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PART 1 Regulations

Chapter 1

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 1.01.000-1.01.025	
Policy and Procedure Title Definitions and Scope of Manual	Effective Date 8/5/2009	Page 1 of 4
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

1.01.000 Definitions and Scope of Manual

Definitions: For purposes of this manual, the following definitions shall apply:

Command Officer: The Chief and any officer appointed by the Chief of Police, permanently or temporarily, to the rank of Lieutenant or higher.

Court, Duty Related: Court responsibilities, Administrative Hearings, official conferences, and citizen contacts arising from events that occurred while the employee was acting as an official of the Department, whether or not the employee was "on-duty" when the event occurred. Such appearance shall be compensated under the terms of the current labor contract.

Court, Non-Duty Related: Court, Administrative Hearing, or conference responsibilities arising from events that occurred when the employee was not acting as an official of the Department, or was acting beyond the scope of his or her authority. Arrangements shall be made by the employee to take leave or be on personal time for the court, and no compensation will be made by the Department.

Department: In its most generic sense, all personnel and operations under the Chief of Police's purview. When "notification" or "approval" of the "Department" is required, such notification and/or approval shall be from a Command Officer unless a specific procedure provides otherwise (most notably illness notification).

Employee: Refers to all personnel employed by the Department, regardless of rank, position, assignment, or gender.

He/Him and She/Her: Unless specifically applicable, should any pronoun be used within this Manual, it is intended to be neutral in gender.

Just Cause: An action taken based on fair and honest cause or reason, regulated by good faith. That which, to an ordinary, intelligent person, is justifiable reason for taking an action.

Manual: Refers to the current "Regulations and Procedures Manual" of the Anchorage Police Department.

May: Permissive in nature.

Member: Synonymous with "employee."

Officer: Shall include all sworn personnel of the Department, regardless of rank, and reserve or special officers who have been appointed by the Chief of Police. This term applies without regard to gender, division, or duty assignment.

On Duty: This term refers to those times that employees are acting under color of authority, or are expected to be performing assigned duties. This is distinct from "tour of duty," since (1) employees who are on an unpaid lunch period during their tour of duty are off duty during that time, and (2) employees who have completed their tour of duty may be called upon to act under color of authority (as in a home car traffic stop), and are on duty for that time they are operating under color of authority. (See Tour of Duty)

Prepared to Testify: Includes the production of specified evidence and a review of reports to ensure accurate testimony.

Shall/Will: Mandatory in nature.

Should: Advisory in nature.

Superior Officer: An officer of higher rank. Descending order of rank is:

- A. Chief of Police
- B. Deputy Chief of Police
- C. Captain
- D. Lieutenant
- E. Sergeant
- F. Patrol Officer/Warrant Officer/Detective (these different job titles share the equivalent rank status).

Superior Officer, Acting: An officer temporarily filling a superior officer's position, assuming all the responsibilities and authority of that rank.

Supervisory Officer: An officer appointed by the Chief of Police, either permanently or temporarily, to the rank of Sergeant or above. This definition does not coincide with the definition found in AMC 3.70, but serves for the purposes of this manual.

Sworn Personnel: Synonymous with "officer", "sworn member", or "sworn employee."

Tobacco and Tobacco Products: For purposes of these regulations, tobacco and tobacco products refer to cigarettes, cigars, chewing tobacco, and products substituting for tobacco.

Tour of Duty: The entire period of time when an employee is scheduled to assume their assigned responsibilities until relieved of those duties, including all breaks and meal periods, regardless if those periods are compensated or not. (See "On Duty")

Under Color of Authority: Any act performed or privilege invoked as a peace officer, regardless of location or duty status. This includes events or situations which could reasonably be expected to result in the invocation of police powers or duty. This most commonly includes, but is not limited to, the following:

- A. Use of a home car cannot be done as a private citizen, but is always "under color of authority," because its use, regardless of duty status or location, reasonably contemplates the possible invocation of police powers or duty.
- B. Carrying a department issued weapon whether on or off-duty within the municipality or carrying a personally owned weapon where the potential exists of using police powers of arrest. When an employee uses department owned equipment or acts on behalf of the department, it is done "under color of authority". This necessitates proper qualification with the firearm and compliance with all laws and Departmental procedures governing such activity.
- C. Recreational use of a firearm does not reasonably contemplate the invocation of police powers, so can be done outside the color of authority as a peace officer. Consequently, hunting and sports firearms are not governed by Departmental regulations when handled for such purposes, and not done in uniform or in a police vehicle.

Willfully: The term "willfully" is used in this Manual to describe intent, similarly to the role of intent in criminal law. Violations of regulations, policies, and procedures can be adjudicated by the Department only if the commission or omission is done "willfully." When applied as intent to violate a provision of this Manual, "willfully" means that the person either knew or should have known. Any regulation, policy, or procedure, therefore, can be violated maliciously, carelessly, and/or negligently, and these conditions are collectively referred to as

"willfully" for purposes of this Manual or any applicable Departmental manual or publication.

1.01.005 Applicability of Manual

The regulations and procedures contained herein apply to all personnel under the organizational management of the Chief of Police, unless the applicability is specifically limited by the nature or language of that particular regulation or procedure.

1.01.015 Subject Matter not Addressed

Not all subject matter can be covered within this Manual. Should such a topic be encountered, the employee shall be guided by the following:

A. Some subject matter can be found in other governing documents, such as various procedures/regulations manuals of the Municipality and earlier valid Departmental directives. In such instances, those documents shall govern the questioned activity.

B. Some subject matter is not specifically addressed in any document/digest. In these instances, that activity shall be guided by accepted past practices or, in the absence of past practices, sound judgment and reasonableness.

1.01.020 Modifications to the Manual

Duration and Cancellation

All regulations and procedures contained in the Manual are in effect indefinitely, unless cancelled or superseded in accordance with the suspension and amendment section below.

Suspension and Amendment

No material contained in this Manual may be suspended, modified, or superseded by any other publication unless that new document:

- A. Bears the signature of the Chief of Police or Deputy Chief of Police; and
- B. States or substantially implies that it amends the Manual.

1.01.025 Compliance

Compliance with All Laws, Oaths, Regulations, and Procedures

Any employee who:

- A. Willfully violates their oath or trust; or
- B. Willfully violates any law, statute, or ordinance; or
- C. Willfully violates any Department regulation, policy, or procedure; or
- D. Willfully disobeys a lawful order shall be subject to disciplinary action in accordance with the provisions established in this Manual.

Standards of Proof

The Department shall be held to a standard of just cause when determining if an employee has violated any regulation, policy, procedure, law/statute/ordinance, or lawful order.

Department Retains Authority Despite other Dispositions

Action taken or not taken by any other agency or person does not limit the Anchorage Police Department's authority to enforce the material contained in this Manual.

Chapter 2

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 1.02.000-1.02.015P	
Policy and Procedure Title Code of Conduct	Effective Date 1/04/2013	Page 1 of 13
Replaces Prior Policy: 8/05/2009	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

1.02.000 Code of Conduct

Purpose

To define departmental expectations for on- and off-duty personal behavior.

Policy

The Anchorage Police Department and the public expect all personnel to maintain high standards of appearance and conduct. Law-enforcement officers wield considerable power over citizens, power that is carefully circumscribed by state and federal law, and the Constitution and Bill of Rights. Our powers to arrest, seize property, and interfere, at times, with the lives of citizens constitute a public trust. We can help ensure that we regard this trust as vital by exemplary performance. Performance is tied to the department's mission. The mission is to protect and serve our community in the most professional and compassionate manner possible.

Note: The courts have upheld the prerogative of law-enforcement agencies to impose restrictions on the behavior of their employees but these restrictions must not infringe on protected, constitutional rights such as the rights to privacy, association, and free speech. The agency should have a rational, non-arbitrary reason for its rules or restrictions.

1.02.005 Definitions

Moral turpitude: An intentional act or behavior displayed in words or actions which violates public morals or the common sense of the community involving but not limited to intent to defraud, intentional dishonesty for personal gain, lying, perjury, subornation of perjury, cheating, bribery, unlawful possession of controlled substances, sexual harassment, unlawful sexual conduct, or excessive use of force.

Good moral character: The attributes of a prospective employee that enhance his or her value to the department and to public service which include honesty, integrity, truthfulness, obedience to the oath of office and the code of ethics, respect for authority, and respect for the rights of others.

Unreasonable Behavior: Behavior that an average person would interpret as unacceptable and intended to cause harm to the individual(s) or property.

Incivility: Deviant behavior with ambiguous intent to harm; violated workplace norms for mutual respect; rude or discourteous acts or the practice of behaviors that undermine the credibility and productivity of others; hazing.

Bullying: Persistent aggressive or unreasonable behavior against a co-worker or subordinate.

Verbal Aggression: One or more persons making discriminatory or threatening comments, yelling, hazing, harassing, tantrums, belittling, cursing, or humiliating another person directly or indirectly.

Physical Aggression: Throwing objects, violent outbursts (e.g., hitting the wall, pounding on desks, damaging property, etc.) and inappropriate touching; any physical act that a reasonable person would consider menacing or threatening behavior.

Unconstructive Talk: Rude comments or crude jokes, complaining, gossiping, and profanity.

Gossip: A conversation about a third person who is not present or a participant.

Mobbing: An impassioned, collective campaign by two or more persons to exclude, punish, or humiliate an individual.

Electronic Bullying: Using e-mail, text messages, instant messaging or social networking sites to bully an individual.

1.02.010 Law Enforcement 'Code of Ethics'

All officers shall display the integrity required by the Law Enforcement Code of Ethics:

"As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself on my honor to my chosen profession... law enforcement."

1.02.015A Protect Life

I. All officers shall protect life and property, preserve the peace, and enforce the laws of the United States, State of Alaska, and Municipality of Anchorage according to the policies and procedures of the department. Officers must know that when they act under color of authority, they are enforcing the law according to statutes, written administrative guidance in the department, ordinances, common usage, and custom. Further, officers shall exhibit good moral character in the administration of their duties.

A. The department maintains the right to establish oral and written orders to govern and control the efficiency, effectiveness, and safe operation of law enforcement.

B. Management reserves the prerogative to discipline personnel for violations of the rules listed in this manual. The decision to discipline and the measure of discipline employed depend on the consequences of the employee's actions, the employee's current and past performance, and the employee's length of service.

C. All written or oral orders given by the department are performance measures which address three components of employee performance; that is, conduct, behavior, and work proficiency.

1.02.015B Obedience to Orders, Oaths and Laws

I. Authority: Employees shall obey all federal and state laws, and ordinances of Municipality of Anchorage or other municipality in which the employees may be present. Employees shall obey all lawful orders, written or oral, issued to them by competent authority. Employees shall abide by all sworn oaths that pertain to their official position. The term "employees" includes both sworn and non-sworn personnel.

II. Civil rights: All employees shall observe and respect the civil rights of citizens. Respect for constitutionally-protected rights is paramount.

III. Communications: On any official matter whatsoever, all communications, documents, reports, or other statements submitted or caused to be submitted by an employee shall be accurate, factual, complete, and without evasion when it is

reasonable to expect that the information may be relied upon because of the employee's affiliation with the department or Municipality.

A. The department recognizes that during the course of an investigation an employee might need to use deception to elicit information in order to further the investigation.

IV. Enforcement while off duty: If an officer, while off duty, witnesses a violation of the law committed in his or her presence which, in the officer's professional judgment, demands immediate attention, the officer may make an arrest, providing that:

A. The officer does not use his or her own personal vehicle to chase or pursue the violator, and

B. He or she displays police identification to the violator and announces his or her purpose.

C. The officer can make the arrest without jeopardizing his or her own safety, the safety of the violator, or the public.

D. The officer attempts, if practical, to have an on-duty officers respond before contacting the violator.

E. The officer is not personally involved in the dispute.

1.02.015C General Conduct

I. Employees shall display respect for their supervisors, subordinates, and associates. The department expects all employees to display good moral character in on- and off-duty contexts and to apply their judgment accordingly. When on duty and in the presence of the public, supervisors shall be addressed or referred to by rank.

II. Employees shall address their subordinates, associates, supervisors, or members of the general public courteously and shall not use abusive, violent, profane, insulting, or provoking language.

III. Employees shall conduct themselves in an orderly, courteous and civil manner and not engage in behavior that adversely affects or impairs the efficiency or morale of another person. They will maintain an even disposition and remain calm, regardless of provocation, in executing their duties unless exigent circumstances demand a strong, but controlled, response.

IV. Employees shall not slander or speak detrimentally about the department or another employee. Gossiping about a member of the department concerning their personal character or conduct is expressly prohibited.

A. Incivility, harassment, or bullying behaviors toward citizens, co-workers, support staff, outside agencies, or volunteers will not be tolerated.

V. Employees shall not ridicule or make remarks that would tend to jeopardize working relationships with other public agencies or other employees.

VI. All employees will report acts of incivility experienced or witnessed to a supervisor.

VII. Employees shall cooperate and coordinate their efforts with other employees and law-enforcement agencies to ensure maximum effectiveness.

VIII. Employees, while under color of authority, shall not carelessly or maliciously perform any acts or make any statements, oral or written, which could reasonably result in:

- A. Bringing the Department or any employee into disrepute or ridicule; or
- B. Significantly disrupting the mission of the Department; or
- C. Subverting the reasonable supervision or proper discipline of Departmental employees.

This does not prohibit official, required reporting of and/or testifying to fact.

IX. Employees will provide equal and impartial service and enforcement to all persons.

X. Employees shall not mistreat any person, physically or psychologically, nor shall they discharge their duties in a manner that intentionally or maliciously offends a reasonable standard of good conduct.

XI. Department employees will exercise discretionary judgment in a reasonable manner and remain within the limits of their authority as defined by law, judicial interpretation and Departmental procedures and regulations.

XII. Surreptitious Recording:

- A. An employee will not secretly record or cause to be secretly recorded conversations or contacts with other employees of this department except pursuant to an established criminal investigation or with the approval of the Chief of Police.
- B. Surreptitious recording devices will not be utilized during conversations involving official business with members of the Districts Attorney's Office and the Municipal Prosecutors Office.

1.02.015D Gifts, Bribes, Gratuities, Rewards

I. Employees shall not solicit any gifts, gratuities, loans, fees or sexual acts where there is any direct or indirect connection between the solicitation and their departmental employment.

II. Employees shall not accept either directly or indirectly any gifts, gratuity, loan, fee, sexual acts, or any other thing of value arising from or offered because of, or in connection with any law-enforcement activity.

III. Employees shall not accept any gift, gratuity, sexual acts, or other thing of value, the acceptance of which might directly or indirectly influence any manner of official business, or which might adversely reflect on the department or any employee.

IV. No employee shall solicit any gift or gratuity from other employees junior in rank.

V. Employees shall not accept any gift, gratuity, reward in money, or other considerations for services in the line of duty to the community, or to any person, business, or agency.

VI. Discounts may be accepted by employees if the discount is afforded to all Municipal employees and approved by the Chief of Police.

VII. Solicitation for donations during employment hours in any form must be approved by the Chief of Police before being accepted by any employee or the Department.

VIII. Employees shall not accept any monies as bail, fines or fees, except as provided by Department procedures.

IX. Employees will not solicit anyone to intercede with the Chief of Police, Mayor, legislative body, or any elected or appointed official in relation to promotions, Departmental assignment, disposition of pending charges, findings in a disciplinary proceeding, or to thwart an investigation. Nothing in this section shall be construed to be applicable to licensed attorneys, or Association shop stewards when representing employees of the Department.

1.02.015E Information

I. Employees shall not communicate to any person who is not an employee of this department any information concerning operations, activities, or matters of law-enforcement business which would unduly disrupt the department's legitimate operations. The release of this information is prohibited by law and may have an adverse impact on the department image, operations, or administration.

II. Employees shall communicate promptly to supervisor information regarding crimes or criminal activity or other relevant law-enforcement information which may come into their possession.

III. Employees shall not willfully use, nor permit the use of, any information gained by reason of their position, for anything other than official purposes. This information includes, but is not limited to verbal, written, electronic, and computer-generated sources.

A. Employees shall not use any personal equipment to procure information for personal use other than that necessary for gathering information under the color of authority, whether photographic, sonic or other information that may be considered evidentiary. Only equipment issued by the department may be used to gather data (which data is the sole property of the MOA and APD) and any data gathered shall not be reproduced in a public forum by the employee.

IV. Employees will regard all information concerning the official business and policies of the department as confidential and will not release such

information unless its release is specifically permitted. Employees will not photograph or record any department evidence for their own personal use.

1.02.015F Public Appearances and Exercise of Freedom of Speech

I. If an employee receives a request to make a public presentation or appearance on the department's behalf or publish an article concerning his or her duties, the employee shall apply for permission to the Chief of Police. The Department will not interfere with the First Amendment rights of officers. The department can and shall, however, authorize appearances or writings that represent the agency and may therefore restrict activities only where the employee may represent an agency view.

II. Employees shall not use their office to promote or facilitate any commercial enterprise or political campaign or cause, whether their own or on behalf of another, without the prior approval of the Chief of Police. This excludes union activities protected under federal and state laws.

III. Except when satisfying a duty to inform others of appropriate available governmental services, whether provided directly or through contract, employees shall not officially recommend the purchase of any specific commercial product or professional services to the public.

IV. Employees shall not circulate petitions within the Department without the permission of the Chief of Police.

V. Employees shall not reproduce, publish or post to the Internet or any other public forum, any photograph(s) depicting APD equipment, logos, or other identifying property without express written permission by the Chief of Police or his designee. No employee will represent themselves in a public forum as an employee of APD with other information, opinion, or posture that would bring embarrassment to the Department.

A. Employees who use or subscribe to social networking web sites on the Internet shall adhere to all Department regulations regarding the publication and/or communication of information considered to be the official business or policies of the Department. This information includes, but is not limited to photographs, operations, reports, records, or actions taken while under color of authority. Employees who identify themselves as police employees on these websites likewise shall not disclose information about themselves or their personal lives that would otherwise bring discredit to the Department or themselves.

VI. PERSONAL USE

A. Precautions and Prohibitions. Barring state law or binding employment contracts to the contrary, Department personnel shall abide by the following when using social media:

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not

impair working relationships of this Department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the Department.

2. As public employees, Department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee's professional duties and responsibilities—is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this Department.
3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the chief executive or his or her designee.
4. For safety and security reasons, Department personnel are cautioned not to disclose their employment with this Department nor shall they post information pertaining to any other member of the Department without their permission. As such, Department personnel are cautioned not to do the following:
 - a). Display Department logos, uniforms, or similar identifying items on personal web pages.
 - b). Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this Department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
5. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the Department's code of conduct is required in the personal use of social media. In particular, Department personnel are prohibited from the following:
 - a). Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.

- b). Speech involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
- 6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
- 7. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and/or endorsements; or publish materials that could reasonably be considered to represent the views or positions of this Department without express authorization.
- 8. Department personnel should be aware that they may be subject to civil litigation for
 - a). publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
 - b). publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - c). using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 - d). publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- 9. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
- 10. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the Department at any time without prior notice.
- 11. Reporting violations. Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of

the provision of this policy shall notify his or her supervisor immediately for follow-up action.

1.02.015G Use of Alcohol

- I. Employees shall not drink any alcoholic beverage while on duty.
- II. Employees shall not appear for regular duty, or be on regular duty, while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants on their breath.
- III. Employees shall not operate a municipal vehicle within 4 hours of having consumed an alcoholic beverage, or with any amount of alcohol in their system. (See MOA P&P 40-22)
- IV. In the event of an emergency recall, each employee must determine their fitness for duty if alcohol has been consumed. A supervisor shall be consulted and asked to confirm or deny, as appropriate, the employee's judgment in the matter. No adverse actions will be taken if, in an emergency recall, the employee reports him- or herself to be incapacitated for duty to a supervisor before actually reporting for duty.
- V. Operationally Sensitive/Not for Publication. VI. No employee shall transport alcoholic beverages in a municipal vehicle while on duty, except in the performance of their official duties. No officer, while off duty, shall transport alcoholic beverages in a municipal vehicle unless the officer is in plain clothes and all seals on the containers are intact.

1.02.015H Use of Drugs

Employees shall not use any controlled substances while on or off duty unless prescribed by a physician. Employees using any prescribed drug or narcotic or any patent medicines that could induce impairment of their performance shall notify their supervisor before reporting to duty.

NOTE: All directives regarding operating a municipal vehicle under 1.02.015G Use of Alcohol and 3.06.010 Use of Police Vehicles also apply to the use of any substances that may induce impairment including most controlled substances, narcotics, and prescription or non-prescription medications.

1.02.015I Use of Tobacco

- I. Smoking is prohibited in all Municipal building areas under departmental control and occupied by department employees, except in designated smoking areas.
- II. Smoking is prohibited in all Municipal vehicles.

