishes the confidential informant's number and name.
 - f. CEF-06, Guidelines on Entrapment: It is required this form is read and signed by all confidential informants regardless of whether the informant is working off charges or working for cash.
 - g. Copies of reports where the informant provided information or assistance.
 - h. Receipts for monies received by the informant.
3. The CID/SID sergeants are responsible for maintaining the master file for informants.
4. The information in these files will be secured in a locked file cabinet with access limited to the CID/SID supervisors and the chief of police or his designee. CID/SID officers working a specific case may have access to that specific CI file.
5. When an officer develops an informant he will be required to provide all the necessary documentation for the master file. Investigations supervisors shall assign the confidential source number—N number for SID, C number for CID—to each informant in the master file. This informant control number will be used in all reports concerning the informant in order to protect his identity.
6. The CID/SID supervisor will use the following criteria whenever funds are paid out to an informant:
 1. Previous history of providing accurate information.

2. Reliability of the informant.
3. Seriousness of the crime and results of the investigation related to the information provided.
4. The probability of an arrest and conviction.

B. Precautions (42.2.7f,g)

1. Contacts with informants should be made by at least two officers when possible and practical.
2. When a lone officer must make a contact with an informant, the officer will notify his supervisor of the meeting.
3. When meeting an informant, the officer should always select the time and place.
4. Informants who are to participate in an undercover purchase in which he may come into contact with Department funds, controlled substances, or anything else of potential evidentiary value will be thoroughly searched both before and after the undercover encounter, and where possible kept under continuous observation during the undercover observation. Searches will only be conducted by officers of the same sex as the informant.
5. Approval from the chief of police shall be obtained prior to a juvenile becoming a reliable confidential informant. Once approval is obtained, the parent/guardian must sign a waiver giving permission. The parent or guardian will be kept informed as to the specific use of the juvenile in any investigation.

C. Confidential Fund (42.2.7e)

See General Order 200.11 (Confidential Expense Fund) for guidelines for the use of the confidential expense fund.

D. Censuring an Informant

1. In the event that an informant would prove to be detrimental to the goals of the department or to the safety of its officers, or when an informant is found to be otherwise unreliable, and in the opinion of the supervisor(s) should not be used, the relationship between the informant and the department will be terminated.

2. The officer will report to his supervisor the reason(s) why the informant should no longer be utilized. Upon receipt of this information, the supervisor will write the word "Censure" on the informant's master file, and date and initial it.

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GENERAL ORDER

<u>NUMBER</u>	401.15
<u>EFFECTIVE DATE</u>	March 26, 2018
<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
Criminal Intelligence Procedures	4
<u>DISTRIBUTION</u>	<u>SUPERSEDES</u>
Commissioned Personnel	N/A
<u>CALEA REFERENCE</u>	<u>OTHER REFERENCE</u>
40.2.3	N/A
<u>AUTHORITY</u>	Loren Marion III
	Interim Chief of Police

I. PURPOSE

To provide for the gathering, analysis, and dissemination of intelligence information; define guidelines for collection of intelligence information; outline methods for maintaining the intelligence files; and provide a statement of responsibility for the security of intelligence records within the intelligence component.

II. POLICY

It is the policy of the Peoria Police Department to use all legally available resources in the collection, processing and dissemination of information relating to crimes and criminal activities.

III. DEFINITIONS

A. *Criminal Intelligence*: The end product of a process that converts individual items of information either into evidence or more often, into insights, conclusions, or assessments (perhaps less solid than fact, but always more helpful than raw information) that can form the basis for the development of law enforcement strategies, priorities, or investigative tactics regarding a specific crime, suspect, criminal organization, etc., (ex: Officer Safety Bulletin, Gang Membership Determination, Directed Enforcement Group). The intelligence process includes the systematic collection of raw information which, after collation, evaluation, and analysis, is disseminated to appropriate units of the agency.

IV. PROCEDURES

A. Criminal Intelligence Administration (40.2.3a)

1. The Special Investigations Division has the specific responsibility for the intelligence function; however, it shall be the responsibility of every officer

to identify intelligence information and to submit such information to SID intelligence officers for appropriate action. This set of procedures ensures the legality and integrity of criminal intelligence activities.