III. Officers shall not smoke or otherwise use tobacco products while engaged in traffic control, on an investigation, or while otherwise in contact with or in view of the public.

1.02.015J Part-time or Off-Duty Employment

I. Before engaging in any outside employment or business activity, an employee shall obtain written approval from the employee's respective Deputy Chief. Employees who work directly for the Chief of Police shall submit requests to that office.

II. The employment shall not render the officer unavailable during an emergency, or physically or mentally exhaust the officer to the point that his performance on duty will be affected.

III. Employment shall not in any way conflict with the objectives of the department, impair its reputation, or compromise law enforcement.

IV. Each employee while engaged in off-duty employment shall conduct himself in accordance with department standards, which includes not identifying him or herself as a police employee.

V. Each employee shall renew their secondary employment request at the beginning of each calendar year (any requests granted are automatically rescinded if not renewed by January 20th).

VI. Upon termination of approved secondary employment the employee shall notify in writing the Chief of Police, through the respective Deputy Chief, that the secondary employment has ended.

VII. Copies of all secondary employment requests, approvals, and terminations shall be kept in the employees Department Personnel file.

VIII. Business cards reflecting commercial goods or services will not be disseminated under color of authority.

1.02.015K Memberships

No member of the department shall be a member of any organization which advocates the violent overthrow of the government of the United States, or any unit of local government, or participate in any organization which has a purpose, aim, objective, or any practices which are contrary to the obligations of a law enforcement officer under these rules and regulations.

1.02.015L Arrests of Law-Enforcement Officers

I. An officer who arrests a sworn officer of another law enforcement agency shall immediately notify his or her own supervisor of the fact. Officers shall take whatever action is appropriate to the circumstances including issuance of summonses or making a physical arrest. That the person cited or arrested is a law-enforcement officer shall make no difference.

II. If an officer has probable cause to arrest a sworn officer of our Department; the officer shall first contact his or her immediate supervisor.

1.02.015M Instituting Civil Action-Duty Related

Employees who institute or reasonably expect to benefit from any civil action which arises from acts performed under color of authority shall inform the Chief of Police.

1.02.015N Medical Analysis

The Department recognizes that any medical examination/analysis is a significant intrusion into the personal lives of its employees. However, there are occasions when the interests and safety of the public overshadow the personal privileges of privacy, and medical examinations and analyses are necessary. If reasonable suspicion exists, an employee may be required to submit to such an examination, which can include analysis of blood, breath, and/or urine. Absent exigent circumstances, this decision shall be made by a Command Officer or higher, and carries the full force of a lawful order when invoked.

1.02.015O Harassment

I. All employees shall abide by Municipal Policy 40.16, which states in part, "It is the policy of the Municipality to provide a harmonious working atmosphere for all employees, which is free of harassment of one employee to another employee or supervisor. Harassment based on age, color, race, national origin, handicap, religion, and/or sex is prohibited. A prohibited act includes slurs, epithets, sexual advances, requests for sexual favors and other verbal or physical conduct of an intimate nature such as uninvited touching or sexually suggestive comments."

II. The Department recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all evidence in the matter. Given the nature of this type of discrimination, the Department further recognizes that false accusations of harassment, especially sexual harassment, can have serious effects on innocent people. Consequently, members of the Department are both encouraged to report any and all incidents of harassment immediately, and cautioned that malicious false reports and/or exaggerated representations of facts can be contrary to Department regulation and law.

1.02.015P Miscellaneous Conduct Policies

I. Business cards which refer to the police department shall be used only in connection with official business.

II. Employees shall not use another employee's business card without prior permission from that employee.

III. Employees shall not disseminate secondary employment business cards.

IV. Employees in uniform shall not shop excessively or carry a large quantity of merchandise unless directly connected with their normal, official police activities.

Anchorage Police Department Regulations and Procedures Manual		Administrative Procedures 1.02.020	
Policy and Procedure Title Sexual Misconduct		Effective Date June 22, 2012	Page 1 of 3
Replaces Prior Policy: New		Approved by: Chief Mark T. Mew	

1.02.020 Sexual Misconduct

PURPOSE

To establish guidelines to protect employees and citizens against sexual misconduct as well as to specify courses of action in the case of allegations or an actual incident regarding sexual misconduct.

POLICY

The Anchorage Police Department has zero tolerance for sexual misconduct of any nature by employees, whether on or off duty.

DISCUSSION

The public places significant trust and confidence in the Anchorage Police Department and, as a result, has an expectation that Department employees, both sworn and non-sworn, will conduct themselves lawfully and ethically. It is not the intent of the Department to infringe upon the individual civil liberties of employees or to intrude into or affect their private lives. It is, however, meant to establish the parameters of sexual misconduct and to fully inform employees as to their responsibilities relating to those actions which will or may affect their continued employment.

DEFINITIONS

Sexual Misconduct: Sexual misconduct by law enforcement employees is any behavior by an employee that takes advantage of the employee's position in law enforcement to misuse authority and power (including force) in order to commit a sexual act, initiate sexual contact with another person, or respond to a perceived sexually-motivated cue (from a subtle suggestion to an overt action) from another person. It also includes any communication or behavior by an employee that would likely be construed as lewd, lascivious, inappropriate, or conduct unbecoming an employee and violates general principles of acceptable conduct common to law enforcement. In addition, any action where an employee engages on or off duty in illegal, prohibited, or otherwise clearly inappropriate sexual conduct which may damage public respect for the employee and/or the Department. Various forms of sexual misconduct (including criminal acts) could

be directed at colleagues, citizens, detainees, juveniles, and crime victims or witnesses. These forms may include, but are not limited to, the following:

1. Sexual contact by force;
2. Unwarranted physical contact with citizens (e.g. inappropriate or unnecessary searches or pat-downs);
3. The use of any information gained while on duty or under the color of authority for personal use (e.g. using a phone number given to an officer during a traffic stop or on a call to ask someone on a date or engage in a personal conversation).
4. Sexual behavior while on duty or in uniform (e.g. masturbation, viewing and/or distributing pornographic images, sexting, whether by personal or Department phone or computer);
5. Voyeuristic actions that are sexually motivated (e.g. looking in windows of residences for sexually motivated reasons, traffic stops to better view occupants for non-professional reasons)
6. Sexual harassment of colleagues or co-workers.

Sexual Favor: Any sexual act occurring in exchange for privileged treatment, salary enhancement, career advancement, or for taking or not taking law enforcement action.

Sexting: Sending a text message or image by means of any electronic device alluding to activities of a sexual nature.

Workplace: Any property owned, leased, or otherwise designated for use by the municipality, including vehicles, training sites, substations, lodging obtained as a result of official travel, or any other location an on-duty employee is present or might be present.

PROCEDURE

A. General

1. All reports of sexual misconduct will be forwarded to the Chief or his/her designee, who will determine if the report will be investigated by Internal Affairs or a supervisor.
2. Criminal allegations will be investigated by the Detective Division.
3. Employees who witness sexual misconduct shall immediately notify a supervisor. Should a supervisor be involved in the incident, the report shall be made to the next level in the chain of command.
4. Supervisors and commanders made aware of sexual misconduct will immediately notify the chain of command and Internal Affairs.

B. Prohibited Actions.

1. Sexual Misconduct of any nature is strictly prohibited and if proven may result in disciplinary action up to and including termination.

2. Anyone in a supervisory capacity or position of authority shall not engage in any activity of a sexual nature with employees on a probationary status. (The disparity of power between the two employees inherently makes this an unequal relationship)
3. Employees, under color of authority or representing the Department will not extort, encourage, offer, accept, or engage in sexual favors.
4. Employees will not engage in any on-duty activity of a sexual nature.
5. Employees will not engage in any activity of a sexual nature at or in a Department workplace or vehicle.
6. Public displays of affection are strongly discouraged while in uniform and/or in a municipal vehicle.

C. Supervisor Responsibilities. Supervisors are in a unique position to detect warning signs and patterns that may indicate sexual misconduct by their subordinates. As such, they must act immediately to address the behavior in question. Supervisors should be aware of and take precautions to avoid opportunities for misconduct to occur. Upon receipt of a complaint, including those that are anonymous or from third parties, or when an employee demonstrates signs and patterns that may indicate sexual misconduct, supervisors will immediately notify the chain of command and Internal Affairs.

D. Prevention and Training

1. Academy curricula for all new officers, within the parameters of ethics training, shall include review and discussion of the sexual misconduct policy and prohibited behaviors.
2. Supervisors shall review and discuss the sexual misconduct policy with all new non-sworn employees upon hire.
3. The ethics and sexual misconduct policies will be reinforced at appropriate in-service opportunities for all employees.
4. New supervisors and Field Training Officers shall receive training on the policy, procedures, and discipline related to sexual misconduct.

E. Victim Advocacy. All victims of sexual misconduct by police employees shall be treated with professionalism and dignity. Their allegations shall be taken seriously throughout the investigative process regardless of their background, criminal history, or perceived lack of credibility or questionable behavior. These victims, as with any who report this offense, must be protected from intimidation.

Chapter 3

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 1.03.000-1.03.005J	
Policy and Procedure Title Duty Requirements	Effective Date 8/5/2009	Page 1 of 6
Replaces Prior Policy: 2/22/2009	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

1.03.000 Duty Requirements

1.03.005 Duty Requirements

PURPOSE

The purpose of this policy is to define the duty requirements of all Department personnel.

POLICY

It shall be the policy of the Anchorage Police Department to strictly adhere to the requirements set forth in the policy.

1.03.005A Duty Requirements

I. Employees shall discharge their responsibilities in a timely and competent manner. If unable, those employees shall report this fact to their superior. Such performance shall include, but not be limited to:

- A. Responding to calls for service, whether dispatched or officer initiated (Sworn)
- B. Completing and submitting field reports in all instances when such reports are appropriate (Sworn)
- C. Attentively completing assigned duties (Sworn/Non Sworn)
- D. Data entry and information retrieval using various programs available to the department (Non Sworn)

II. Employees shall report for duty at the time and place specified by their assignment or orders and complete the number of hours on duty required by their assignment.

III. While on duty, employees shall remain alert and awake, unencumbered by alcoholic beverages, prescription drugs, illegal narcotics, or conflicts arising from off-duty employment.

IV. While on duty, employees shall not engage in any activity or personal business which would cause them to neglect their duty.

V. Employees shall identify themselves to any person requesting an employee's name, rank, and department serial number.

VI. All employees shall maintain a telephone where they can be contacted by the Department. Employees shall notify Personnel of their telephone number, address, and any changes no more than three days after the change goes into effect.

VII. Only with the approval of a shift supervisor and under certain conditions will the writing of a report be delayed beyond the day on which it was investigated.

VIII. If injured or exposed to hazardous substances, employees shall promptly notify their supervisor of the injury and its circumstances.

IX. While on duty, officers shall constantly keep the dispatcher informed of their whereabouts. To this end, officers shall keep their portable radios charged, turned on, and in their immediate possession at all times. Off-duty officers, if required to act under color of authority, shall notify the Dispatch Center of the location and nature of their activity.

X. Officers shall maintain a professional attitude and manner when communicating by radio. Officers shall communicate in plain language and the codes requirements of the Department.

XI. Employees shall not involve themselves in any manner with promises or arrangements between criminals and their victims where such negotiations intend to permit the offender to escape the full, appropriate penalty provided by law. Employees shall not take part, either directly or indirectly, in making arrangements or negotiating any compromise for the purpose of permitting a person to escape the penalty of law with the full responsibility for the acts, or, with the direct or indirect benefit of the defendant, seek to obtain the continuance of trial, a dismissal of a case, or leniency for the defendant in any court except where such action enables the Department to obtain convicting evidence against a more serious offender, and then only with the prior knowledge and consent of:

A. The prosecuting attorney; and

B. The employee's commanding officer; and

C. The commander of the section charged with the final disposition of the case(s) in question.

XII. Employees will be present for all overtime details that they are awarded, unless in case of an emergency which includes illness, last minute court notification, or vehicular breakdown. Employees may contact an alternate 48 hours before the detail if they wish not to participate in the overtime detail. If it is within 48 hours of the overtime detail an alternate can only be contacted in case of emergency.

1.03.005B Mandatory Rest

- I. Employees shall limit the hours worked in a 24-hour period to eighteen hours with a minimum break of six hours prior to being eligible to return to duty.
- II. Employees who work hours outside of their regular work schedules are responsible to ensure the appropriate break in service can be fulfilled prior to their scheduled return to duty.
- III. At the completion of the work week, or on regular days off, employees may extend the maximum hours worked in a 24-hour period to twenty hours but must have a minimum 10-hour break in service before being eligible to return to duty.
- IV. These restrictions also apply to hours worked by call-out teams such as SWAT and the Crime Scene Team.
- V. Postings for overtime details ten hours or more in length will be broken into two individual postings to facilitate these restrictions.
- VI. These restrictions may be altered in exigent circumstances with the approval of the Chief of Police or the Deputy Chief of Police.

1.03.005C Property, Equipment, and Uniforms

- I. Employees shall be responsible for the proper care and use of department property and equipment assigned to or used by them and shall promptly report to their supervisors any loss, damage, destruction, or defect therein. Loss of or damage to property through abuse or negligence may subject the employee responsible to reimbursement charges and/or disciplinary action.
- II. Employees shall operate department vehicles and other equipment in such a manner as to avoid injury to persons or damage to property. Whenever a police vehicle is involved in an accident, the operator shall notify a supervisor immediately. Under no circumstances shall an officer investigate his or her own accident.
- III. When an employee terminates employment, all issued equipment shall be returned on the day the termination is effective.
- IV. Employees shall not purchase, convert to their own use, or have any claim to any found, impounded, abandoned, or recovered property, or any property held as or released as evidence. This does not preclude the Chief of Police from exercising the Ordinance authority to convert property to Department use.
- V. Employees shall not duplicate or loan any key, magnetic card, password, code, or other accessing device or information, nor retain any such accessing device after transfer, termination, demotion, reassignment, or other action that would normally deny or restrict continued access privileges.

1.03.005D Money Expenditures

- I. No employee shall incur any financial obligation on behalf of the Department without permission from a commander.
- II. No employee shall imply or accept financial liability for loss or damage on behalf of the Department.

1.03.005E Orders-Understanding and Compliance

- I. Employees shall obey the lawful orders, directions or request of a superior as long as it does not unduly jeopardize the employee's safety.
- II. Violation of law: Supervisors shall not knowingly or willfully issue any order in violation of any law or ordinance or order of the department.
- III. Conflict of orders: Employees shall promptly obey any lawful order of a supervisor, including any order relayed on behalf of a supervisor by an employee of the same or lesser rank. If an employee receives two apparently lawful but different orders that may conflict, the last order given shall be followed unless the order is retracted or modified. If an employee receives conflicting orders, the employee shall inform the person giving the last order of the conflict. The person giving the conflicting order shall then resolve the conflict by either retracting, modifying, or requesting the employee to comply with the latest order. If the conflicting order is not altered or retracted, the employee may be held responsible for disobedience of the order or directive previously issued.
- IV. Obedience to orders: No employee of the department is required to obey any order or law which is contrary to this manual; however, a refusal to obey is the responsibility of the employee and he or she shall be required to justify the action.
- V. Employees shall be responsible for understanding their assignment. Employees in doubt as to the nature or details of their assignment shall seek clarification from within their chain of command.
- VI. Employees shall make reasonable and diligent effort to remain informed of all information pertinent to their assignment.

1.03.005F Dealing with the Public and Agencies

- I. Employees shall not interfere unnecessarily with the lawful business of any person or firm.
- II. Employees shall cooperate with other law enforcement agencies and assist with the investigation if needed. Department procedures will define what information and/or assistance may be provided to other non-law enforcement agencies.

1.03.005G Duty Communications, Reports and Notices

- I. Employees shall respond to phone messages and e-mails from Department employees, other agencies and the public in a timely manner.
- II. Employees receiving any official communication intended for another shall expeditiously forward such communication to the proper employee.
- III. Employees shall not use Departmental stationery or forms for any purpose other than transaction of official business.
- IV. All outgoing official correspondence will be signed by the Chief of Police or his designee, unless otherwise allowed by Department or unit procedure.

V. Employees shall not direct any person, agency, or business to utilize the address of the police department for the delivery of personal mail.

VI. Employees shall not use the Department's address as a primary address on Operator's Licenses or Motor Vehicle Registrations.

VII. Employees will notify their Division Commander through the Chain of Command when an interview in the performance of official duties is anticipated, or has been conducted with a Municipal Department Head or Head of another government agency.

VIII. Employees shall inform superiors of any matter coming to their attention which may affect the welfare or have a direct effect on the Department or Department employees.

1.03.005H Court Duties and Obligations

I. Employees who are notified of a demand for their attendance in any trial or court-related hearing will be available or will be present at the time and place specified, and will be prepared to testify or assist as required. Notification by a court is accomplished by any official document issued by an authorized person or verbal order either in person or by phone.

II. If an employee is going to be on unscheduled leave of any kind, including sick leave, and they have been subpoenaed to appear in any court, including traffic court, the employee shall notify the appropriate agency (Federal, State or Municipal Prosecutor or the Traffic Court) if they are unable to make their court appearance. It is the employee's responsibility to resolve all court conflicts involving leave that is "last minute" or unscheduled. As a last resort, if an employee is unable to make personal contact with the appropriate agency, that employee shall contact the Court Liaison.

III. Most notices of court proceedings refer employees to a telephone number for further information. Failure to call as instructed, or failure to expend reasonable efforts to comply with the intent of the order will be treated as disregard of the order.

IV. Employees required to be in court shall remain until excused by the prosecuting attorney and/or judge/magistrate. It shall be the employees' responsibility at the completion of testimony to ask the presiding official or the prosecutor of the proceeding whether or not they may be dismissed. If the presiding official or the prosecutor dismisses the employee, the court appearance and the court obligation shall end at that time.

1.03.005I Identification

I. Employees while on official business shall upon request immediately identify themselves by giving their name, rank, and DSN, and by displaying their badge or official credentials unless such action is likely to jeopardize successful completion of a police assignment. This information will be produced in a professional and courteous manner.

II. Employees not in uniform shall wear their issued Department badges conspicuously while within the station. Employees who allow non-employees into the secure areas of the station will ensure that these persons have first been issued a visitor's badge, which shall be worn conspicuously on the outer clothing.

III. Employees shall challenge any person within the secure areas of the station whom they do not recognize, and who is not wearing an identification badge.

IV. Employees in public shall not greet or in any other way indicate recognition of undercover officers of any law enforcement agency unless the undercover officer first indicates or initiates recognition.

1.03.005J Employee Medical Considerations

I. Employees shall maintain sufficient physical condition to satisfy the requirements of their assignment.

1.03.005K Miscellaneous Duty Considerations

I. Dogs will not be used by Department employees except as provided by Department procedure. Under no circumstances will an employee who has not been specifically trained as a dog handler use a dog to accomplish a police task. Additionally, employees shall not bring personal pets to their work environment as this helps to ensure the safety of Police Service Dogs.

II. Use of Departmental telephones for personal business is discouraged and shall be limited. Employees will not incur an expense to the Municipality for a personal telephone call, nor use another's DSN, nor use an intentionally false account number to avoid payment of telephone charges.

III. Employees shall not use another employee's badge or official police credentials without the permission of a superior officer, nor shall they knowingly permit any person not appointed to this Department to use an Anchorage Police Department badge, credential, uniform or part thereof at any time.

Chapter 4

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 1.04.000-005	
Policy and Procedure Title Special Policies	Effective Date 8/5/2009	Page 1 of 2
Replaces Prior Policy: 6/1/2007	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

1.04.000 Special Policies

1.04.005 Unbiased Policing

PURPOSE

This policy is intended to reaffirm the commitment of the Anchorage Police Department to unbiased policing, to clarify the circumstances in which officers can consider race, ethnicity, gender, sexual orientation, economic status or age when making law enforcement decisions, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way. In order to be effective we must be trusted and deal with both the reality of the difficult and complex job of policing and the perception of police action.

POLICY

Investigative detentions, traffic stops, arrests, searches, and property seizures by officers constitute a large portion of our mandated tasks. These acts must always be based upon a standard of reasonable suspicion or probable cause. Officers must be able to articulate facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, searches, and property seizures.

Officers may take into account the reported race, ethnicity, gender, sexual orientation, economic status, or age of a specific suspect or suspects based on information that appears credible and locally relevant and links a person or persons to a particular incident, that would give the officer reasonable suspicion or probable cause to contact the person or persons.

Law enforcement decisions will be based on the totality of circumstances and not solely based on race, ethnicity, gender, sexual orientation, economic status or age. Officers are routinely alerted to a variety of suspicious circumstances and although they may not be witnessing a recognizable crime, they still have the authority and obligation to investigate those circumstances and conduct a field interview.

DEFINITIONS

Bias-based policing: Stopping, detention, interdiction or other enforcement action based solely on a person's race, ethnicity, gender, sexual orientation, economic status or age.