2. The SID sergeant ensures that the information gathered is related to criminal conduct or potential threats to the community. Examples of criminal activities and potential threats to be monitored by the intelligence officers include, but are not limited to:
 - a. Organized crime activities.
 - b. Gang-related criminal activities.
 - c. Open-source media.
 - d. Criminal gypsy or nomadic groups.
 - e. Subversive (of government) criminal activities.
 - f. Narcotic, gambling, and vice criminal activities.
 - g. Terrorism.
 - h. Civil disorder/anarchist activities.
 - i. Habitual criminal activities.
3. Intelligence gathering within the department will be for legitimate law enforcement related purposes, relating to criminal conduct, or potential threats to life and property. Any employee gathering or disseminating intelligence information for any other purpose will be subject to disciplinary action.
4. The intelligence activities performed by the department include, but are not limited to:
 - a. Obtaining and integrating information into a cohesive and logical case file, or description of crime trends to be disseminated to proper law enforcement authorities if needed.
 - b. Identifying crimes, crime trends, and potential offenders through the use of deduction, information assessment, report review, data comparison, and crime analysis.
 - c. Developing cases for prosecution in court.
 - d. Providing support to investigators.
 - e. Developing information related to any criminal activities.

5. Intelligence case files will be regularly reviewed, updated, corrected and/or purged by the intelligence officers, and approved and monitored by the assigned SID sergeant. Files that are not related to criminal conduct or activities that do not present a threat to the community will be terminated and purged.
 - a. Out-of-date criminal intelligence information, along with “incorrect information,” will be purged from intelligence records. Information is reviewed and validated for continuing compliance with submission criteria before the expiration of its retention period, which is not longer than five years. All intelligence information is retained and purged in compliance with 28 Code of Federal Regulations Part 23. (40.2.3d)
 - b. The intelligence officer shall document when intelligence is purged in a police report in ADSi, which shall be approved by the designated SID sergeant.
6. The SID lieutenant or his designee shall conduct a documented annual review of criminal intelligence procedures and processes. (40.2.3e)

B. Security of Intelligence Information

1. All reports and investigative documents regarding criminal intelligence shall be maintained in a locked file cabinet or secure computer file with access restricted to need-to-know and right-to-know personnel. The criminal intelligence files are maintained separately from all other department records. Information in these files is maintained by the officers assigned to criminal intelligence. (40.2.3b)
2. The intelligence files shall adhere to all federal and state laws governing intelligence information, as well as all applicable directives of the department.
3. The SID lieutenant is responsible for the integrity of the files, and access is limited to the following:
 - a. Chief
 - b. Assistant Chief
 - c. Captains
 - d. Investigations Division Supervisors
 - e. Those individuals actively involved in criminal intelligence activities with an SID supervisor’s approval.

C. Control and Dissemination of Criminal Intelligence (40.2.3c)

1. All information disseminated from the intelligence file shall be noted in an intelligence electronic file, or documented in a log including the following:
 - a. Date and time of release of information.
 - b. Recipient of the information.
 - c. Reason for dissemination of information.
 - d. Agency to which information was disseminated (when applicable).
 - e. Applicable case incident number.
2. All intelligence files maintained within SID shall be deemed to be classified and under direct control of the SID lieutenant. The dissemination and use of intelligence information shall be for cause, and responsive to specific and well-founded law enforcement needs only. The investigations, administration, and patrol supervisors will be copied on all disseminated intelligence information.
3. Intelligence information will be disclosed on a need-to-know or right-to-know basis. A need-to-know situation is where another Peoria Police Department officer and/or other recognized law enforcement agency has need of an item of information that is necessary to its investigation.

D. Department Personnel

1. All department personnel have responsibilities regarding suspicious incidents and criminal intelligence relating to criminal and Homeland Security activities. Personnel not assigned to the criminal intelligence function are responsible for awareness and reporting of related incidents and activities to their immediate supervisor.
2. Intelligence officers shall receive training periodically to maintain best practices for intelligence gathering, analysis, and dissemination. Additionally, the intelligence officers and direct supervisors shall be 28 CFR Part 23 certified.

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GENERAL ORDER

<u>SUBJECT</u>	<u>NUMBER</u>
Organized Crime, Drug, and Vice Operations	401.16
<u>DISTRIBUTION</u>	<u>EFFECTIVE DATE</u>
ALL Personnel	January 2, 2019
<u>CALEA REFERENCE</u>	<u>NUMBER OF PAGES</u>
43.1.1, 43.1.2, 43.1.4, 43.1.5	6
<u>AUTHORITY</u>	<u>SUPERSEDES</u>
	3/26/18
	<u>OTHER REFERENCE</u>
	GO 400.28
	<u>Loren Marion III</u>
	Chief of Police

I. PURPOSE

This order establishes procedures and responsibilities related to the investigative methods used in vice, drug, organized crime operations.

II. POLICY

The Department shall investigate all vice, drug, and organized crime complaints to the fullest extent possible.

III. PROCEDURES

A. Receiving and Processing Complaints

1. Any officer may receive a drug, vice, or organized crime complaint. Upon receipt, the officer shall gather preliminary information and forward the complaint to the special investigations division sergeant.
2. The SID sergeant will review these complaints, record the complaint in the complaint log, and determine the extent of any follow-up (43.1.1b). If the incident is deemed sensitive in nature, the SID commander will be notified.

B. Follow Up Investigation (43.1.1a)

1. An SID investigator shall be assigned to conduct a thorough follow-up investigation, and will attempt to substantiate the reported information. This may be done through covert operations. Once substantiated, the investigator will notify his supervisor and they will determine the course of the investigation.

2. Assistance from an outside law enforcement agency specializing in the type of investigation identified may be requested.

C. Records Maintenance (43.1.1c, 43.1.2)

1. Officers shall document the investigation of substantiated complaints in ADSi, and may block reports if they are sensitive in nature. Any supporting paperwork regarding the investigation may be filed and secured within SID, separate from the Records Unit. Once the case has been resolved or there are no further leads, records may be scanned into ADSi or may remain stored and secured in SID.
2. If an outside agency is assisting with the investigation, department investigators shall maintain a record of information conveyed to and received from outside agencies. If paper files, a log shall be signed tracking the release of files. Further information sharing should be indicated in a police report.

D. Status Reports (43.1.1d)

1. The SID lieutenant will send a monthly report to the investigations captain detailing the status of enforcement action relating to organized crime, drug, and vice activity. After review, the investigations captain will forward the monthly report to the chief of police.
2. In on-going significant or long-term cases where an arrest has not been made, the chief shall be updated as needed by the investigations captain.

IV. COVERT OPERATIONS (43.1.5)

A. Purpose

Covert operations are investigative techniques employed by law enforcement agencies in order to infiltrate criminal activity in an attempt to determine the nature and extent of illegal activities. The objectives in conducting covert operations are as follows:

1. To obtain evidence against suspected criminal elements.
2. To escalate the investigation to a higher or wider scale for presentation to the appropriate prosecutorial agency.

B. Scope

It is the responsibility of the SID or CID commander, or his designee, to coordinate and oversee covert operations for the criminal investigation into all allegations of the following:

1. Vice Activities

- a. Gambling
- b. Prostitution
- c. Pornography

2. Organized Crime

- a. Loan-sharking operations
- b. Human trafficking
- c. Corruption
- d. Extortion
- e. Bribery
- f. Theft/fencing rings
- g. Illegal sale or possession of firearms/other weapons
- h. Gangs/gang related activity

3. Illegal Drugs

- a. Possession
- b. Distribution
- c. Manufacturing

4. Illegal Sale and Distribution of Liquor/Tobacco

- a. Sale to minors
- b. Other City ordinance violations

5. Any other specialized assignments from the chief of police.

C. Authorization and Coordination

1. Covert operations shall be approved by the investigations captain, and shall be conducted by authorized members of the department. The investigations captain, or his designee, may require a written plan of operation, which should include the following:

- a. The identification of a single person as a supervisor and coordinator.