Probable Cause: Reliable information in sufficient quantity and detail that would lead a reasonable person to believe that a crime has been committed or was attempted and that the suspect committed the crime.

Reasonable Suspicion: Articulable, objective facts which lead an officer to suspect that a person stopped has committed, is committing, or may be about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a citizen. Courts require that stops based on reasonable suspicion be "objectively reasonable."

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 1.04.010-1.04.010G	
Policy and Procedure Title Chain of Command		Effective Date 8/5/2009	Page 1 of 4
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

1.04.010 Chain of Command

PURPOSE

The purpose of the policy is to define and clarify the policy and procedure regarding the concept and implementation of a Chain of Command philosophy as it pertains to the Anchorage Police Department, its Supervisors, and its employees.

POLICY

All sworn and non sworn employees, including those in Supervisory roles, must meet and comply with the requirements of this procedure. Employees of the Anchorage Police Department are required to follow their established Chain of Command in matters of Official Department business. Failure to do so may result in disciplinary action.

DISCUSSION

The relationship between Supervisors and subordinates must be one which allows and encourages open, flexible, respectful and effective communication. It is essential that a Supervisor and subordinates interact in a positive and professional manner. This provides the best means of developing ideas, exploring suggestions, or resolving personal conflicts and problems. Although contract, policy, or law governs certain aspects of the relationship, most interactions concern communications that are matters of day to day business.

The Anchorage Police Department philosophy allows for some flexibility in the chain as is pertains to Non-Official business matters. Employees are encouraged to discuss Non-Official issues with their respective Supervisors as well as others within the Anchorage Police Department; however, they should follow their established Chain of Command when addressing Official departmental business. Likewise, Commanders and Supervisors must also utilize the Chain of Command for Official business matters. Additionally, Commanders and Supervisors must not allow an employee to abuse the "open

door" policy of the Department and must direct the employee to his immediate Supervisor for the prompt resolution of Official requests or problems.

DEFINITIONS

Chain of Command: Chain of Command is defined as the lines of communication, responsibility, and authority going upward and downward within the organizational hierarchy through each successive level of supervision. In applying this definition, an employee must direct/receive Official Communication(s) through his or her Supervisor(s). Each person within the Chain of Command has the inherent responsibility and authority to make decisions and provide solutions for those under their supervision.

Official Communications: Official Communication is the flow or exchange of information (oral, written or electronic) between Department personnel that directs operations designed to achieve the mission of the Anchorage Police Department. Official Communications occurs between members of the Department, who are at the time that the communication is made, under the Color of Authority or who are acting in an official capacity for the Anchorage Police Department. Official Communications includes, but is not limited to, communications about operations, personnel issues, resource expenditures, complaints, directives, notifications, as well as general and direct orders.

Non-Official Communications: Non-Official Communication is any information flow or exchange that is not at the time an Official Communication and is considered to be of informational value only to the members concerned. Non-Official Communications do not seek to specifically direct the operations of the Anchorage Police Department. Non-Official Communications includes, but is not limited to research, notices, inquiries, or other items of informational distribution.

Open Door Policy: The Chief of Police wants employees to communicate to him or to any Supervisor ways to better perform the mission of the Anchorage Police Department. The Chief of Police also allows for employees, who have made a good faith effort to resolve an Official or personal issue through their Chain of Command, to make an appointment to see him and voice their issues, complaints, suggestions.

Direct Order: A Direct Order is a command (oral, written or electronic) which mandates or prohibits a course of action or a specific conduct.

Members: All sworn and non-sworn employees of the Anchorage Police Department.

General Order: A General Order is usually presented by the Chief of Police, or from his or her agent, which mandates or prohibits a course of action or a specific conduct. A General Order is usually in a written or electronic form, however if time sensitive or in an emergency situation it may be oral in form.

1.04.010A Chain of Command

I. The Chain of Command descends from the Chief of Police and ascends from the lowest rank. The Chain of Command shall be strictly adhered to in all Official Communications.

II. Members of the Anchorage Police Department shall not by-pass their Supervisor or an Acting Supervisor for Official Communications except as set forth in these Policy and Procedures.

III. Each member within the Chain of Command is responsible for the prompt and appropriate resolution of minor problems at the lowest level of authority.

1.04.010B Lawful Orders

I. Members of the Police Department shall normally be required to take direct orders from, and be directly responsible to, one Supervisor, or Acting Supervisor, within their normally assigned duty area.

II. Additionally, Members of the Police Department may be obligated to receive direct orders from divisional Commanders or other Supervisors during field operations or during emergency situations.

1.04.010C Unlawful Orders

I. No sworn or non-sworn employee shall be expected to obey an unlawful order from any Commander or Supervisor inside or outside of their Chain of Command.

II. See also Anchorage Police Department Regulations and Procedures Manual - Duty Requirements: ORDERS-UNDERSTANDING AND COMPLIANCE

1.04.010D Requests, Complaints, Suggestions, or other Reports

I. It is the responsibility of every member of the Anchorage Police Department (Supervisors and subordinates) to disclose, discuss, and resolve matters of mutual concern. An open dialogue will usually serve to develop an appropriate relationship. There is an expectation that issues can be best resolved by those involved at the immediate level within the Chain of Command.

II. Every member of the Police Department shall direct all Official Communications, including but not limited to, requests, complaints, reports, or suggestions to their immediate Supervisor, or Acting Supervisor, orally or in writing through their appropriate Chain of Command.

III. If a solution cannot be reached collaboratively between the Supervisor and the employee, the matter may be addressed at the next higher level of supervision with the knowledge of the Supervisor.

A. Issues taken to the next level of supervision will be done so collectively and with the knowledge and with the approval of each Supervisor or Commander within the employee's chain of command. Matters will be addressed expeditiously; however, the issue may require further inquiry or

consideration before a determination can be made. The disposition of such issues will be communicated to all involved.

B. Should the issue need to be brought to the next level within the Chain of Command, the employee is to inform their Supervisor or Commander either orally, written, or in electronic form at each progressive step within the chain. At each individual level every Supervisor or Commander is required to inquire about the issue and attempt to resolve it. Should the issue not be resolvable then approval will be given to the employee to progress to the next higher level within the Chain of Command.

C. After making a good faith effort to utilize the Chain of Command, the employee may be allowed to utilize the Chief's Open Door Policy by making the proper appointment through the Chief's Assistant and with the knowledge of the Chain of Command, including notifying the proper Deputy Chief of Police prior to initiating a meeting.

1.04.010 E Exceptions

I. If a complaint is against the Officer's immediate Supervisor, the Officer may direct the initial communication to the Supervisor or Commander next higher in rank within the division.

II. Any employee can at any time, with or without a Supervisor's knowledge or approval, direct Official Communication regarding criminal or serious misconduct, discrimination, or harassment to the Anchorage Police Department Internal Affairs Unit.

1.04.010F Directives from Other than the Direct Supervisor

I. A Command Officer or a Supervisor shall retain command powers over all subordinates within the Department, but shall exercise such command powers over subordinates outside their usual Chain of Command only in situations where the police mission, police purpose or the reputation of the Department is jeopardized.

II. Commanders or Supervisors finding it necessary to exercise their command powers with subordinates outside their usual Chain of Command, either to give orders or on-the-spot corrections, should at their earliest convenience report such action to the Commander or Supervisor in charge of the employee involved.

1.04.010G Emergency Situations

Nothing in this procedure shall be interpreted to exempt any member of the Anchorage Police Department from taking appropriate action in the face of an emergency situation. Any such occurrence requiring departure from an order, or any part thereof, shall be reported at once to the commanding officer on duty next in the Chain of Command.

PART 2 Administrative Procedures

Chapter 1

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.01.000-2.01.005	
Policy and Procedure Title Compensation and Benefits Compensation and Benefits-General	Effective Date 8/5/2009	Page 1 of 5
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.01.000 Compensation & Benefits

2.01.005 Compensation & Benefits- General

PURPOSE

To describe the underlying principles of the compensation and benefits system at the Anchorage Police Department, and to define those terms fundamental to subsequent procedures within this chapter.

POLICY

To provide an equitable and harmonious work environment by accurately and consistently abiding by Federal, State, Municipal, and contractual labor obligations, and by recognizing and implementing sound management practices.

DEFINITIONS

DUTY (SEE 1.01.000 DEFINITIONS)

I. For purposes of this chapter, "duty" shall refer to the performance of services; the discharge of the legal and moral responsibilities of employment with the Anchorage Police Department. It is the broadest term addressing the conduct of any authorized activities under color of authority. Duty can include:

A. Temporary Duty: A temporary alteration of an employee's primary function within the Department. This can include:

1. Full Duty: The ability of employees to work at full capacity in their regularly-scheduled job assignment, including overtime if required.
2. Light Duty: A type of temporary duty caused by a medical condition which prohibits employees from working at full capacity in the performance of their regularly-scheduled job assignment.

3. Directed Assignment/Special Assignment.

4. Job-related or other authorized activities. The concept of "duty" goes beyond performance of what appears in one's job description. "Duty" can also include a variety of acts authorized by law, contract, rule, or convention, so these activities are not regarded as "exceptions." This includes, but is not limited to, Departmental training, meal time, and various contractually-described activities.

PRINCIPLES OF COMPENSATION AND BENEFITS

I. Basic Premise. Central to this entire chapter is recognizing that an agreement exists between any employer and its employees, wherein the employee provides specific skills (works) for a predetermined compensation (salary), and that this mutual obligation exists during established hours of employment. Any departure from this--whether it is performance above this expectation (as overtime) or unique skills (specialty pay), or absence during the expected work period--is an exception which must be documented so as to adjust compensation and benefits.

A. Exceptions. These exceptions noted above fall into the two broad categories:

1. Additional Compensation. This is compensation above the base wage for work beyond the normal time periods, use of particularly specialized skills, or other conditions specified by law, rule, or contract; and

2. Leave, or absence from duty. Authorized absences from duty will always be in the form of some type of leave. These types are identified and defined later in this procedure.

B. Documenting Exceptions. Since the basic premise is that an employee shall work a certain number of hours for a certain wage, any deviation from this must be documented. The documents used by the Anchorage Police Department are:

1. Leave Request forms, which document application for authorized absences from duty; and

2. Additional Compensation Request forms, which apply for and document compensation beyond one's normal base salary.

C. Methods of Compensation. Represented employees usually have the choice of receiving additional compensation for overtime worked either in the form of wages or compensatory time (additional leave). Other types of additional compensation must be given in the form of pay.

II. Base Salary. The basic hourly wage, described by "range" and "step" (within that range) from which all compensations are calculated. The exact amounts vary by contract and law.

A. Additional Compensation. Certain things can add a percentage of one's base pay to his or her salary. These situations are closely regulated

by labor laws and contracts, so vary with time. Of all the conditions which could result in additional compensation, the most common is overtime pay--the result of either call-in for duty, appearance for court on non-duty hours, and holdover beyond one's normal tour of duty.

III. Authorized Absences from Duty.

A. Leave-paid. There are many events which require employees to be absent during the period they are presumed to be on duty. The reason why a person is absent determines the type of leave involved. Once the type of leave is established, priorities can be set, pay or "leave bank" can be adjusted and, in general, the absence can be administered. The types of leave for which employees may be eligible include:

B. Annual leave. Time off for personal use or short-term illness/injury, accounted for by subtracting the amount of time absent from the employee's annual leave bank. The employee accrues annual leave at a rate set by law and contract. Annual leave may also be "cashed in" as pay.

C. Compensatory leave. Earned compensatory leave is identical to accrued annual leave, with the following exceptions:

1. Such leave is subtracted from a separate compensatory leave bank; and
2. Compensatory leave may not be converted to cash; and
3. Unlike the annual leave bank that accrues at an established rate, use of the compensatory leave system is optional--employees can elect to be remunerated for overtime by adding leave time into their compensatory leave bank in lieu of reimbursement with money.

Note: That of all the ways of receiving additional pay, only overtime in its various forms may be converted into compensatory leave time. All others are paid in salary form.

4. Administrative Leave. Time off initiated and granted only by appropriate authority within the administration of the Department. Administrative leave applies to those unusual circumstances wherein an employee should not be actively on duty, yet termination or other forms of leave are inappropriate. Granting of administrative leave is precautionary in nature, and is not punitive. All benefits continue to accrue while on administrative leave. This leave is not subtracted from any leave bank.

5. Training leave. Time off for travel to, and attendance of, job-related training conducted outside of the geographic boundaries of the Municipality, and when such attendance requires overnight lodging. If the attendance does *not* require overnight lodging, the employee's pay is unaffected, and is regarded as part of the employee's duty (no leave application is necessary). Training leave is not subtracted from any leave bank.

6. Jury leave. Time off given to discharge one's responsibilities as a juror or prospective juror. Jury leave time is not subtracted from any leave bank.
 7. Funeral leave. Time off of duty to allow attending the funeral of an employee's immediate family. Although the leave is not subtracted from any leave bank, the amount of time and circumstances of leave are governed by regulation and contract.
 8. Sick (medical) leave. For represented employees, time off for reasons of:
 - a) Protracted illness/injury. Sick leave provisions apply only when the illness or injury is so great that the employee is absent from duty beyond a minimum period of time set by contract. When that period is exhausted, that time and any further absence is subtracted from the employee's sick leave bank. Absences for lesser illnesses and injuries are deducted from the employee's annual or, at the employee's option, compensatory leave bank. Employee's accrue sick leave at a rate set by contract;
 - b) Worker's Compensation claims. Most absences for medical conditions which are covered by Workers Compensation will not be deducted from any of the employee's leave banks.
 9. Military leave. Military leave is granted to members of the National Guard or Military Reserves who have been ordered to attend a period of active duty. Employees are entitled to two weeks per year of Military Leave. Additionally, the Department may request the military to alter the dates of active duty to allow for proper staffing of the Department. For military duty beyond the period of military leave time, employees may use annual leave or leave without pay.
 10. Municipally-recognized holidays. Law and contract govern which holidays are to be recognized, and how staffing, leave, and compensation are to be conducted. However, in all cases, absence from duty for such holidays is not subtracted from any leave bank.
- D. Leave-unpaid. There are certain provisions which result in a person being absent from duty, not receiving any compensation or accruing any benefits, but retaining employment. This condition is known as "leave without pay," and has the two subcategories of:
1. Punitive. Punitive leave without pay is invoked by the administration as a sanction against misconduct.
 2. Non-punitive. Non-punitive leave without pay is a response to employees' exigent personal circumstances. Although the conditions vary with law and contract, the most common applications include:
 - a) Extended vacation, when annual/compensatory leave is exhausted.

- b) Personal reasons, when annual/compensatory leave is exhausted.
- c). Temporary Illness, when annual, compensatory, and sick leave banks are exhausted, light duty status is inappropriate, but recovery to full duty status seems likely.
- d) Military duty that extends beyond Military Leave.
- e) Family leave, which is a form of unpaid leave that allows new parents time to bond with their children.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 2.01.010	
Policy and Procedure Title Compensation and Benefits--Leave		Effective Date 8/5/2009	Page 1 of 15
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.01.010 Compensation & Benefits-Leave

PURPOSE

To advise all personnel of the authorized reasons for absences from duty, and instruct in the proper application for and processing of those requests.

POLICY

That all absences from duty be authorized, and that such absences be granted and documented according to sound management and accounting principles.

DISCUSSION

Although there are many types of leave, they all result in absence from duty with possible impact on both the employee's compensation and the smooth operation of the Department. Consequently, the granting of leave, or the involuntary imposition of leave on an employee, can be a serious matter.

DEFINITIONS

The procedure "Compensation & Benefits--General" (2.01.005) is dedicated to a full discussion and description of the terms critical to the procedures within this chapter.

REFERENCES

Municipal Personnel Rules and existing labor contract(s) between the Municipality and the Anchorage Police Department Employees' Association are the primary reference documents to this chapter, including this procedure. State and Federal laws, particularly the Fair Labor Standards Act (FLSA), also play a significant role in determining employee benefits.

PROCEDURE

I. ANNUAL AND COMPENSATORY LEAVE

A. General. Annual leave and Compensatory leave are discussed together since they are nearly identical. The few major differences are:

1. Accrual. All employees automatically accrue annual leave at a rate set by contract and ordinance. Compensatory leave, however, is an optional program whereby worked overtime may be compensated by putting equivalent hours into a compensatory leave bank in lieu of receiving overtime salary.

2. Cash-in. Annual leave may be converted to cash (in accordance with current contract(s)), while compensatory leave can only be taken as leave from duty.

B. Eligibility and Purpose. There are two purposes of annual/compensatory leave. One is to provide an employee with personal use time, while the other is for short term illness/injury. Confusion can arise here, as annual/compensatory leave is routinely used as "sick leave," although there is a separate and distinct bank of leave called "sick leave." This formal sick leave bank is used for longer term illness and/or injury. Note the following:

1. When used for personal reasons, annual, and, to a point, compensatory leave are granted as workload and staffing allows. When on such leave, there is minimal obligation on the employee to the department. Leave is deducted from either the employee's annual leave bank or, if the employee has compensatory leave available and opts to use it, from his or her compensatory leave bank.

2. When annual or compensatory leave is requested for short term illness or injury, it is regarded as a fairly high priority leave to grant even though it is usually requested on very short notice. Consequently, unpredictable staffing deficiencies can result, and lesser priority leaves can be denied. Obviously, if this type of leave is abused, the consequences can be extreme to both the department and employees seeking approval for legitimate absences. To reduce abuse, certain requirements can be made of employees using this form of leave. These include, but are not limited to:

- a). Showing verification of illness/injury; and/or
- b). Submitting to further medical examination.

C. Accrual. For annual leave, refer to the contract for the accrual rate. Compensatory leave accrues variably, depending on overtime hours worked, the rate of that overtime, and if the employee opts to be compensated by salary or compensatory leave time.

D. Application. When requesting annual leave, the following applies:

- 1. The employee shall, depending on the nature of the use, either:
 - a). Properly complete and submit a Leave Request form (see the Report Writing Manual for details) when requesting annual/compensatory leave for personal reasons. That application will be processed according to the standards set in this procedure (I. E. 1. a, following).

b). If Annual or Compensatory leave is to be used for a short term illness or injury, the employee shall comply with the provisions described in E. b. of this section. Once done, that absence will be deducted from the employee's annual or compensatory leave bank, according to that employee's choice.

E. Processing procedure. Once an employee requests annual or compensatory leave, the following process applies (See "B.1." for personal use, and "B.2." for illness or injury use):

1. For personal use.

a). The completed Leave Request is submitted to that employee's supervisor. On the applicant's request, the receiving supervisor shall initial and date a copy as receipt of that application.

b). Standards for approval/denial. When supervisors are given an application for leave, they become the primary approving/denying authority. A denied application must be based on cause--and, to ensure fairness, the reasoning must be consistent. Setting Department-wide standards is an initial step towards guaranteeing consistency, but police work is so vague and unpredictable in its staffing demands that rigid standards are hard to devise. Ultimately, it is the sound judgment and unprejudiced sense of fairness of a supervisor that ensures equity in personal leave allocation. As an aid to the supervisor in evaluating an application of annual/compensatory leave for personal reasons, the following guidelines are offered:

i. Review the form for completeness and accuracy.

ii. Compare the application with any other pending applications, and assess for conflict with any contractual provisions, especially those regarding seniority priorities.

iii. Attempt to determine the actual use of leave, and ensure the request is, in fact, for personal use and not eligible for a higher priority leave instead. For instance, an employee might erroneously apply for annual leave to attend the funeral of an immediate family member, or to discharge jury obligations.

iv. Weigh the anticipated staffing demands for the period in question. This is perhaps the single most difficult area to assess, but by reviewing scheduled staffing for the day/period in question, other applications for leave, and statistics for required police services, a feel for sufficient staffing can be developed.

c). Whenever an annual/compensatory leave request for personal use is denied, that application shall be kept in a "suspense" file with other denied applications within that unit/shift during that time period. Should a previously approved leave be rescinded (either by the applicant or Department), and thus create a leave vacancy,

denied applicants shall be contacted according to the chronological order (or, if seniority issues prevail, by descending seniority) of their leave request submissions, and given the opportunity to take all or part of the leave that was previously applied for but denied.

d). In all cases, applicants for annual/compensatory leave shall be notified of the approval or denial as soon as practical. As always, employees must confirm approval prior to taking leave.

2. For illness/injury.

a). Notification of absence for illness/injury shall be communicated by employees or their designee to their immediate supervisor. If unable to contact the supervisor after exhausting all reasonable means, the following alternatives shall be exercised in the sequence shown below:

i. Contact any member of the employee's immediate work unit. The person contacted shall relay the information to the absent employee's supervisor by:

- (1). Completing a Leave Request form and causing that form to be given to the absent employee's supervisor; or
- (2). Reflecting the information on plain paper, and causing that information to be given to the absent employee's supervisor; or
- (3). Contacting the absent employee's supervisor directly, and personally relaying the information to him/her.

ii. Contacting Dispatch Center. When so notified, the communications clerk taking the call shall relay the information to the absent employee's supervisor by:

- (1). Completing a Leave Request form and placing it in the affected unit's mailbox in Dispatch Center; or
- (2). Reflecting the information on plain paper, and placing it in the affected unit's mailbox in Dispatch Center; or
- (3). Communicating directly with the absent employee's supervisor.

But, in any event;

It is the responsibility of the supervisor to check the unit's mailbox in Dispatch Center and to ensure a Leave Request has been completed on the employee's behalf. The communications clerk is not required to notify the supervisor of the absence, although he or she may do so as a courtesy.

iii. Frequency of notification. Normally, an employee will call in daily to notify of absence for minor illness or injury (as described just above). However, there are two occasions when daily notification is not required:

(1). If the employee knows that the absence will span several work days, one notification for that entire period may be made. The supervisor shall enter that period on the Bi-Weekly Timesheet accordingly.

(2). The second occasion would be any time a Physician's Report form is submitted. That form acts as notification of absence for a specific period.

Once notified, it is the absent employee's supervisor who is ultimately responsible for the entry of the absence into the Bi-Weekly Timesheet and the proper completion and submission of the Leave Request form.

iv. The employee's supervisor shall review the leave request. This review allows an assessment of leave patterns or abuse, and alerts the supervisor that other provisions of the sick leave procedure may be invoked (most notably the requirement of a Physician's Report after 40 hours of absence).

v. Standards for approval/denial. Although true illness/injury absences are of the highest priority, requests for such absences can be denied. Exigent circumstances may require the employee's attendance, or the illness/injury might be too minor to be eligible for annual/compensatory leave approval. The supervisor reviewing the request takes such factors into account, and may seek verification of the illness/injury by personally visiting the employee.

F. Obligations of Employees While on Annual/Compensatory Leave.

1. Employees on annual or compensatory leave for personal use or short term illness/injury have the following minimum obligations:

- a). Abide by all applicable Department regulations of conduct (note especially those rules addressing "under color of authority").
- b). Provide a location and method of contact when absent more than 40 hours, or when leaving the state.
- c). Abide by the provisions found in 3.06.010 E. regarding relinquishment/storage of Home Cars during extended absences.
- d). Make arrangements to return any Department equipment that might reasonably be needed by others during the absence.

II. SICK LEAVE

A Introduction. This section pertains only to longer term absences due to illness or injury. It is critical to note that the earlier section, "I. ANNUAL/COMPENSATORY LEAVE"--addresses short-term illnesses and injuries, and use of annual or compensatory leave for those short absences. Consequently, the earlier Section ("I. ANNUAL AND COMPENSATORY LEAVE") and this section ("II.") of this procedure must be read together when resolving questions of employee absences due to sickness or injury.

B. Eligibility and Purpose. The purpose of the formal sick leave bank is to provide paid absences for employees who suffer longer term, catastrophic illness/injury. Any employee who suffers such a bona fide medical condition is eligible to use any sick leave accrued in that leave bank. Such leave is granted solely by medical standards, and not by considerations of staffing, workload, or seniority.

C. Accrual. Employees accrue sick leave at a rate set by contract and ordinance. Compensatory leave cannot be added to the formal sick leave bank.

D. Application. Absences from duty due to long-term illness or injury are deducted automatically by the Personnel Office when the standards specified in the labor contract are met. The ill/injured employee has no application obligation.

E. Processing Standards. Sick leave is granted under the presumption that the condition warrants that absence, and such leave takes priority over all other forms of leave. However, because such absences may cause severe and unpredictable staffing shortages, or can preempt other optional leaves, and since they are subject to abuse, the Department has authority to ensure that all standards pertaining to medical absences are met. This includes, but is not limited to:

1. Submitting a properly completed Physician's Report form on the next working day following a continuous 40 work-hour absence for illness/injury, or as required by the Department.

- a). The completed Physician Report forms shall be delivered to the Personnel Office of the Anchorage Police Department. They can be submitted by anyone authorized by the affected employee, and can be delivered after hours. Note these cautions, however:

- i. If delivered after hours, the person delivering the form cannot receive any receipt or confirmation.

- ii. The Physicians Report is the sole authorization for the absence. Without the form, the employee risks receiving leave without pay for the subject period.

- b). Supervisors have an integral role in the entire sick leave process for employees under their authority. This includes:

- i. Checking on the welfare of employees and participating in verification of the legitimacy and/or urgency of the claim of illness/injury. Personal contacts with employees at reasonable, mutually acceptable times are expected. The recommended frequency of these contacts is listed in "2. b" of this section.

- ii. Supervisors should make their services reasonably available to employees. If no other arrangements can be made, supervisors are expected, at a minimum, to transport

employees' Physician Report forms to the Personnel Office as described above.

2. Completion of other applicable forms. To maintain sick leave status, certain other forms must be completed. These include:

a) Authorization to Release Information. This form, completed by the employee, authorizes the Department to contact the medical personnel involved in the employee's case.

b) Supervisor's Contact Report. This form is designed to document meetings and conversations with the employee during the period of absence. The Personnel Office initiates the form by completing the top section and forwarding it to the employee's supervisor. Each time there is contact with the ill/injured employee, the supervisor shall document that contact on this form, and forward a copy to the Personnel Office for filing. The frequency of contact with the employee is suggested by the following guidelines:

i. Weekly contact if the employee is absent due to:

- (1). Stress
- (2). Depression/Anxiety
- (3). Back problems
- (4). Broken rib(s)
- (5). Knee or shoulder injury
- (6). Dental surgery
- (7). Tendonitis
- (8). Bunions
- (9). Pinched nerve(s)
- (10). Abdominal or chest pain
- (11). Bronchitis/Asthma
- (12). Infections
- (13). Ulcers

ii. Contact every two weeks if the employee is absent due to:

- (1). Pregnancy
- (2). Pneumonia
- (3). Fractured limb(s)
- (4). Internal injuries
- (5). Gunshot wound
- (6). Minor surgery

iii. Contact every three weeks if the employee is absent due to:

- (1). Heart attack

- (2). Severe burns
- (3). Cancer
- (4). Major surgery
- (5). Stroke

F. Obligations of Employees While on Sick Leave. While on sick leave status, employees have the following minimum obligations:

- 1. Abide by all applicable Department regulations of conduct (note especially those rules addressing "under color of authority.")
- 2. Provide a location and method of contact during the absence.
- 3. Absent reasonable medical cause, not travel outside the Municipality without prior approval from that employee's Division Commander.

Note that:

- a). Permission to travel will not be unreasonably withheld; and
 - b). Employees residing outside the Municipality are allowed the same travel authorization as Municipal residents.
- 4. Abide by the provisions found in 3.06.010 E, regarding relinquishment/storage of Home Cars during extended absences.
 - 5. Make arrangements for the return of any special Department equipment that might reasonably be needed by others during the absence.
 - 6. Submit to municipally-sponsored medical examinations, as appropriate.
 - 7. Submit the forms described earlier in this section in a timely, complete, and accurate manner (most notably the Physician's Report form and the Authorization to Release Information form).
 - 8. Be reasonably available for visit(s) and/or telephone contact by a Department representative, most commonly the employee's supervisor.
 - 9. As the medical condition improves:
 - a). Report for light duty, if required (see Light Duty, below).
 - b). Submit a Return to Duty Authorization at the conclusion of the medical condition.

III. ADMINISTRATIVE LEAVE

A. Introduction. Administrative leave is a "miscellaneous" category of leave that provides the Department with a method of allowing absences on its own initiative for unusual circumstances.

B. Eligibility and Purpose. Administrative leave originates from and is granted by the city administration. Most commonly, administrative leave is given to employees involved in potentially traumatic, on-the-job events. Administrative leave is never punitive.

C. Accrual. Administrative leave does not accrue into, nor is its use deducted from, any leave bank.

D. Application. Administrative leave is not applied for by any employee.

E. Processing Standards. The Chief of Police initiates administrative leave.

F. Obligations of Employees While on Administrative Leave. All obligations of employment while on leave continue, plus any specific, additional conditions.

IV. TRAINING LEAVE

A. Introduction. Department employees are routinely exposed to two levels of training; the first is done in-house or locally, which is regarded as part of the person's assignment during that tour of duty. This is not regarded as absent from duty, so "training leave" does not apply. The second is attendance of job related training session(s) requiring true absence from duty, often longer term and always more distant, with overnight stays necessary. Since this second type is regarded as absent from duty, there must be a time accounting. This is accomplished by applying for and receiving "training leave." This section discusses that procedure.

1. Note this limitation: When training is sought, two levels of approval are necessary:

- a). First, employees must be eligible for, and receive permission to attend, the training in question. This is normally done by following the instructions given on the training announcement; then,
- b). If selected for training, the leave to attend the training is requested. Approval to attend a school is not automatic approval to be absent from duty. This procedure only addresses the application for and processing of the training leave.

B. Eligibility and Purpose. Any employee may apply for training leave if attendance of a job-related schooling is desired by the employee or required by the Department, and permission to attend that training has been granted.

C. Accrual. Training leave is neither accrued into, nor deducted from any leave bank.

D. Application. Employees requesting training leave shall submit a properly completed Leave Request Form (see the Report Writing Manual for details). For Department-required training, the employee's supervisor will cause the completion of the leave application on behalf of the employee.

E. Processing Procedure. The processing procedure for training leave is identical to the processing procedure for annual/compensatory leave for personal purposes. Section "I. E. 1." of this procedure should be consulted.

F. Obligations of Employees While on Training Leave. While on training leave, employees are required to satisfy all the requirements of an employee on annual/compensatory leave for personal use, but with the following additional obligations:

1. Diligently attend the training sought.
 - a). Retain receipts for reimbursement/per diem.

G. Department-Sponsored Training. Employees who desire to attend a class sponsored by the Department shall submit an application in the form and manner specified in the posting for that training. Applicants shall be selected in a method prescribed by the Training Section, consistent with Department and municipal policy and procedures. This method shall ensure that the curriculum of any course is of benefit to the Department, and that the expenditure is pre-approved.

1. Selected individuals will be placed on temporary duty assignment (TDA) to Training. The resulting administrative impact is as follows:
 - a). Those employees will not be eligible for overtime call-in during the period of the school, but will still be responsible for satisfying all normal court obligations, and will be eligible to respond to emergency call-outs of specialized units of which they may be a member.
 - b). Employees who are TDA shall assume a "five-eighths" schedule, which includes a one-hour unpaid lunch and weekends off. Further, they shall comply with the Training Section directions for attire, and any other special instructions that might be necessary.
 - c). Training leave shall be granted in lieu of working a regularly-scheduled shift if there is less than seven hours between the end of one duty cycle and the beginning of another.
 - d). For training that lasts up to six days, employees shall be paid the normal overtime premium for duty performed on what would normally have been a regularly-scheduled day off. For schools of more than five days, employees shall be assigned to Saturdays and Sundays off for the duration of the training.

H. Training Other than Department-Sponsored. Employees who attend schools that are not sponsored by the Department are considered on TDA status for the period of that training, and during the associated travel time. There are no circumstances that would permit overtime salary associated with non-Department-sponsored training.

V. JURY LEAVE

A. Introduction. Jury leave is an authorized absence allowing employees to satisfy their civic duties as jurors. These duties can occur either:

1. During the employee's normal tour of duty, in which case the employee shall attend jury duty in lieu of Department duty. The exact terms and conditions can be found in the current labor contract.

or

2. Outside the employee's normal tour of duty. When such attendance meets the standards specified in the current labor contract, the employee may not be expected to appear for some or all of a particular tour of duty. The exact formula is discussed in the labor contract.

Note: In either case, it is expected that any absence from duty be documented by a completed Leave Request form (indicating "jury leave") and a verification of attendance completed by the court.

B. Eligibility and Purpose. Any employee who appears for jury duty as described in current labor contract is eligible for jury leave. The purpose of such leave is to account for employee absences caused by discharging the duties of a juror. This is distinct from any court activities that are job/case related.

C. Accrual. Jury leave is neither accrued into, nor deducted from, any leave bank.

D. Application. Jury duty requires close coordination between affected employees and their supervisor. Employees must advise their supervisors of the jury obligations in advance, and keep their supervisors apprised of all changes and developments. On concluding a period of jury duty, employees will properly complete and submit the Leave Request form, according to instructions in the Report Writing Manual.

E. Processing Procedure. When a Leave Request for jury duty is completed, the following process shall occur:

1. Submit the request to the immediate supervisor. Attach any verification of jury attendance given by Court personnel.
2. That supervisor shall enter the absence on the Bi-Weekly Timesheet.

F. Obligations of Employee While on Jury Leave.

1. Abide by all applicable regulations of conduct for employees on leave. This includes the wearing of appropriate civilian attire; and
2. Submit any jury duty reimbursements to Payroll.

VI. FUNERAL LEAVE

A. Introduction. Funeral leave authorizes absence from duty for any employee who has an immediate family member die. The actual terms and conditions are specified in the current labor contract.

B. Eligibility and Purpose. Whenever a family member (as defined in the prevailing labor contract) dies, the affected employee may submit a Leave Request to seek authorization for a paid absence to attend to matters surrounding that loss.

C. Accrual. There is no "funeral leave bank" that accrues leave time, but all employees are entitled to paid leave to attend funeral activities based on the specific provisions of the current labor contract.

D. Application. When employees suffer the loss of an "immediate family member" (see the current labor contract for definition), they may apply for funeral leave on the Leave Request form, marking the block entitled "funeral leave."

E. Processing Procedure. Funeral leave is processed exactly as annual leave, except that it is given higher priority. To review, the Leave Request form is completed and submitted to the supervisor, and that supervisor reviews the application and will either approve or deny it. Because of the urgency of this type of leave, the supervisor shall process it promptly, and may deny applications for lesser priority leaves to accommodate the funeral leave request.

1. Obligations of Employees While on Funeral Leave. Employees who are granted funeral leave are expected to use the leave as it was intended--to attend to matters directly related to the death of a family member. In addition, employees shall:

- a). Abide by all applicable Department regulations of conduct; and
- b). Provide a method of contact to the Department; and
- c). Make arrangements to return any special Department equipment that might reasonably be needed by others during the absence; and
- d). Provide verification of death and identity/relationship of deceased, if requested.

VI. MILITARY LEAVE

A. Introduction. The Federal and Municipal laws governing Military Leave are designed to allow employees to maintain a Reserve Military role without jeopardizing their careers or interrupting benefit accrual. All Department employees are provided with 80 hours per year of leave time, compensated according to current labor contract, to satisfy associated military obligations. This leave allowance benefits all parties, but operates best when the employee is sensitive to Department staffing needs by selecting military leave times when the absence will not unreasonably or excessively impair Department operations. Consequently, eligible employees are encouraged to participate in military activities, but are also reminded of their responsibility to seek those leave times which would least impact the overall mission of the Department.

B. Eligibility and Purpose. Employees wishing to engage in Reserve military service, including training, may apply for military leave. Military training is not eligible for Department training leave.

C. Accrual. Employees are entitled to 80 hours per year of military leave time.

D. Application. Application for military leave is made on the Leave Request form, marking "Military Leave" as the type of leave sought, and attaching a copy of the military orders requiring the absence.

E. Processing Procedure.

1. The completed leave request with attached orders is submitted to the supervisor, who shall review and process the leave application. If the period in question would result in significant staffing difficulties, the Department may contact the appropriate military authority to establish if an alternative time would be practical. If so, the leave for the requested period can be denied, based on a substitute period that would satisfy both the military and Department needs.
2. Should employee's desire leave for bona fide military purposes, but have previously exhausted the allocated 80 hours, they may submit an annual or compensatory leave request; or, if no leave remains in those leave banks, for leave without pay. Processing of those requests shall be given the same priority as a military leave request, but the absence would be deducted from the employee's leave bank (or, in the case of leave without pay, the absence would be uncompensated).

F. Obligations of Employees While on Military Leave. Employees on military leave will be expected to diligently perform the military obligations justifying the leave. In addition, employees shall:

1. Abide by all applicable Department regulations of conduct; and
2. Provide a method of contact to the Department; and
3. Make arrangements to return any special Department equipment that might reasonably be needed by others during the absence; and
4. Submit all military pay vouchers (received during the 80 hour Military Leave allowance only) to Payroll, if requested. Military pay received while on Annual or Compensatory leave, or while on Leave Without Pay status, does not have to be turned over to the Municipality.

VII. LEAVE WITHOUT PAY

A. Introduction. Leave without pay, like all other types of leaves, is an authorized absence from duty, but unlike the other forms of leave, this type of absence is without compensation, and may even suspend accrual of other benefits and/or impact employment status of the affected person. This section of the procedure will:

1. Identify the different types of leave without pay; and
2. Explain how employees get on "leave without pay" status.

B. Eligibility and Purpose. There are two broad categories of leave without pay:

1. Punitive leave without pay, known more commonly as "suspension from duty without pay"; and
2. Non-punitive leave without pay. The different occasions for non-punitive leave without pay include:

a). Personal reasons. Extraordinary circumstances may exist that would make it appropriate for employees to request leave from duty without compensation.

b). Medical Reasons. Employees might suffer off-duty illnesses or injuries that create absences for periods extending beyond their Annual, Compensatory, and Sick leave bank totals combined. The current labor contract and Municipal Personnel Rules define the terms and conditions of using leave without pay to cover such periods. These documents should be consulted for details on eligibility and other features.

C. Accrual. There is no leave bank for leave without pay. However, the labor contract specifies the maximum period of time for different forms of non-punitive leave without pay.

D. Application. Punitive leave without pay is imposed on an employee, not requested. Non-punitive leave without pay, however, may be applied for by employees, and is done so on the Leave Request form. Employees shall also attach a letter to the Chief of Police detailing the reason(s) for the leave without pay request.

E. Processing Procedure. Requests for non-punitive leave without pay are submitted to the affected employees' supervisors, but normally considered by the Chief of Police or a designee. Granting of leave without pay is usually done as a discretionary act by the Chief of Police (based on valid management principles), or may be governed by current labor contract provisions.

F. Obligations of Employees While on Leave Without Pay. Employees on non-punitive leave without pay are expected to use the leave for the purposes stated in the letter of explanation to the Chief of Police, and to abide by any special conditions set by the Department while on that leave. Employees on leave without pay for punitive reasons are expected to abide by conditions set by the Department. All persons on any leave without pay shall:

1. Abide by all applicable Department regulations of conduct; and
2. Provide a method of contact to the Department; and
3. Make arrangements to return any special Department equipment that might reasonably be needed by others during the absence.

G. FAMILY LEAVE

1. Introduction. Family leave is a form of absence governed by Federal and State law. The premise of those laws is that parents should be allowed time to bond with their children without jeopardizing their employment.

2. Eligibility and Purpose. Employees about to become parents, whether by birth or adoption, should contact the Personnel office for the latest information regarding eligibility.

3. Accrual. There is no family leave bank. Existing leave banks (with certain exceptions) are used first, then leave without pay is made available to employees who wish to take advantage of the entire period of time allowed by law, but who have insufficient leave banks to cover that period.

4. Application. The Personnel office should be contacted as soon as practical, either by telephone or by memorandum, advising the Department of the possible absence. That employee, in turn, will provide the appropriate leave application form(s) to comply with the law and accounting for the time period sought.

5. Processing Procedure. The Department will process the application in compliance with existing law.

6. Obligations of Employees While on Family Leave. Employees granted leave under the provisions of the Family Leave laws are expected to spend that time with their family, as the law intends. Since this absence can last several months, it is given high priority and can involve two absences (for instance, when both parents are Department employees), it becomes very critical to satisfy the spirit of the law. Absences from the family during this period would be considered an abuse of family leave. In addition, employees shall:

- a). Abide by all applicable Department regulations of conduct; and
- b). Provide a method of contact to the Department; and
- c). Make arrangements to return any special Department equipment that might be reasonably needed by others during the absence; and
- d). Provide verification of birth or adoption, if requested.

Employees have an underlying responsibility to ensure that they have properly applied for and received approval for all absences.

Chapter 2

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.02.000-005	
Policy and Procedure Title Department Communications Computer Use and Procedure Policy	Effective Date 8/5/2009	Page 1 of 8
Replaces Prior Policy: 4/22/2008	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.02.000 Department Communications

2.02.005 Computer Use and Procedure Policy

PURPOSE

To establish Departmental policies and procedures for the acquisition, installation, de-installation, maintenance, and use of computer hardware and software.

POLICY

That all employees adhere to the provisions herein regarding computer procedures. This policy is written in accordance with MOA directives regarding computer systems and equipment.

DEFINITIONS

Assigned Component: A police department unit, section or division that is assigned a Department computer through Information Systems.