- b. An analysis of the crime, victims, and probable suspects including their habits, associates, vehicles, and methods of operation.
- c. A briefing and debriefing of all personnel to ensure officers understand the objective and details of the operation.
- d. The identification and analysis of the neighborhood, dwelling, or target area, and strategies and tactics for approach, entry, securing, and leaving a target area.
- e. Establish means of both routine and emergency communications, including primary and secondary radio systems, telephones, cellular phones, electronic and hand signals, rendezvous points, and time limits. Consideration will be given to ensure communications with field patrol units and other specialized support units or jurisdictions.
- f. The identification and selection of special equipment and vehicles, including, but not limited to, radios, electronic alarms, cellular phones, photographic, video, or sound equipment. The supervisor in charge of the operation shall ensure the equipment and vehicles are distributed and assigned to appropriate personnel.
- g. Specific tactical procedures will be set forth to provide both target scene and perimeter surveillance and back-up personnel to ensure security/protection of undercover officers. Procedures will include time limits for activities, limits on location changes, and prearranged arrest signals. The operation coordinator shall ensure proper relief of personnel.
- h. Procurement of undercover identities, necessary credentials, and/or disguises for officers involved in the operation.
- i. Considerations for verifying and maintaining the confidentiality and cover of the undercover officer(s), the confidential informant(s), and the entire operation is maintained.
- j. Supplying officer(s) or confidential informant(s) with expenses from the confidential expenditure fund. (See General Order 200.11 Confidential Expense Fund).
- k. Establish operational procedures for observation, mobile surveillance by foot and vehicle, and method to effect the arrest. Contingency plan will include provision for high risk entries and arrests including the use of Special Response Team if required.

1. Contact with the suspect(s) should be kept to a minimum. All contacts with suspects shall be documented on appropriate reports.
 1. Whenever informants are utilized, they shall be thoroughly briefed concerning their particular activity of involvement to include what they are to say and do during their contact with the suspect(s).
 - m. Provisions for the search and seizure of evidence and/or contraband, and the call out of the Crime Scene Unit when necessary.
 - n. Arrangements for standby medical assistance.
 - o. Notification and coordination of assistance from patrol and other operational units, along with other participating or affected outside agencies.
 - p. Planning and execution of search warrants will be in accordance with policies and procedures outlined in General Order 100.06 Legal Authority of Officers.
 - q. Provisions for the proper documentation and reporting of the incident.
3. Undercover officers maintain complete authority to terminate an undercover operation at any time during the event (s) if they feel unsafe, not in control, and/or if circumstances are not going according to plan.
4. The on-scene supervisor of the undercover operation also has authority to terminate an undercover operation at any time during the event(s) if he/she observes and/or learns that circumstances are not going according to plan and/or that conditions are becoming potentially more hazardous for the undercover(s) and/ or informant.
5. The investigations captain will ensure that the assistant chief is advised of covert operations.
6. Prior to any undercover drug operation, the SID sergeant shall fully identify the target and submit deconfliction data to ensure no other law enforcement agency has an active case on the same target. All deconfliction submissions shall be maintained as part of the report paperwork. Any identified conflicts will be brought to the attention of the SID sergeant or designee.
7. At the completion of the operation the appropriate report shall be submitted by the investigating officer(s) (crime, non-crime, special report, etc). The S.I.D. Lieutenant shall be advised of the outcome of the operation.

D. Control/Use of Surveillance and Undercover Equipment (43.1.4)

1. Department-owned surveillance and undercover equipment will be stored in a secured area within SID or CID. Use of this equipment will be at the discretion of the SID or CID supervisors, and may only be used by personnel who have received training on its use. Records of this training shall be maintained by the Training Unit.
2. The use of equipment shall be approved by the SID or CID lieutenant. The SID or CID sergeant is responsible for signing the equipment in and out. Unauthorized or personal use of any department-owned surveillance or undercover equipment is strictly prohibited.
3. Authorization for the loan or use of this equipment to another law enforcement agency may be given by the SID or CID lieutenant, or a designee. In instances where equipment is lent to an outside law enforcement agency, the SID or CID lieutenant or a designee will ensure it is signed out and, when returned, is in good operating condition.
4. An inventory inspection and a training credentials review will be conducted bi-annually by an SID and CID sergeant. This report will document all inventory is accounted for and proper sign in/out procedures were followed. Upon completion the inventory inspection report will be approved by the SID and CID lieutenant and forwarded up the chain of command to the chief of police.

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