Assigned Employee: A police department employee who has been assigned a Department computer.

Authorized User: An individual sanctioned by the Anchorage Police Department, through the Information Systems Section, to utilize Department computers. An individual may be sanctioned by the very nature of their training or assignment.

Computer Maintenance and Installations: Additions, modifications or deletions of any software or hardware on a Department computer, to include opening the computer's external case.

Department Computer: Any personal computer owned or maintained by the Anchorage Police Department which includes:

Desktop: A computer and monitor that are stationery.

Laptop: A portable computer running a full commercial operating system capable of running off battery power alone.

Palm: A portable, battery-operated computer that is capable of storing or sharing files.

Downloads: Copies of files obtained through removable media such as floppy disk, CD ROM disk, etc., or files received from another computer or the Internet.

Electronic Mail (E-mail): Electronic messaging sent from one person via computer to another. Types of e-mail include:

Departmental E-Mail: Electronic messaging sent from one department to another department.

Internet E-Mail: Electronic messaging sent from one person via Internet to another.

Attachments: Electronic files sent with Department or Internet e-mail.

E-Mail Groups: Two types of e-mail groups may be authorized. They are:

Global: Groups that reside on a server and are maintained by Information Systems.

Personal: Groups that reside on individual computers in a user's address book.

IS: Abbreviation for Information Systems. That section of the Anchorage Police Department responsible for planning, purchasing and maintenance of all computer equipment, software and peripherals.

Log-in (Log-on) Access: Access to applications, files, peripherals and Department computers through the use of assigned user names and passwords for security purposes.

Log off (Log-out): The process of removing access to specific files or data. A new log-in is required to regain access.

Network: A system of interconnected computers that allows the sharing of files, software, printers, or peripheral equipment. Related items include:

Dial-up Access: The ability to access computers and files attached to a police LAN through software, security and a telephone modem, typically from a remote location.

Internet: The global system of networked computers around the world.

Local Area Network (LAN): A group of computers connected together that have the ability to share files.

Modem: A device used to send and receive electronic information (documents, images, files) from a computer, usually through a telephone line.

Wireless: The ability to connect and send/receive files by means of radio signal (e.g., cellular phone system, cellular digital packet data, or other means).

Peripheral Equipment: Any equipment attached to a computer system (e.g., scanners, printers, cameras, CD-ROM drives).

Removable Media: Any device that stores information that can be removed from one computer and moved to another (e.g., floppy disks, CD-ROM disks, thumb-drives).

Software: The instruction set used to make the hardware (central processing chips, monitors, drives, etc.) perform tasks. Some examples include:

Applications: Electronic code that performs a specific task on a computer (e.g., Microsoft Word®, Netscape®, etc.).

Commercial Software: Software purchased to run on a specific system.

Freeware. Software obtained from public sources at no cost.

Police/Data Software: Software developed specifically for, or data collected with the Police Department (e.g., a Suspect File).

Shareware: Software obtained through public sources, normally with limited features, periodic visual reminders to purchase, or a time-limit cutoff to prevent use without purchase.

Software Licensing: Software registered to one or more computers that is legally licensed and installed in compliance with the associated license.

Unauthorized Software: Any software whose use has not been approved by the manager of Information Systems, including software not required for job-related duties.

Uploads: Copies of files sent to another computer.

PROCEDURE

I. GENERAL

A. Computer Crimes Unit. The Department's Computer Crimes Unit will be exempt from this procedure and will follow its own internal unit policies on the use of computer resources.

B. Purchases. To purchase new software or hardware, the Section commander shall forward a request to the (IS) manager. A written justification included with the request shall include:

1. A needs analysis
2. A statement of how the equipment will benefit the Department
3. Training requirements.

C. Grants. When hardware or software is to be purchased through a grant, the items will be issued strictly according to the grant provisions. If (IS) support or maintenance will be required, plans to purchase and integrate the system must be discussed with the (IS) manager before submitting the grant application.

D. Seized, Donated and Converted Computer Equipment. Computer equipment that has been seized, donated, or converted to Department use must be approved by the (IS) manager prior to use. To initiate a review of equipment or software, component personnel must furnish a written request to the (IS) manager, which includes:

1. A description of the equipment
2. The intended use
3. A list of any software that must be installed
4. The name of the person(s) who will be assigned the equipment.

E. Compatibility. Before approval or denial of any request for hardware or software, the (IS) manager will review each request to establish:

1. Compatibility with the existing hardware and software
2. Compliance with software licensing agreements
3. Proper registration of all software.

F. Response to Requests for Purchase or Integration. The (IS) manager will respond in writing to the requesting component within fourteen (14) days with an approval or denial.

1. If the request is approved, it will be processed as soon as practical in accordance with current MOA policy regarding purchases.
2. If the request is denied, the (IS) manager will provide the details of the denial to the Section commander.

II. INSTALLATION AND DE-INSTALLATION

A. Requests for Service. To accomplish installation or de-installation of software or hardware, the requesting component shall furnish a written description to the (IS) manager of the item(s) to be installed or removed. If the request is approved, it will be scheduled for service by the (IS) manager or a designated representative.

B. Unauthorized Actions. No software or hardware of any type will be installed, modified, upgraded, removed from, or connected to any Department computer or network, whether for official business or personal use, without the approval of Information Systems.

III. USE OF COMPUTERS

A. General. Computers are made available to employees for work-related activity only. Personal use of Department computers, applications, information or data stored on computers is strictly prohibited. Employees shall not reveal their password or access codes to other individuals except when necessary for computer maintenance or repair or with the permission of their supervisor.

B. Desktop Computers. Multiple users may share desktop computers as long as each user procures information (such as e-mail) through their own access code. At no time shall an employee attempt to gain access by any means to an unauthorized area of the Department or Municipal computer system, including, but not limited to, mailboxes, hard drives, servers, or networked software programs.

C. Laptop and Palm Computers. These computers are generally assigned to specific employees. Should it become necessary to share a laptop or palm computer, the following procedures shall apply:

1. Sharing a Department laptop or palm computer requires the permission of the assigned employee's immediate supervisor
2. Laptop or palm computers assigned to a specific employee shall remain with the component if that employee is transferred or terminates
3. Upon transfer or termination of an employee assigned a laptop or palm computer, the component commander shall return the computer to the (IS) manager for reassignment within that component.

D. Software. No person shall load software onto any Department computer for personal use or gain. Use of such software will be subject to disciplinary action. Employees who observe suspect software on Department computers shall report it in writing to the (IS) manager. If determined to be in violation of this policy, the manager shall cause the software to be removed from the computer.

E. Peripherals. Items such as printers, fax machines, copy machines and scanners, whether attached to a computer or used as a stand-alone device, shall not be used for an employee's personal business or communication.

F. Security. It shall be the responsibility of every employee assigned a computer or who shares a computer to ensure its security as well as the information stored on it whenever they are logged on to that computer or it is otherwise under their control. Every precaution must be taken to prevent its theft or unauthorized use. Therefore, employees shall, at a minimum:

1. Log off the Records Management System, e-mail, and NCIC when the computer is left unattended
2. Lock office doors when appropriate
3. Lock vehicle doors or secure laptop/palm computers in the trunk when the vehicle is unattended (If weather is a consideration, laptop/palm computers should be secured in the assigned employee's residence while off duty or out of service)
4. Notify the (IS) manager if Department computers or peripheral equipment are damaged or stolen, or if it appears unauthorized access was attempted or gained.

G. Maintenance and Repairs. Information Systems is responsible for all maintenance, support and repair of Department computers. Requests for service, unless critical, should be routed through the supervisor of the affected component. The assigned (IS) support personnel will evaluate and prioritize requests and reply to the supervisor. All requests must include the following information:

1. Nature of the problem
2. Date and time of occurrence
3. Priority (low, moderate, high).

H. Inspections. Department computers are subject to inspection by component supervisors or (IS) personnel at any time.

1. Should a component supervisor, through an inspection, find a violation of regulations or procedures on a computer assigned to an employee, that supervisor may be required to provide the IS manager with a written report.
2. Whenever an upgrade or maintenance is performed on a Department computer, the appropriate (IS) employee shall complete an inspection report.

I. Training. Certain equipment, applications or programs may require initial or recurrent training for proficiency and/or certification. Employees should request this training through the chain of command as with any other training. In any case,

1. It is the responsibility of each assigned employee to maintain National Crime Information Center (NCIC) certification if required by the employee's supervisor or job assignment; and
2. It is the responsibility of the Anchorage Police Training Academy with the assistance of (IS) personnel, to design and administer additional computer training specific to the software available to assigned employees, except for training provided by a private company approved by the Chief of Police.

IV. ELECTRONIC MAIL (E-MAIL) PROCEDURES

A. General. The Municipal e-mail system is a formalized communication tool that shall be used for official business only. Employees are reminded that e-mail is not a protected form of communication and could be subject to a discovery motion in a criminal or civil case, or constitute grounds for an internal investigation. The following procedures shall apply to all employees:

1. All employees shall check their e-mail account each business day and reply to messages that require an answer in a timely manner.
2. Employees shall disclose all passwords and codes necessary to access their personal e-mail account to a supervisor in their chain of command upon request.

3. Employees shall not attempt to gain access to another's mailbox, except that a supervisor in an employee's chain of command may conduct an inspection of an employee's account for official business purposes only.
4. All e-mail messages shall be composed in a respectful and professional manner. Employees should remain aware of the potential for widespread distribution of any e-mail message, and of the consequences for violation of Departmental regulations.
5. Any employee who receives e-mail containing a suspicious enclosure or file from an unknown source should contact (IS) personnel before opening the file.
6. Upon termination, an employee's immediate supervisor shall notify the (IS) manager so that the user's account can be removed from the system.
7. Employees are discouraged from sending e-mails with large or numerous electronic file attachments.
8. Information Systems can maintain only a limited number of global e-mail groups. Therefore, the following criteria shall be met before a global group is approved:
 - a). Each group must consist of at least ten members.
 - b). The group must be intended for use by at least ten employees or others.
 - c). Changes to the member list should not be required on a regular basis.
 - d). The group is necessary for use by an outside agency (Prosecutor, etc.).
9. Exceptions to the above have been authorized by the (IS) manager.
 - a). Personal e-mail groups initiated and maintained by users are encouraged.
 - b). Employees are encouraged to empty their deleted items folder on a regular basis to conserve network resources. The e-mail server will purge the DELETED e-mails after 30 days.
 - c). Outgoing e-mail messages are limited in size to 40Mb to Municipal recipients and 20Mb to non-Municipal recipients. Mailboxes kept on the e-mail server are to be limited in size to 300Mb. Once that limit is reached, employees will only be able to read and receive e-mail but not be able to send e-mail.
 - d). Command-level approval must be obtained before sending e-mail to the "All Personnel" and "All Sworn" e-mail groups. Command-level here is defined as a Lieutenant and above or a non-sworn UNIT supervisor.

IV. INTERNET ACCESS AND USE

A. General. The Internet is a tool for research and communication. As such, certain employees have been granted access for business use only. Employees who abuse Internet access privileges may be subject to disciplinary action.

B. Requests for Access. Unless blanket access has been granted to a component, individual employees must request Internet service on an assigned computer through their immediate supervisor, who shall forward the necessary documents through the chain of command. All requests must be approved by the Chief of Police.

C. Use of the Internet. Employees who have been granted Internet access privileges shall be subject to the following regulations:

1. Employees shall log off the Internet unless actively seeking information.
2. Employees shall not access any web site unrelated to job duties
3. Employees shall not download information or data for personal use.
4. Internet pages or web sites shall not be linked to the APD home page unless first approved by the (IS) manager.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.02.010	
Policy and Procedure Title Department Communications— Request for Action System	Effective Date 8/5/2009	Page 1 of 2
Replaces Prior Policy: 4/22/2008	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.02.010 Department Communications-Request for Action System

PURPOSE

To advise all personnel of the proper use of and response to the 'Request For Action' (RFA) system used at the Anchorage Police Department.

POLICY

That the Department maintains a vigorous quality control program, to include: the aggressive monitoring of employees' work product for safety, accuracy, legibility, and timeliness; requiring prompt corrections to any deficiencies; and hold employees accountable for failing to take proper action.

DISCUSSION

The goal of the Request for Action system is to:

Provide designated personnel charged with reviewing other employee's final work product with a means by which they can quickly and reliably notify another employee of action they must take in a specific matter, and simultaneously document and track that request.

Provide a progressive system to ensure compliance with that request. The first notice is sent to the employee directly; the second notice is sent through that employee's supervisor; the third and final notice is sent to the appropriate Division Commander.

Provide statistical analysis for the Department to ascertain what types of error(s) are frequently being made. This can be very useful in establishing training topics.

DEFINITIONS

Corrective action. Supplemental work needed to bring a particular work product to an acceptable level of quality.

Notice. First, second, and third "notice" identify the number of times an individual request is made of a particular employee.

PROCEDURE

I. Supervisors or their designees will initiate a Request for Action when a corrective action is needed.

A. The first RFA shall be addressed to the responsible employee. On the first request, only the top portion of the RFA will be addressed to the employee and the subsequent explanatory data (case number, date of request, type of problem, requestor) will be completed. The response due date will be noted on this first request. An employee will respond to a Request for Action within two weeks of receiving the request, unless exigent circumstances exist.

B. If the due date should lapse without a response from the employee, a second notice will be generated by the requestor. The second notice will be addressed to the employee's Supervisor and it will become that Supervisor's responsibility to personally contact the employee to assure the problem is corrected. A response due date will be noted on this second request. An employee will respond to a Request for Action within two weeks of receiving the request, unless exigent circumstances exist.

C. The third and final RFA will be addressed to the employee's Division Commander when the second due date lapses without a response in a timely manner from either the employee or their supervisor.

D. Supervisors and commanders may take appropriate action, to include discipline, to facilitate the correction of any time sensitive RFA themselves or by delegating another employee, whenever the responsible employee is unavailable.

II. Tracking Requests for Action. All Requests for Action will be tracked by the unit or section that requested the action.

Chapter 3

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.03.000-005	
Policy and Procedure Title Employee Evaluation and Recognition Employee Recognition Program	Effective Date 5/15/2012	Page 1 of 4
Replaces Prior Policy: 8/05/2009	Approved by: Chief Mark. T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.03.000 Employee Evaluation and Recognition

2.03.005 Employee Recognition Program

PURPOSE

To advise all employees of the Department's "Employee Recognition Program" standards and implementation methods.

POLICY

That members of the Department and other deserving citizen's receive recognition of and appreciation for performance above the average.

DEFINITIONS

Above and Beyond the Call of Duty: Acts or conduct not required or expected in the line of duty.

Courage: Mental or moral strength to venture, persevere and withstand danger, fear, or difficulty.

Line of Duty: Acts or conduct consistent with an employee's job description and normal duties.

Meritorious Service: Exceptional conduct deserving of recognition.

Serious Physical Injury: For purposes of this procedure, a physical injury caused by an act performed under circumstances that create a substantial risk of death or physical injury that causes serious or protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy.

PROCEDURE

I. MERITORIOUS CONDUCT BOARD

A. General. The Meritorious Conduct Board exists to recognize all meritorious conduct brought to its attention. It does so by issuing appropriate

service bars and certificates consistent with the guidelines discussed in this procedure.

B. Composition. The composition of the Meritorious Conduct Board shall be representatives from the following areas within the Department:

1. Staff Inspections (1)
2. Patrol Commander (2)
3. Patrol Supervisor (2)
4. Patrol Officer, preferably one per shift (4)
5. Detective Supervisor (2)
6. Detective (2)
7. Crime Prevention Supervisor (1)
8. Records Supervisor (1)
9. Police Clerk II (1)
10. Communications Supervisor (1)

C. Selection. Members of the Board shall be selected by the Chief of Police.

D. Tenure. Each member shall sit on the Board for a term at the pleasure of the Chief of Police, with a one year tenure recommended.

E. Quorum. Five appointed members, plus a chairperson.

II. NOMINATIONS

A. General. Employees may be considered by the Board for recognition of meritorious conduct if nominated under the following provisions:

1. Any member may nominate any other member.
2. All nominations must be endorsed by a superior officer.
3. All nominations must be supported by documentation, including a brief synopsis of the event.
4. All nominations must be submitted within one year of the event.

B. Role of the Meritorious Conduct Board. On receipt of any valid nomination, the Board shall:

1. Review all facts surrounding the event; and
2. Compare the employee's actions against the criteria for awarding formal recognition; and
3. Make recommendations to the Chief of Police.

C. Award Process. Should formal recognition be awarded, the recipient will receive an appropriate letter, or a certificate, or an appropriate certificate and service bar. A letter authorizing the award, signed by the Chief of Police, will be placed in the employee's personnel file.

III. AWARD TYPES, CRITERIA, AND DISPLAY

A. Police Cross. To be awarded to the family of any employee who loses his or her life in the performance of duty under honorable circumstances. The Police Cross may be awarded in addition to any other award the employee may be entitled to in making this supreme sacrifice. A certificate and service bar shall be given.

B. Police Medal of Honor. To be awarded to a Police Officer who voluntarily distinguishes himself or herself by extraordinary heroism. The act must have been such that the officer was fully aware of an imminent threat of death prior to taking the action. A certificate and service bar shall be given.

C. Police Medal of Valor. To be awarded to a Police Officer for an exceptionally courageous act where the officer had prior knowledge of the physical risks and dangers involved. A certificate and service bar shall be given.

D. Distinguished Service Award. To be awarded to any non-sworn employee of the Anchorage Police Department for any exceptionally courageous act where the employee had prior knowledge of the physical risks and dangers involved. A certificate and service bar shall be given.

E. Meritorious Conduct Award. To be awarded to any member of the Department for excellence in police work above and beyond the call of duty where the employee successfully completed a difficult and/or complicated project. A certificate and service bar shall be given.

F. Police Commendation. To be awarded to any employee for exceptional performance which significantly contributes to the advancement of the police mission. An employee of another law enforcement agency may also receive this award. A certificate shall be given.

G. Life Saving Award. To be awarded to any employee who saves or significantly prolongs a human life through intentionally directed physical intervention which, if not taken, would result in both certain and imminent loss of such life. A certificate and service bar shall be given.

H. Citizen's Certificate of Merit. To be awarded to any person who demonstrates excellence in the performance of civic responsibilities through their unselfish devotion to their fellow man and the community and whose actions bring honor to themselves and recognition to the community. A certificate shall be given.

I. Certificate of Civic Achievement. To be awarded to any employee who brings favorable recognition to the Department through their participation in civic affairs while representing the police department. A certificate shall be given.

J. Police Shield. To be awarded to any employee who, by virtue of their employment with APD, sustains serious physical injury in the line of duty as the result of criminal conduct of another and not the result of or concurrent

with conduct that is less than acceptable by Department standards. A certificate and service bar shall be given.

K. Purple Star. To be awarded to any employee who sustains serious physical injury in the line of duty not the result of a health condition or concurrent with conduct that is less than acceptable by Department standards. A certificate shall be given.

L. Unit Award. A unit of the Department may be awarded this citation for exceptionally meritorious service for a period of not less than one nor more than two years. A unit may also be awarded this citation for outstanding achievement for a specific act or accomplishment that is separate and distinct from the usual mission or regular function of that unit.

1. The period of an outstanding achievement is less than one year and is characterized by a definite beginning and ending date.
2. The specific achievement must be sufficiently outstanding to be readily distinguishable from meritorious service and must clearly warrant immediate recognition.
3. A certificate will be issued for display within the unit's work area that appropriately recognizes the unit's achievement and identifies the type of award.

M. Chief's Letter of Recognition. To be awarded to any employee for an exceptional performance in their work which is beyond that expected in normal, day-to-day operations, or which reflects favorably upon the employee and the Department. An employee of another Department may also receive this award.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.03.010	
Policy and Procedure Title Employee Performance Evaluation Policy	Effective Date 8/5/2009	Page 1 of 1
Replaces Prior Policy: 6/24/2005	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.03.010 Employee Performance Evaluation

This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

The Anchorage Police Department recognizes and respects the contributions made by each employee of the Department in realizing our Vision, Mission, and Goals. To further our progress as an organization, a performance evaluation system is vital to motivating, monitoring, and promoting the professional development of our employees. If employees and supervisors communicate at regular intervals, in addition to meeting during specific problem solving operations, the performance evaluation will provide an accurate assessment of individual strengths and weaknesses. Supervisors will follow the guidelines from the performance evaluation system.

Chapter 4

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.04.000-005	
Policy and Procedure Title Internal Investigations	Effective Date 5/24/2013	Page 1 of 10
Replaces Prior Policy: 12/21/2012	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.04.000 Discipline

2.04.005 Internal Investigations

This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

PURPOSE

The purpose of this policy is to inform all employees of procedures for accepting, processing, and investigating complaints.

POLICY

Events involving employees of the Anchorage Police Department that could result in disciplinary or corrective action will be investigated fairly and impartially. Any action taken by the Department at the conclusion of an investigation should be consistent with good management practices and fundamental fairness.

DISCUSSION

The establishment of procedures for investigating complaints and allegations of employee misconduct is important to demonstrate and protect the integrity of the Department and promote the public trust. Because of the nature of police work, it is inevitable that the Department will receive complaints about actions or the inaction of employees. The Department shall conduct its investigations in a timely manner, to find and correct improper conduct. The Department shall also accept and document reports of good employee conduct.

The Department will accept complaints originating from any source, including other employees. Employees should direct all complaints against the Department or other employees to a supervisor or Internal Affairs for processing. The individual investigating a complaint will endeavor to electronically record all

complaints; all complaints must be documented on a Complaint Form or entered into IA Pro via Blue Team. Questions, as opposed to complaints, should be handled immediately and do not require documentation.

Not all sustained complaints will result in disciplinary action. Procedural violations or first time sustained cases of discourtesy, rudeness, or poor service response can be handled by corrective actions such as counseling.

DEFINITIONS

Collective Bargaining Agreement (CBA): Refers to the current contract in effect between the Municipality of Anchorage and the Anchorage Police Department Employees Association (APDEA).

Complaint Form: The Commendation, Suggestion and Complaint Form (APD Form 51-022, hereby referred to simply as Complaint Form) shall be used to record all complaints against Department personnel or policies, whether from citizens or members of the Department. Each completed Complaint Form shall be submitted to Internal Affairs to have an IA Pro case number assigned so processing of complaints may be monitored. The Complaint form can be found on the Intranet under Forms.

Complaint Disposition Notification Form: Sent to complainant at conclusion of the investigation. Copy attached to Blue Team entry. Found on the Intranet under Forms.

External Complaint: Any complaint received from someone outside of the Department.

Findings: Findings are the results of the investigation. There are four possible findings:

Sustained: The investigation disclosed sufficient evidence to prove that the incident did occur and that the individual named in the complaint was responsible and was culpable.

Not Sustained: The investigation failed to disclose enough evidence to clearly prove or disprove the allegation or the complainant failed to cooperate with the investigation and it was closed.

Exonerated: This finding states the act that provided the basis for the complaint or allegation occurred; however, the investigation revealed that the act was justified, lawful, proper, and that no misconduct was involved.

Unfounded: The investigation conclusively proved that the incident did not occur, or that the employee named in the complaint was not involved.

Intake Supervisor: The first supervisor who deals with a complaint typically makes a Blue Team Entry or fills out a Complaint Form; however, it may not be the same Supervisor who eventually conducts the investigation.

Internal Complaint Tracking System (ICTS): The current system in use by the Department for the documentation and tracking of all complaints against the Department or individual officers and internal investigations.

Investigating Supervisor: The supervisor who investigates the complaint.

Investigations: There are two general types of investigations:

1. Criminal: One in which there is an allegation of a violation of the law.
2. Non-Criminal: Involves an allegation of a violation of a policy, procedure, or training standard.

Question: An issue raised by a citizen that does not involve a policy or procedural violation and merely requires an explanation of events or actions.

Violation: A sustained complaint of an act or omission contrary to any regulation, policy, or procedure. A violation can subject the employee to any disciplinary or corrective action identified in this procedure.

PROCEDURE

I. ACCEPTING AND FILING COMPLAINTS

- A. Manner of Documenting Complaints: All external complaints will be documented either by completing a Complaint form or in Blue Team. Employees shall direct all complaints against the Department or other employees to a supervisor or Internal Affairs for processing. Complaints shall be accepted directly from the complainant in person, by telephone, in writing, or by any other means. Anonymous complaints shall also be accepted.
 1. Supervisors within the Department shall accept and document complaints using the Complaint Form or by making an entry into Blue Team.
 2. If practical, the Department's complaint procedures should be explained to the complainant.
- B. Receiving Complaints: Complaints may be received in a variety of formats:
 1. Letter Complaints: Letters alleging misconduct by a Department employee shall be forwarded to the Internal Affairs Unit. Internal Affairs will use the letter as the source document and assign an IA Pro case number to the complaint.
 2. Complaint Forms: APD Complaint Forms will be placed at the front counter of APD and other municipal offices. When a complaint form is received in this manner, it will initially be routed to Internal Affairs. After an IA Pro case number has been assigned, an assessment will be made to ascertain at what level in the organization the complaint will be investigated.
 3. Telephone Complaints: Complainants contacting the Department by telephone shall be transferred immediately to a supervisor, if available, who will obtain as much information as possible from the

complainant and complete a Complaint Form or make a Blue Team entry.

- a. Dispatch supervisors who receive telephone complaints shall send a CAD message to the supervisor of the employee involved, if available, and follow up with an email message, both of which should contain the nature of the complaint, the complainant information, and the officer's name or vehicle number. The email message must also be sent to the supervisor's commander and Internal Affairs.
4. Internet Complaints: Citizens may submit a complaint directly to Internal Affairs by accessing the APD webpage. Complaints received in this manner will be assigned an IA Pro Case number for tracking. Internal Affairs will access the complaint to determine at what level the complaint should be investigated.
5. Departmental Complaints: Whenever a member of the Department desires to initiate a complaint against another member, the following protocol will apply: Complaints by superior officers against subordinates shall be documented directly into IA Pro or Blue Team. If a subordinate officer wishes to file a complaint against a superior officer, the subordinate shall complete a Complaint Form and submit it to Internal Affairs.
6. Governmental Agencies: When information is received from governmental agencies alleging specific acts of misconduct by a Department employee, the information shall be forwarded to the Internal Affairs Unit.
7. Policy Complaints: Complaints concerning Departmental policy, performance, or practice, and not alleging misconduct by specific employees, known or unknown, shall be recorded on a complaint form or entered into Blue Team.
8. Completed Complaint Forms: The completed complaint form should contain a detailed description of the alleged act(s) of misconduct, including date, time, place, names or descriptions of Department employees involved in the incident; names and addresses of witnesses if known; and any other relevant information.
9. Signing of the Complaint Form: If the complaint is made in person, the complainant shall read it after completion by the supervisor and make any necessary corrections. The supervisor shall then request the complainant sign the form. Should the complainant refuse to sign, a notation to that effect shall be made on the form. In all other respects unsigned complaints shall be processed in the same manner as signed complaints.

10. Immediate Resolution of Complaints: Complaints resolved to the complainant's satisfaction at the time of the complaint shall be recorded in Blue Team or on a Complaint Form with a notation that the complaint was resolved.
11. Routing of Complaint Forms: All Complaint forms, either initiating a new complaint to be investigated at the Division level or one where the complaint has been investigated and resolved, will be routed to Internal Affairs for inclusion in the IA Pro data base.

II. COMPLAINT INVESTIGATION PROCESS GENERAL GUIDELINES:

- A. Confidentiality of Investigative Process: Prior to the completion of the investigation of a complaint, information concerning an investigation shall not be released outside the Department unless authorized by the Chief. Information gained during a complaint investigation will only be shared by personnel within the chain of command that have a valid need to know.
- B. Initiating the Investigation: If the complaint is received at the Division Level, the commanding officer of the unit shall determine whether the matter can be appropriately dealt with at the unit level. In such cases, commanding officers shall appoint an Investigator. If the commanding officer determines that the complaint is not appropriate for investigation at the unit level, it shall be referred to the Internal Affairs unit for investigation. By direction of the Chief of Police, the Internal Affairs Unit may intervene at any time and assume control of any investigation.
- C. Unless disruptive to the investigation, an investigating supervisor will make initial contact with a complainant within 72 hours of being assigned to investigate the complaint. At the conclusion of the investigatory process, the investigating supervisor will send the complainant a Complaint Disposition Notification Form. A digital copy of the form will be attached to the investigation in IA Pro.

III. COMMENDATIONS, AND EXEMPLARY WORK

- A. Supervisors will be responsible for recording positive employee performance actions that rise above normal work expectations. Supervisors may record compliments and/or commendations from citizens into the ICTS.

IV. INTAKE SUPERVISOR ROLES AND RESPONSIBILITIES

- A. Intake supervisors will document all complaints. Complaints will be forwarded to the employee's direct supervisor.

- B. In the case of a complaint that is not a violation of law or policy, the intake supervisor will document the complaint and advise the complainant that no investigation will be initiated. This contact shall be recorded (digital or tape).

V. INVESTIGATING SUPERVISOR ROLES AND RESPONSIBILITIES

A. Supervisors will:

1. Ensure that all employees who are the subject of a complaint be notified of the receipt of the complaint per the current Collective Bargaining Agreement (CBA).
2. The investigating supervisor will review the complaint.
3. The investigating supervisor will identify potential Policy and Procedure violations.
4. The investigating supervisor will determine the next steps for investigation which may include, but are not limited to:
 - a. Interview the complainant who witnessed the alleged violation;
 - b. Gather and review evidence, to include:
 - i. Contact recordings
 - ii. Digital Security recordings
 - iii. APSIN/NCIC
 - iv. Tiburon/CAD
 - v. Witness information
 - vi. Other relevant evidence
5. The investigating supervisor will organize and compile case information to determine additional necessary investigative steps, which may include:
 - a. Interviewing and recording all witness statements.
 - b. Taking photographs
 - c. Conducting recorded Garrity interviews with employees.
 - d. Conducting other follow-up investigation
6. The investigating supervisor will submit all investigations through the chain of command for review.
7. After the investigation has been approved by the chain of command, the investigating supervisor will notify the employee of the final disposition.

8. The investigating supervisor will notify the complainant in writing of the disposition.

B. Investigative Interviews:

1. Prior to being interviewed, the subject employee shall be advised of the nature of the complaint and provided the notice required by the current CBA.
2. All interviews will be conducted while the employee is on duty unless the seriousness of the investigation is such that an immediate interview is required.
3. The complete interview shall be recorded. The recording will note the time at which breaks are taken in the interview process, the person requesting the break, and the time at which the interview resumed.
4. The employee shall be provided with the name, rank, and duty assignment of all persons present during questioning. The employee shall also be given and read the Pre-Interview Admonition (Garrity Warning).
5. Representation at interview.
 - a. Employees may have union representation with them during any investigative interview as per the current CBA.
 - b. The representative shall not at anytime disrupt the interview.

VI. INTERNAL AFFAIRS: ROLES AND RESPONSIBILITIES

- A. Internal Affairs (IA) has primary responsibility for the review and management all complaints. Any employee at any level of the department, except the Chief of Police, is subject to investigation by IA.
- B. At the direction of the Chief of Police, the Detective Division may investigate criminal allegations.
- C. At the direction of the Chief of Police, IA may assume primary responsibility for any internal investigation at any stage in the investigative process.
- D. Complaints:
 1. Assign a control number.
 2. Notify the appropriate Division Commander of the complaint (unless it may compromise the investigation).
 3. Notify the employee of the receipt of the complaint per CBA, when applicable.

4. Assign a completion date for the investigation (normally 45 calendar days) and maintain oversight of the investigation through the ICTS (IAPro).
- E. Internal Affairs will monitor ICTS entries as part of their oversight responsibilities.
- F. Notify the employee of the final disposition of the complaint either directly or through the APDEA.
- G. Notify the complainant in writing of the disposition of the complaint.
- H. IA shall have the following additional responsibilities:
 1. Maintain the ICTS.
 2. Maintain a central file for complaints in a secured area and in conformity with records retention requirements of state law.
 3. Maintain and store all recorded media and documents related to a case.
 4. Conduct a regular audit of complaints to ascertain the need for changes in training or policy and for time compliance.
 5. Maintain statistical and related information to identify trends involving pursuits and all complaints of excessive force and abuse of authority.

VII. EXAMINATIONS AND SEARCHES:

- A. The Chief of Police or designee may direct an employee to submit to a breath alcohol, blood or urine test(s) when there is reasonable suspicion that alcohol and/or drug usage is suspected as the factor directly related to allegations of misconduct. The employee will be afforded union representation. Note: AMC 3.30.198 governs drug testing in the workplace.
- B. Property belonging to the Department is subject to inspection for investigative purposes unless the employee has been granted a reasonable expectation of privacy.

VIII. CRIMINAL INVESTIGATIONS

- A. When criminal allegations involving a member of the Department are made, the intake supervisor shall notify the Chief of Police and/or IA immediately.
- B. When the alleged crime occurred within the jurisdiction of the Department, IA will forward the criminal aspect to the appropriate criminal investigative section through the Deputy Chief of Operations or his/her designee. The criminal investigation should be given high

priority and accomplished without delay. IA shall review the criminal investigation and may have access as needed.

- C. IA will investigate the administrative aspect of the incident either concurrently with the criminal investigation or after the criminal case is adjudicated, at the discretion of the Chief of Police.
- D. When the crime occurred outside the jurisdiction of the Anchorage Police Department, IA will:
 - 1. Develop and maintain liaison with the involved agency; and
 - 2. Conduct the administrative investigation the same as it would have done, had the incident occurred within its jurisdiction.

IX. INVESTIGATION BY ANOTHER AGENCY

- A. It may be necessary for the Chief of Police to determine that an allegation of misconduct or possible criminal conduct should be investigated by an outside agency.
- B. Potential sources for this outside investigation include Alaska State Troopers and Federal Law Enforcement Agencies. Outside investigations will be conducted in accordance with this policy.

X. DISPOSITION OF COMPLAINTS

- A. Once an investigation is deemed complete, the investigating supervisor and command or IA will prepare the investigation documentation and will determine the appropriate Finding and provide a disposition recommendation for each charge.
- B. All investigations will be reviewed by the investigator's chain of command.

XI. INVESTIGATION DUE DATES AND EXTENSIONS

- A. All investigations will be given a 45 calendar day due date from the date the complaint is received. If the assigned investigator anticipates that he/she will not be able to complete the investigation and the investigative report within the designated period of time, he/she shall prepare a written request to the Chief of Police or his designee, submitted through the chain of command for an extension. This request shall be submitted within five (5) working days of the due date. The request shall indicate what remains to be done and an estimated time for completion. The investigating supervisor will also notify the accused employee(s) of the new due date for the complaint investigation.

- B. All Blue Team investigations involving Pursuits, Officer-involved Collisions, and Use of Force investigations will be given a 7 calendar day due date from the date the initial Blue Team entry is made. Extensions can be granted at the discretion of the Shift Commander.

XII. COMPLAINTS OF BIAS OR MISCONDUCT BY INVESTIGATORS

- A. Complaints received from citizens or Department personnel who are the subject of a criminal investigation or prosecution that allege bias or misconduct by investigators shall be brought to the attention of the prosecuting attorney. Unless otherwise directed by the Chief of Police, the Department shall defer investigation of the complaint until after the investigation and prosecution are concluded and the complainant has exhausted all remedies provided for by the criminal justice system.
- B. Complaints received from Department personnel who are the subject of a pending administrative investigation or action that allege bias or misconduct by investigators or personnel involved in the disciplinary process shall be brought to the attention of the Chief of Police through the employee's chain of command. The Department shall defer investigation of the complaint until after the administrative investigation and/or action are concluded and the complainant has exhausted all remedies provided for under the Department rules and regulations and the collective bargaining agreement.

End of Document

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.04.010	
Policy and Procedure Title Internal Investigation/Discipline	Effective Date 5/24/2013	Page 1 of 6
Replaces Prior Policy: 8/05/2009	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.04.010 Internal Investigation/Discipline

PURPOSE

The purpose of this policy is to inform all employees of procedures governing disciplinary and corrective action for Class I Complaints.

POLICY

This policy is designed to provide a fair and just means for appropriate action when an employee's conduct reflects unfavorably on the department's ability to provide service or is detrimental to effective and efficient operations. It is the department's policy to impose corrective and disciplinary action fairly and impartially and to offer adequate appeal procedures to ensure that the rights of employees are protected.

DEFINITIONS

Corrective Action: Any remedial action taken by the Department in regards to an employee. Corrective action is not discipline. Corrective action includes:

- A. Formal Counseling.
- B. Education/Training.
- C. Medical Evaluation/Screening
- D. Psychological Evaluation/Screening.
- E. Transfer (involuntary and non-disciplinary for the good of the employee or the Department).
- F. Special Evaluation.

Disciplinary Action: An action taken against any employee of the Department for a violation of policy, procedure, or law where formal discipline is imposed. With the exception of an oral reprimand, disciplinary action is documented on a Disciplinary Action Report (DAR) signed by both, the Chief of Police and the Director of Labor Relations, and entered in the employee's personnel file.

Disciplinary actions include:

A. Oral Reprimands: An oral admonishment given to an employee by a Supervisor which meets both the following standards:

1. The admonishment must be identified to the employee as an oral reprimand.
2. The admonishment does not appear on a DAR. The reprimand will be documented in IAPRO.

B. Written Reprimands: A written admonishment given to an employee by a commander which meets the following standards:

1. The admonishment must be identified to the employee as a written reprimand.
2. The admonishment appears on a DAR.

C. Suspension from Duty (with or without pay).

D. Suspension of Privileges (e.g., home car, building access, use of facilities, etc.).

E. Transfer (disciplinary- either from shift or job assignment).

F. Demotion in Rank.

G. Termination of Employment.

Findings: Findings are the results of the investigation. There are four possible findings:

Sustained: The internal investigation disclosed sufficient evidence to prove that the incident did occur and that the individual named in the complaint was responsible and was culpable.

Not Sustained: The investigation failed to disclose enough evidence to clearly prove or disprove the allegation, or the complainant failed to cooperate with the investigation and it was closed.

Exonerated: This finding states that the act that provided the basis for the complaint or allegation occurred; however, the investigation revealed that the act was justified, lawful, proper, and that no misconduct was involved.

Unfounded: The investigation conclusively proved that the incident did not occur, or that the employee named in the complaint was not involved.

Administrative Review Board. A panel that reviews, assesses, and recommends action on events assigned to it. The Board shall normally hear matters of alleged regulation violations that could result in discipline of suspension or greater. (See Administrative Policy: General Review Board Policy)

Progressive Discipline: Under normal circumstances, discipline shall be imposed in a progressive manner in an attempt to influence the employee to correct behavior. Discipline can progress incrementally from the lowest to the highest level; be reversed if infractions show improvement over previous infractions; and, depending on circumstances, steps can be skipped, particularly if the offense

creates a serious result or liability for the Department. Each case will be reviewed on a case-by-case analysis. The steps of the progressive discipline system consist of oral reprimand, written reprimand, suspension and termination. All steps related to progressive discipline must be documented.

Violation: A sustained complaint of an act or omission contrary to any regulation, policy, or procedure. A violation can subject the employee to any disciplinary or corrective action identified in this procedure.

PROCEDURE

I. DISPOSITION OF COMPLAINTS

A. When an internal investigation is completed, the supervisor will submit the investigation to the unit or shift commander for review. The commander will review the investigation with the supervisor and make a recommendation of corrective or disciplinary action to the chain of command.

1. Commanders should consider the following for corrective action to apply:

- a). The seriousness of the offense as it relates to the nature and extent of damage or the potential damage or future liability to the Department.
- b). To ensure consistence to other employees to prevent similar infractions or to ensure that similar infractions will not occur or be tolerated.
- c). The employee's attitude about acknowledging doing wrong and making a commitment to improve; this includes the employee's cooperation in the investigation and resolution processes.
- d). The employee's previous disciplinary and performance records including, but not limited to: time between other offenses, the nature of other offenses, work productivity, attendance rates, cost of supervision, and types of performance errors.

B. If the commander recommends discipline then the following procedure will be followed:

1. All disciplinary recommendations shall be forwarded to the Chief of Police through the chain of command for information, review and comment.
2. The Chief of Police will review the investigative report and supporting documents and may accept the findings and recommendations, change the findings and/or recommendations, or remand the case for additional investigation, all as a whole or in part.
3. The Chief of Police has the final determination if the complaint is sustained, not sustained, exonerated, or unfounded.
4. If the Chief of Police's findings concur with the recommended findings:

a). A sustained case would follow the process described below in Section II, DISPOSING OF SUSTAINED COMPLAINTS.

b). All case will be forwarded to Internal Affairs, for notification of the parties and filing of the case.

5. If the Chief of Police does not concur with the recommended finding, the Chief of Police will provide a cover memo outlining the reason for his/her finding.

a). If the Chief concurs, a memo will be attached to the complaint file and the process described below in Section II. DISPOSING OF SUSTAINED COMPLAINTS will be followed.

b).If the Chief finds the complaint other than sustained, the memo will be attached to the case and forwarded to Internal Affairs for notification of the parties and filing of the case.

II. DISPOSING OF SUSTAINED COMPLAINTS

A. General. This section details how the Department shall handle those complaints proven to be sustained. In disposing of complaints, the Department shall be guided by good management practices and fundamental fairness.

B. All employees have the right to be heard, prior to the final imposition of discipline, for proposed discipline that could result in termination, demotion, suspension, or, disciplinary transfer. The employee may exercise the right to be heard in person before the Administrative Review Board. If the proposed discipline may result in no greater than a written or oral reprimand, the employee may exercise the right to be heard in written form to the Board. If the employee accepts the recommended discipline the Board does not need to be held. (See Administrative Procedures - Administrative Review Board)

C. The Administrative Review Board reviews and assesses certain cases on behalf of the Chief of Police. Members of the Administrative Review Board must not have made a predetermined decision regarding the level of discipline, though the employee shall have been presented with a draft DAR.

D. Factors to be Considered. When disposing of a sustained complaint, certain factors shall be considered and submitted into record. These factors should include the following:

1. All known aggravating factors. (This may include the discipline history of the employee; per current CBA).

2. All mitigating factors.

E. Objectives. When reviewing a sustained complaint, the Administrative Review Board shall be guided by the objectives of:

1. Good management principles and practices, to enhance the safe and efficient operation of the Department;

2. Fundamental fairness to the parties involved; and
3. Compliance with all applicable law and contractual considerations.

F. Command Review. When the Administrative Review Board recommends discipline of two week unpaid suspension or higher, including termination, the Chief of Police will meet with senior command staff, a member of City Employee Relations, and the Administrative Review Board to discuss the Board's recommendation prior to the Chief's determination of discipline.

G. Concluding the Disposition. Once an action is decided upon, the matter is concluded by:

1. Completing a memo for the IA file, setting out the reasoning and describing the action to be taken;
2. Serving the Disciplinary Action Report on the employee;
3. Ensuring and recording with Internal Affairs an expeditious implementation of the prescribed sanction; and
4. Returning the investigation documentation to Internal Affairs for notification to the complainant and filing of the investigative report.

H. Discipline, Due-Dates and Extensions. It is in the best interests of the employee, complainant and Department that disciplinary sanctions be imposed in a reasonable period of time. Normally, discipline will be given a 60 calendar day due-date from the date the investigation is completed.

If it is anticipated that discipline will not be meted out within the designated period of time, Personnel supervisor shall prepare a written request to the Chief of Police submitted through the chain of command for an extension of this time. This request shall be submitted within (5) working days of the due date. The request shall indicate what remains to be done and an estimated time for completion. The Personnel supervisor will notify the employee(s) of the new due date for the disciplinary sanction.

IA will prepare a monthly report of the status of all pending administrative investigations with the originally assigned due dates and any new dates given. This report will be made available to all commanding officers and the Chief of Police.

III. INTERNAL AFFAIRS RECORDS AND CONFIDENTIALITY

- A. Internal Affairs shall be informed of all final disciplinary decisions.
- B. The Department's central personnel office shall forward a copy of all final DAR to Internal Affairs.
- C. Operationally Sensitive/Not for Publication.
- D. Because they deal with personnel information, Internal Affairs files are considered confidential personnel records and will be retained under secure conditions within Internal Affairs and in accordance with Municipal Code and the current CBA.

1. IA case files and personnel dispositions may not be released to any source without prior approval of the Chief of Police unless otherwise provided by law. Before releasing an IA case file or personnel disposition, the Department shall provide at least 48 hours notice, if possible, to the employees who were the subject of and witnesses in the investigation of the intent to release the file.
2. Case investigation files shall be retained for a period of time as defined by state law or the Chief of Police.
3. IAPRO files may be accessed or reviewed during promotion, job transfer, or special assignment selection processes. Commanders or supervisors may generate an IAPRO resume that will only list sustained complaints in which the employee was disciplined within the last two years and will list any awards and appreciations.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.04.015	
Policy and Procedure Title Administrative Review Board	Effective Date 8/5/2009	Page 1 of 4
Replaces Prior Policy: 10/6/2006	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.04.015 Administrative Review Board

PURPOSE

To advise all employees of the purpose, authority, composition, and the operational methods of the Administrative Review Board.

POLICY

The Administrative Review Board is implemented in furtherance of the Department's basic policy governing the management of its members' conduct and performance.

DEFINITIONS

Administrative Review Board. A panel that reviews, assesses, and recommends action on events assigned to it. The Board shall normally hear matters of alleged regulation violations that could result in disciplinary action of suspension or higher.

PROCEDURE

I. PURPOSE OF THE ADMINISTRATIVE REVIEW BOARD

A. Purposes of the Board. The purposes of the Administrative Review Board include:

1. Pre-disciplinary Review (Loudermill): Review all evidence in allegations of conduct violating any provisions of the Regulations and Procedures Manual which could result in disciplinary action of suspension from duty or greater, so as to recommend action to be taken by the Department, if any.
2. Traffic Collision Review: Review all evidence pertaining to collisions involving police vehicles, as specified in the Regulations and Procedures Manual and Municipal traffic code, so as to render findings, conclusions, and recommended action to be taken by the Department, if any.
3. Assignments: Review any other matter assigned to the Board by the Chief of Police

B. Specific Responsibilities of the Board. The Board shall, when assigned by the Chief of Police:

1. Sitting as an impartial panel to review all pertinent evidence and assessing all mitigators and aggravators in cases assigned to it by the Chief of Police; and
2. Making recommendations to the Chief for resolution of these cases based on the information reviewed; and
3. In reviewing cases, remaining alert to errors, omissions, and other deficiencies in the Regulations and Procedures Manual, and making those observations available to the Chief of Police along with recommendations for corrections.
4. Be alert to quality, omission, deficiencies of the investigation.
5. The board shall not:
 - a). Act as an investigative body in disciplinary actions, but instead reviews the investigations provided to it. The Board may request further investigation of the matter in question.
 - b). Act as an appeals forum, but reviews information and makes recommendations to the Chief of Police.
 - c). Preempt nor substitute for any contractual provisions.

II. COMPOSITION OF THE ADMINISTRATIVE REVIEW BOARD

A. Membership. The review board members will be selected at the discretion of the Chief of Police. The members shall have some expertise in the field that is being reviewed.

B. Observers. Though not reviewing or voting members, the following persons may attend, contribute testimony, and observe matters heard by the Board:

1. Shop stewards or union officers, when represented members actually appear before the Board.
2. Others, as allowed by the Chief of Police.

III. METHOD OF INQUIRY

A. Calendaring of Hearings. The Board shall, upon notification of assignment, expeditiously convene hearings. The hearing date(s) and time(s) shall be consistent with:

1. Availability of all parties; and
2. Timely and sufficient notice to the respondent; and
3. Any applicable contract issues, including shift considerations, leave time, and similar issues; and
4. An expeditious resolution of the matter.

B. Material to be Reviewed. The Board shall review information of the following standards, and for the following purposes:

1. Quantity. The Board shall avail itself of all information reasonably available and pertinent to the case.
2. Quality. The Board shall accept all information deemed reasonably reliable, but is not bound to criminal or civil standards of evidence for its deliberations.
3. Purpose. The information shall be sought and considered for the purposes of:
 - a). Ensuring that any investigation conducted in the matter is complete and accurate; and
 - b). Assessing the role of the employee(s) and the Department.

C. Requirement to Show, Produce, and Make Statement. As is consistent with laws governing any internal investigation, employees of the Department may be compelled to appear, produce material, and/or make full and accurate statements. Failure to do so can result in separate disciplinary action.

IV. GRIEVANCES AND CONFLICTS

A. Board Does Not Preempt Existing Grievance Procedures. The Administrative Review Board does not replace or modify any grievance process afforded an employee.

B. Conflicts. The Board shall operate in conformance with existing labor standards. In cases where an act conflicts with Federal, State, or Municipal law, or conflicts with existing contract, the law or contract provision(s) shall prevail.

V. DOCUMENTATION

A. Required Documentation. All hearings conducted by the Board shall be documented, and shall include at least the following:

1. Date, time, and place of all hearings.
2. Identification of all Board Members attending.
3. Listing of all persons appearing before the Board.
4. Listing of all evidence considered.
5. Preparation of a "Report of Hearing," of which one copy shall be furnished to the Chief of Police, and a second copy filed in Internal Affairs with the documentation specified in "1." through "4." above in this section. The "Report of Hearing" shall reflect the following categories:
 - a). Specification of violation(s), if any.
 - b). Specification of issues, if appropriate to the type of hearing.
 - c). Findings of facts.

d). Aggravating and/or mitigating circumstances, if any.

e). Conclusions of facts.

f). Recommended action, if applicable.

B. Distribution of Report.

1. The Board shall submit its "Report of Hearing" to the Chief of Police or designee within five business days of the conclusion of the hearing.

2. The respondent shall be entitled to a copy of the "Report of Hearing" after reviewed by the Chief of Police.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 2.04.020	
Policy and Procedure Title Supervisor Performance Log		Effective Date 8/5/2009	Page 1 of 3
Replaces Prior Policy: 10/6/2006		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.04.020 Supervisor Performance Log

PURPOSE

The purpose of this policy is to inform all employees of the procedures for using the Supervisory Performance Log.

POLICY

Evaluations are an important measure of an employee's work performance. As such, it is important that the evaluation be fair and accurate. The Supervisors Performance Log is a tool supervisors will use to assist in drafting performance evaluations. The log will not be used as a sole source of information for preparing evaluations. Both positive and negative performance information should be recorded in the log.

Supervisors will record Class II Complaints (as defined in the Internal Investigations policy) and their findings in the log. Positive commendations from citizens about an employee's performance will also be recorded in the log. The log will be maintained for one year, based on the annual evaluation due date of a particular employee. Upon completion of the employee's annual evaluation, the log entries specific to that employee will be erased, and any new entries will be pertinent to the upcoming evaluation period.

To understand this policy, employees must be familiar with the Internal Investigations policy.

PROCEDURES

I. Supervisors Performance Log

A. The Supervisors Performance Log will be developed and maintained by IT and made available to Supervisors and Command Staff.

B. The log will be used to document supervisory notes and is subject to MOA Personnel Rules. The log will contain summaries of an employee's performance during the employee's annual evaluation period.

- C. Supervisors and Command Staff will access the log for official purposes only.
- D. Non-supervisory employees will not have access to any other employee's log.
- E. The log entries will be deleted upon completion of the annual employee evaluation process. Log deletions can only be made by a Division Captain or higher command rank.
- F. The Division Captain is responsible for ensuring the log is erased upon completion of the evaluation review process.

II. Supervisors and Commanders roles and responsibilities

- A. The log is to be used as a tool by supervisors in the preparation of an employee evaluation. To accurately reflect employee performance, evaluations meriting "Exceeds Expectations" and "Does Not Meet Expectations," should have supporting documentation in the log.
 - 1. Additional sources of information may be used to justify documentation of performance levels above or below, "Meets Expectations" in the evaluation. If other sources of information are used to justify an evaluation above or below "Meets Expectations," the supervisor will document the source of the information in the evaluation.
 - 2. Sustained Class II complaint(s) will be documented in the annual performance evaluation.
- B. Unit Commanders will periodically review employee logs to ensure accuracy and to provide oversight and compliance with this policy.
- C. If the Unit Commander determines that a Supervisor is not recording performance information, the Unit Commander will record the Supervisor's performance in the log. This in turn will be reflected in the Supervisors annual evaluation.
- D. Supervisors will be responsible for recording all Class II Complaints in the log. See the Internal Investigations policy for information on receiving complaints.
 - 1. If a Supervisor has a doubt or concern over the nature of a Class II Complaint, the Supervisor should consult with other Supervisors about the matter.
 - 2. If the potential outcome of a Class II Complaint is beyond the scope of a spot correction or counseling, the complaint will be investigated as a Class I Complaint.
 - 3. If at any time during a Class II Complaint investigation, a Supervisor determines that the complainant has provided false information concerning the complaint, or has a history of filing false complaints, the Supervisor shall covert the complaint to a Class I status.

4. Supervisors should check the IAPro Persons File and perform a “Citizens Explore” search during the Class II Complaint investigation to see if the complainant has been, or is, a complainant in an IAPro entry. Supervisors should consult with Internal Affairs and determine if the complaint should be investigated as a Class I or Class II.
 5. Class I Complaints are not to be recorded in the log; they are to be processed according to the Internal Investigations policy.
 6. Class II Complaints will be recorded in the log, referencing the appropriate finding category.
- E. Supervisors will be responsible for recording positive employee performance actions that rise above normal work expectations in the log. Supervisors may also record exemplary work and/or citizen commendations into IAPro.
- F. Once a log entry has been made, it cannot be changed. If additional information, or facts, changes the original entry, a new entry will be made clarifying the changes.
- G. Internal Affairs will review log entries as part of their oversight responsibility. IA may reopen a Class II Complaint investigation if there is information of such a nature as to change the outcome of the original finding in the complaint. This standard of review and change will be at the level of “just cause” to believe the information will change the outcome. If a Class II Complaint is reopened, it will be investigated as a Class I Complaint.

III. Employees roles and responsibilities

- A. Employees will have access to their specific log entries. Employees should review the log for accuracy and completeness as part of a quarterly performance review to ensure the employee is on track with goals and objectives as stated in their annual evaluation.
1. Employees may not change an entry, log entries are “read only.” Employees may challenge an entry at which time the supervisor will record the challenge in the log. Challenges to log entries should be made in writing to the employee’s supervisor.
 2. The entries will remain in the log until the end of the annual evaluation period.
- B. If an employee becomes aware of information pertinent to their performance, they should bring it to the attention of their Supervisor for appropriate documentation in the log.

Chapter 5

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.05.000-005	
Policy and Procedure Title Equipment and Appearance Uniforms, Appearance and Equipment	Effective Date 8/05/2009	Page 1 of 21
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.05.000 Equipment and Appearance

2.05.005 Uniforms, Appearance, and Equipment

PURPOSE

To advise all employees of the policies, regulations, and standards for both personal appearance (including prescribed and optional equipment) and the wearing of the uniform.

POLICY

That all members of the Department present a professional appearance to the public, and that uniformed personnel maintain a standardized and identifiable appearance to the public by adhering to the standards and specifications established in this procedure.

PROCEDURE

I. UNIFORMS AND EQUIPMENT--GENERAL

A. Clothing Standards: General

1. Mandatory Uniforms: On-duty officers and non-sworn employees shall be in complete uniform, as detailed in this procedure, unless assigned to non-uniformed duty or specifically directed by proper authority.
2. Mixing Uniform and Civilian Clothing: Personnel shall not wear combinations of uniform and civilian attire except to and from work, or as directed in accomplishing work assignments. Discretion is to be exercised to avoid an unkempt, out-of-uniform appearance to the public.
3. Alterations- Alterations to uniforms and equipment shall be limited solely for the purpose of fit. Changes of material, type and style from that prescribed in this procedure shall not be done without the express approval of the Chief of Police or his designee.

4. Administrative Personnel: During duty hours, non-represented Administrative personnel shall wear professional business attire. Uniformed officers assigned to administrative duties have the option of wearing professional business attire.

5. Commander Discretion: Commanders within a particular section have the discretion to authorize "casual dress" days for particular purposes. Employees who choose to participate in casual dress days shall only wear appropriate casual attire. Commanders shall not alter the department authorized uniforms for their section without specific approval from the Chief of Police.

B. Mandatory Equipment

1. On-duty Uniformed Officers, except when assigned to office duties, shall at all times wear the following equipment:

- a). An approved gun belt and holster;
- b). At least the primary duty handgun with which the officer is currently qualified, including appropriate ammunition;
- c). An approved baton, with which the officer is currently qualified, when engaged in law enforcement activities;
- d). The assigned Department badge;
- e). Valid Police Identification Card;
- f). At least one set of approved handcuffs. Hinge-type cuffs are not approved;
- g). Operationally Sensitive/Not for Publication.
- h). Other items as reasonably necessary, including, but not limited to:
 - i. A reasonably accessible flashlight;
 - ii. Valid Operator's License in physical possession when driving;
 - iii. Specialized equipment of/for the particular assignment (i.e. portable radio, pager, protective mask, gloves, etc.).

2. On-duty Non-uniformed Officers shall be equipped with at least the following:

- a). The assigned Department badge;
- b). At least one set of approved handcuffs;
- c). Valid Police Identification Card;
- d). At least a primary handgun, with which the officer is currently qualified, carried in an approved holster physically on the officer, at minimum, one (1) spare magazine with appropriate ammunition;
- e). Other equipment as assigned or reasonably appropriate to the duty anticipated.

3. Operationally Sensitive/Not for Publication.

4. Operationally Sensitive/Not for Publication.

5. Off Duty. When off duty, and carrying a concealed weapon, a sworn officer shall carry, at a minimum, a Department badge and valid Police Identification. It is also recommended that officers carry one set of handcuffs and any other equipment that may be reasonably necessary to perform a police function if required.

C. Prohibited Equipment. The following equipment is expressly prohibited when any employee is acting under color of authority:

1. Saps of any sort.

2. Sap gloves or gloves that are in any way hardened or abraded with material other than the glove material itself.

3. Hinged-style handcuffs.

II. UNIFORM SPECIFICATIONS

A. Establishing Specifications. The Department, with the approval of the Chief of Police or an authorized designee, shall establish and maintain all uniform and appearance standards, and specifications for both civilian and sworn personnel. Standards shall be reasonable, and shall not conflict with labor contracts or higher authority.

B. Supplying Authorized Uniforms and Equipment.

1. The Resource Manager is responsible for maintaining a proper inventory of uniforms and associated equipment.

2. Employees shall be provided, and shall wear and maintain such uniforms and equipment as mandated in this procedure and prescribed in the current contract.

a). An employee may at personal expense, buy and wear optional articles identified in this Procedure.

b). Certain duty assignments do not require the wearing of a uniform. However, such non-uniformed personnel are required to have a complete and properly maintained uniform at their assigned workplace.

3. Authorized Weapons. (See General Operations: Weapons Policy)

III. UNIFORM REQUIREMENTS

A. Uniform Components and Specifications for Sworn Officers. The following items and their specifications are required or optional articles as identified, of the Anchorage Police Department Uniform: (All current uniforms must be brought into compliance by May 1st, 2008).

1. Class "A" Uniform. The purpose of the class "A" uniform is to provide a means for officers to present the greatest professional appearance on

behalf of the Anchorage Police Department, with full recognition of the officer's awards and special unit accomplishments. The class "A" uniform shall be kept clean, pressed, and orderly at all times. The class "A" uniform is suitable for duty use. Ties are required for parades, funerals, or other special occasions as directed by Command staff. Officers are encouraged to wear the class "A" uniform at least once per week. No clothing accessories may be worn with the class "A" uniform except as identified.

a). Trousers. Uniform trousers shall be dark navy blue in color with a ½ inch black stripe on the outer vertical seam. Specifications shall be kept in the Resource Manager/Supply Unit. Trousers shall not be bloused.

b). Shirts. Uniform shirts shall be dark navy blue in color. Specifications shall be kept in Supply. Shirts may, at the officer's discretion, be either:

i. Short-sleeve without a tie (open collar) worn with an undershirt. Undershirts shall be of the crew neck style, black in color. The sleeve of the undershirt shall not extend below the sleeve of the uniform shirt.

-OR-

ii. Long-sleeve with tie and optional tie bar. The long-sleeve class "A" shirt may also be worn without a tie and with a black undershirt or turtleneck shirt, which conforms to this procedure.

1). Turtleneck Shirts. Turtlenecks are optional and shall be purchased and maintained at officer expense. Turtlenecks shall be black in color, have no more than a two-inch collar height, and be of single fold or mock style. Turtleneck shirt sleeves shall not extend beyond the sleeve of the navy-blue long-sleeve uniform shirt (or light blue uniform shirt for recruit officers, or those assigned to parking duties). Turtleneck shirts shall be embroidered with "APD" in ½ inch block lettering, centered vertically within the 2 inch collar, immediately left of the center of the throat. Silver thread shall be used for officers, gold thread for sergeants and commanders. No other logos shall be displayed on the turtleneck's collar.

iii. Command staff shall dictate long (with tie) or short sleeve wear for special occasions such as funerals, parades, etc.

c). Ties. Sworn personnel shall wear the specified, Department issued, four-in-hand tie with clip-on, breakaway feature, dark navy blue. The bottom of the tie shall not extend below the top of the trouser or gun belt, nor be so short as to expose more than one shirt button above the belt. Specifications shall be kept in the Resource Manager/Supply Unit.

d). Tie Bars. Tie bars are optional and shall be chromium for officers and gold for sergeants and commanders. Tie bars shall be worn horizontally, level with the bottom edge of the shirt pocket flap. They shall be no longer than the tie is wide and no more than 3/8 inch thick.

i. The Chief of Police may designate additional tie bar designs.

e). Badge. Sworn officers shall wear the Department issued, metal police badge on all shirts. Metal or cloth badges are optional for outer garments (i.e. Department issued winter jackets) except the authorized rain jacket. The badge shall be worn centered and immediately above the top seam of the left breast pocket, and shall be kept clean and bright at all times. Specifications shall meet those kept in the Resource Manager/Supply Unit.

i. Officers may purchase and carry extra badges as desired. Badges purchased at officer expense must conform to the issued badge specifications. Only the officer's DSN may replace the word "Alaska" at the bottom of the badge.

ii. Any specialty unit or position badge purchased by an officer must be retired when the officer leaves the position indicated on that badge.

iii. All millennium badges are retired and shall not be worn.

f). Name Tags. Sworn officers shall wear a metal nametag on the class "A" uniform shirt. It shall be centered over any meritorious conduct award pins or if none are worn, it shall be centered over the right pocket flap, with its lower edge even with the top seam of the pocket flap. Officers shall wear a brushed silver nametag, while sergeants and commanders shall wear brushed gold. Lettering shall be 1/4-inch block, black in color. The tag will bear the first initial and last name of the officer wearing it.

g), FTO Patch. Sworn officers who are qualified and currently active as FTOs shall wear a cloth FTO patch with the class "A" uniform. The FTO patch shall be a 1-chevron patch on both sleeves of the uniform shirt. These shall be gray in color with a black background. The patch shall have a rounded bottom and the letters "FTO" embroidered in gray thread underneath the chevron. The upper point of the chevrons shall be 1/2 inch below the bottom point of the Department shoulder patch. Specifications shall be kept in the Resource Manager/Supply Unit. FTO pins shall not be worn.

h). Meritorious Conduct Awards. Award pins are optional and shall be worn centered over the shirt's right pocket flap, with their bottom edge touching and even with the top seam of the pocket flap. If more than one is worn, they shall be worn three abreast in a horizontal line, with their edges touching the top seam of the pocket flap. The award pin of highest rank shall be worn closest to the heart. If four award pins are

worn, they shall be worn three abreast with the award of the highest rank centered above the bottom three. Refer to the Employee Recognition Policy for details about award ranks.

i). Motorcycle Pins. Motorcycle pins are optional for sworn officers who have completed a Department approved motorcycle school, and shall be worn centered over the nametag, their lower edge $\frac{1}{4}$ inch above the nametag. The Officer is only allowed to wear one pin over the name tag (i.e. either motorcycle or longevity pin).

j). Jewelry and Ornamentation. Municipal longevity pins are optional and shall be worn centered over the shirt's nametag with their lower edge $\frac{1}{4}$ " above the top edge of the nametag or other pins. The Officer is only allowed to wear one pin over the name tag (i.e. either motorcycle or longevity pin).

k). American Flag Pins. American flag pins are optional and shall be worn horizontally centered on the left pocket flap of the shirt, with their top edge $\frac{1}{2}$ inch below the top seam of the pocket flap. American flag pins shall not be more than 1 inch in diameter, or may be of the bar-style (not to be confused with the 911 Service Bar, which is a meritorious award pin).

l). APD Collar Brass. All "APD" letter collar brass shall be retired.

m). Rank Insignia.

i. Sergeants. Sergeants shall wear a 3-chevron patch on both sleeves of all uniform shirts. These shall be gray in color with a black background. The upper point of the chevrons shall be $\frac{1}{2}$ inch below the bottom point of the Department shoulder patch. Chevrons shall be worn on all shirts and outer garments except the raincoat.

ii. Command Officers. Command officers shall display their rank on each side of the shirt collar, and on the top of the jacket or coat shoulder or epaulet (except rain coats) $\frac{1}{2}$ inch above the shoulder seam. Rank insignia shall be gold metal (positioned consistent with military style) as follows:

- 1). Chief of Police—three gold stars
- 2). Deputy Chief—two gold stars
- 3). Captain—two gold bars
- 4). Lieutenant—one gold bar

n). Department Shoulder Patch. The official Department shoulder patch shall be worn on both sleeves of all uniform shirts and outer garments (except the rain coat). The patch shall be centered on the sleeve, $\frac{1}{2}$ inch below the shoulder seam. Specifications shall be kept in the Resource Manager/Supply Unit.

o). Special Unit Patches. Special unit patches are optional and may replace the official Department right shoulder patch. Special unit patches shall mimic the official Department shoulder patch, except that the city seal may be replaced with the special unit seal, and shall be of approximate equal size. The special unit patch may bear the special unit's acronym (i.e. SWAT, EOD, K-9, CIT and Traffic) in gray ¼ inch block lettering, across the bottom point of the patch.

p). Service Stars. Service stars are optional and represent five years of service (as an Anchorage Police Department sworn officer only) for each star worn. They shall be worn on the long sleeve uniform shirt or jacket, with the patch containing the stars located on the left sleeve even with the single upper button, sewn perpendicular to the sleeve crease, with its edge running from the crease toward the top of the forearm. Specifications shall be kept in the Resource Manager/Supply Unit.

q). Operationally Sensitive/Not for Publication.

r). Foot Wear. Footwear shall be black in color and constructed of smooth leather, or permanent shine leather. If the footwear is a shoe it must be of smooth leather without stitching across or along toes. The uppers of boots can be of artificial materials (e.g. ballistic nylon) so long as the appearance is appropriate for the uniform. All foot wear shall be clean, polished and buffed at all times. The toes of the footwear must be rounded. Cowboy-style boots, straps, fancy stitching, heels thicker than 1 1/2 inch, or other ornamental features are prohibited. Laces shall be black. Socks shall be worn and, if visible, they shall be black or dark navy blue in color.

s). Hats. The Police hat is standard for the Department, and may be worn year round. The round style police hat will be phased out through natural attrition in favor of the 8-point style hat. It shall be worn with the issued hat badge. The hatband shall be black for officers, gold for sergeants and commanders. It shall only be worn outdoors, with the exception of honor-guard duties. It is optional in all but the following circumstances:

- i. When delivering death notifications
- ii. Funerals
- iii. Parades
- iv. Dignitary escorts
- v. Official receptions
- vi. When directed by a Sergeant or Commander

The winter hat is an issued item, and may be worn in place of the summer hat from October 1st through April 30th. The winter hat shall

be worn with the Department issued hat badge. Specifications for both shall be kept in the Resource Manager/Supply Unit.

t). Helmets. Ballistic helmets may be worn when directed by a sergeant or commander, or when an emergency exists.

u). Outer Garments. All outer garments (jackets and coats) worn with the class "A" uniform shall be black in color. Uniform jackets shall be either the Department issued type or optional (officer expense) leather jacket. Specifications for the leather jacket will be kept in the Resource Manager/Supply Unit. Leather jackets will be worn with a metal name tag and metal badge, and shall also conform to the shoulder patch and rank insignia specified above. Cloth jackets shall have the appropriate badge and name tag affixed to the exterior.

v). Gloves. Gloves worn with the class "A" uniform shall be black in color. White gloves may be worn for funerals, parades or other official functions as directed by a sergeant or commander.

w). Leather Gear. Leather gear (trouser belt, gun belt, and leather accessories) shall be of black basket weave design. They shall not be re-dyed from another color. Leather gear shall be clean, polished and buffed at all times.

i. Holsters. Holsters shall be of the type and design approved by the Department. "Drop Tactical" holsters are not to be worn with class "A" or class "B" uniforms.

ii. Gun Belt. The gun belt shall be worn covering the trouser belt, and secured with keepers or a trouser belt/ gun belt Velcro fastening system.

iii. Belt Buckles. Belt buckles shall be chromium for officers, gold for sergeants and command officers.

x). Rain Jackets. Uniformed rain jackets of authorized design, black in color, may be worn with the class "A" uniform in inclement weather.

y). Scarves. Scarves may be worn beneath the uniform jacket in cold weather. Scarves shall be black in color with no design. The type of material is optional.

2. Class "B" Uniform. The purpose of the class "B" uniform is to provide a means for officers to present a professional appearance on behalf of the Anchorage Police Department, as well as provide comfortable and practical wear for rigorous duty use. The class "B" uniform shall be kept clean, pressed, and orderly at all times. The class "B" uniform is acceptable for on-duty, routine patrol work. It shall not be worn for funerals, parades, or other special occasions unless specifically directed by command staff (i.e. traffic control or protective duties). Sergeants and Commanders shall only wear the class "B" uniform for training duties or other occasions that would unusually soil or ruin the class "A" uniform, or

when directed by command staff. Unless specifically listed below, all class "B" components are to be consistent with a class "A" uniform. (All current uniforms must be brought into compliance by May 1st, 2008).

- a). Trousers. Class "B" uniform trousers shall be dark navy blue, of the six-pocket cargo design, with no black stripe along their vertical seam. They shall conform to specifications kept by the Resource Manager/Supply Unit. Cargo pockets shall not contain materials expanding the pocket more than 1 inch. Trousers shall not be bloused.
- b). Shirts. Components are to be consistent with a class "A" uniform shirts.
- c). Badge. To be consistent with the class "A" uniform shirts.
- d). Name Tags. To be consistent with the class "A" uniform shirts.
- e). FTO Patch. To be consistent with the class "A" uniform shirts.
- f). Meritorious Conduct Awards. To be consistent with the Class "A" uniform shirts.
- g). Jewelry and Ornamentation. To be consistent with the class "A" uniform shirts.
- h). Motorcycle Pins. To be consistent with the Class "A" uniform shirts.
- i). American Flag Pins. To be consistent with the class "A" uniform shirts.
- j). Rank Insignia.
 - i. Sergeants. Insignia shall conform to class "A" placement.
 - ii. Lieutenants. Command officers shall display their rank on each side of the shirt collar. Rank insignia shall be a gold thread patch on a black background, positioned consistent with military style, and conforming to class "A" placement.
- k). Department Shoulder Patch. To be consistent with the class "A" uniform shirts.
- l). Special Unit Patches. To be consistent with the class "A" uniform shirts.
- m). Service Stars. To be consistent with the class "A" uniform shirts.
- n). Ballistic Vests. Ballistic vests shall be worn either beneath the class "B" uniform shirt, or, at the officer's discretion, within an exterior vest carrier
- o). Operationally Sensitive/Not for Publication. p). Foot Wear. Consistent with a Class "A" uniform.
 - i. Optional Boots. Black snow machine or "bunny" boots may be worn with the class "B" uniform in inclement weather, with the approval of a supervisor.

q). Hats. The summer hat, winter hat and following optional hats may be worn with the class "B" uniform.

i. Patrol Caps. Patrol Caps shall be black in color with a reduced size official Department shoulder patch (or "Police" in block lettering) affixed to the center, directly above the bill of the hat. Patrol Caps shall be clean and orderly at all times, and shall be worn squarely on the head, bill forward. Patrol Caps shall not be peaked or blocked in any fashion. Patrol Caps shall be made of cloth, and either fitted or adjustable style. No other lettering or ornamentation may be worn on a Patrol Cap. Patrol Caps shall only be worn during heavy rain, snow or similar inclement weather conditions.

ii. Watch Caps. Watch caps are optional and may be worn during inclement weather. They shall be solid black in color, and worn with or without a reduced-size Departmental patch sewn to their lower edge, centered above the forehead.

iii. Balaclava. Balaclavas are optional and may be worn in stream weather conditions. They shall be solid black in color, material is optional.

r). Outer Garments. Consistent with a Class "A" uniform.

i. Bicycle Jackets. Bicycle jackets may only be worn with the class "B" uniform and when an officer is actively engaged in bicycle patrol duties.

ii. Shorts Pants. Shorts are to be worn only while actively and exclusively assigned to conduct bike patrol activities. Wearing shorts while conducting standard patrol or parking enforcement activities is not permitted.

s). Suspenders. Suspenders may only be worn with the class "B" uniform under the exterior vest carrier. Suspenders shall be dull black, nylon material and kept clean and orderly at all times.

3. Class "C" Uniform. The purpose of the class "C" or utility uniform is to provide an alternative uniform for personnel to wear while performing activities that would unusually soil or damage a class "A" or "B" uniform. Examples of these activities are; SWAT, K-9 Officers, Firearms Instructors, Training Academy Staff, Detectives involved in the service of search warrants, or crime scene investigators. All utility uniforms shall be retired when their color fades and or they begin to look excessively worn.

a). BDU Style Uniform. The BDU style uniform shall have cloth shoulder patches, a badge patch and name tape. The name tape should be a color and material that matches the uniform shirt. The uniform may be black, green or camouflaged depending on the nature of the officer's job assignment. The patches shall be either black and silver (gold for sergeants and commanders) or black and green to

match the uniform. Patches shall be placed according to the class "B" uniform.

b). Polo Shirt. The polo shirt style shall be worn with the black BDU style uniform pants. Polo shirts shall be black, with the department shoulder patch embroidered in silver over the left breast and the officer's first initial and last name over the right breast. The officer's name shall be in ¼ inch high block lettering in silver thread, to match the embroidered patch. Officers will be responsible for having their name embroidered appropriately. Specifications shall be kept in the Resource Manager/Supply Unit.

c). Specialty Uniform. Specialty uniforms, (i.e. 5.11 clothing) are only to be use by Specialty Units such as SAU and SWAT. These uniforms are to be in compliance with the Unit's approved standard policy and procedures.

d). The use of the utility uniform can be dictated by command staff.

B. Uniform Components and Specifications for Recruit Officers. The following items and their specifications are required or optional articles (as identified) of the Anchorage Police Department recruit officer uniform:

1. Recruit Uniform. The purpose of the recruit uniform is to provide a means for recruits to present the greatest professional appearance on behalf of the Anchorage Police Department and to identify recruits from sworn officers. The recruit uniform shall be kept clean, pressed and orderly at all times. It shall be worn daily during attendance at the Anchorage Police Recruit Academy unless otherwise directed by academy staff. No clothing accessories may be worn with the recruit uniform except as identified.

a). Trousers. Recruits shall wear the "Class B" six-pocket cargo style pants. Specifications shall be kept in the Resource Manager/ Supply Unit.

b). Shirts. Recruits shall wear the department issued light-blue long sleeve uniform shirt with a tie, APD metal recruit badge and brushed silver metal name tag with their first initial and last name. Specifications shall be kept in the Resource Manager/Supply Unit.

c). Boots. Recruits shall wear black, high-top, shined leather boots.

d). Leather Gear. Recruits shall wear the issued Department duty belt/ holster/ leather accessories conforming to the standards established in the class "A" section of this policy.

2. Recruit Class "A" Uniform. Recruits shall be issued one set of sworn class "A" uniforms and at the option of Training staff, shall wear the class "A" uniform in accordance with this policy.

Personal appearance and grooming will follow existing APD policy.

C. Uniform Components and Specifications for Community Service Officers. The following items and their specifications are required or optional articles (as identified) of the Anchorage Police Department Community Service Officer. The uniform of the Community Service Officer shall comply with all applicable class "A" and class "B" requirements as set forth under the Sworn Officer section of this policy with the following exceptions,

1. Outer Garments. A CSO may wear the approved Royal blue/ dark navy blue jacket for duty use and approved cold weather gear. Specifications shall be kept in Resource Manager/Supply Unit.
2. Shirts. Uniform shirts shall be light blue in color. Specifications shall be kept in the Resource Manager/Supply Unit. Shirts may, at the employee's discretion, be either:
 - a). Short-sleeve, without a tie (open collar) worn with a black undershirt. Undershirts shall conform to class "A" standards.

-OR-

- b). Long-sleeve, worn with an approved tie, turtleneck, or undershirt.
 - c). Command staff shall dictate long or short-sleeve wear for funerals, parades, and other special occasions. During such, an approved tie shall be worn with the long-sleeve shirt.
3. Badge. All Community Service Officers shall wear the issued CSO metal badge.
4. Coveralls. CSOs may wear coveralls (one or two-piece) for duties that require rigorous use of the uniform, or that may cause unusual soiling or wear to their regular uniform. Coveralls may not be worn for parades, funerals or other special occasions as directed by command staff.

D. Uniform Components and Specifications for Non-Sworn Employees. The following items and their specifications are required or optional articles as identified, of the Anchorage Police Department Uniform:

1. Class "A" Non-Sworn Uniform. The purpose of the class "A" uniform is to provide a means for non-sworn employees to present the greatest professional appearance on behalf of the Anchorage Police Department, with full recognition of the employee's awards and special unit accomplishments. The class "A" uniform shall be kept clean, pressed, and orderly at all times. The class "A" uniform is suitable for duty use. It is required for parades, funerals, or other special occasions as directed by command staff and employees are encouraged to wear the class "A" uniform at least once per week. No clothing accessories may be worn with the class "A" uniform except as identified.
 - a). Shirts. Class "A" uniform shirts shall be light blue in color. Long sleeve shirts with ties or Short-sleeve, without a tie (open collar) worn with a black undershirt. Specifications shall be kept in the Resource Manager/Supply Unit.

b). Trousers. Uniform trousers shall be dark navy blue in color, of the two or four-pocket design, with no black stripe along the vertical seam. Specifications shall be kept in the Resource Manager/Supply Unit.

c). Skirts. Uniform skirts may be worn by female employees. They shall be dark navy blue in color. Their lower hem shall be no higher than the top of the kneecap or lower than the bottom of the kneecap when standing. Specifications shall be kept in the Resource Manager/Supply Unit.

d). Stockings or Pantyhose. Stockings or pantyhose shall be worn with the uniform skirt. They shall be either black, navy blue, or flesh-tone in color.

e). Ties. Non-sworn employees shall conform to sworn class "A" standards. Non-sworn personnel shall wear the specified, Department issued, four-in-hand tie with clip-on, breakaway feature, dark navy blue. The bottom of the tie shall not extend below the top of the trouser or belt, nor be so short as to expose more than one shirt button above the belt. Navy-blue, tuxedo ties may be worn by female employees, with the long-sleeve shirt. Specifications shall be kept in Supply.

f). Badge. Non-sworn employees shall wear the Department issued non-sworn badge. The badge shall be worn centered, its lower point 1 inch above the left breast pocket flap. All non-sworn employees will be issued a full size badge with the words "Support Services" written on the top ribbon. All non-sworn badges must be brought into compliance by January 1st, 2009. The badge shall be kept clean and bright at all times. Specifications shall be kept in Supply.

i. All millennium badges are retired and *shall* not be worn.

g). Name Tags. Non-sworn employees *shall* wear a metal nametag on the uniform shirt. It shall be centered over the right pocket flap, with its lower edge even with the top seam of the pocket flap. The nametag shall be brushed silver with black, ¼ inch block lettering. The letters shall bear the first initial and last name of its wearer.

h). Department Shoulder Patch. The official non-sworn Department shoulder patch shall be worn on the left shoulder of all uniform shirts. The patch shall be centered on the sleeve, 1/2 inch below the shoulder seam. Specifications shall be kept in the Resource Manager/Supply Unit.

i). Service Stars. Service stars are optional and represent five years (as an Anchorage Police Department Non-sworn Employee) of service for each star worn. They shall be worn on the long-sleeve uniform shirt, with the patch containing the stars located on the left sleeve even with the single upper button, sewn perpendicular to the sleeve crease,

with its edge running from the crease toward the top of the forearm. Specifications shall be kept in the Resource Manager/Supply Unit.

j). Footwear. Plain black or navy blue shoes or boots shall be worn with the uniform. Socks shall be worn with trousers, and if visible, they shall be black or navy blue in color. All footwear shall be clean, polished and buffed at all times to include any tennis shoes. Laces shall be black. Any commercially designed shoe or boot is acceptable, with the exception of cowboy-style boots. Shoes and boots shall not have a heel height exceeding 2 ½ inches nor a heel support width of less than 1 ½ inches.

i. Optional Boots. Snow machine or “bunny boots” may be worn in exigent circumstances, with black being their preferred color.

k). Outer Garments. All department issued outer garments (jackets and coats) shall be blue in color, and shall conform to the Department shoulder patch and name tag requirements. Non-department issued outer garments shall not be worn during funerals, parades, or other special occasions as dictated by command staff.

l). Leather gear. Leather gear (trouser belt) shall be plain black or black basket weave in design. They shall not be re-dyed from another color. Leather gear shall be clean and orderly at all times. Belt buckles may be a plain, chromium design. Decorative and concealed weapon buckles are prohibited.

m). Meritorious Conduct Awards. Award pins are optional and shall be worn centered over the shirt's right pocket flap, with their bottom edge touching and even with the top seam of the pocket flap. If more than one is worn, they shall be worn three abreast in a horizontal line, with their edges touching the top seam of the pocket flap. The award pin of highest rank shall be worn closest to the heart. If four award pins are worn, they shall be worn three abreast with the award of the highest rank centered above the bottom three. Refer to the Employee Recognition Policy for details about award ranks.

n). Accessories. All wearing of meritorious conduct awards, American flag pins, FTO pins, jewelry and ornamentation, scarves, watch caps, and gloves shall comply with the standards established in the sworn class “A” section of this policy.

2. Class “B” Non-Sworn Uniform. The purpose of the class “B” uniform is to provide a means for employees to present a professional appearance on behalf of the Anchorage Police Department, as well as provide comfortable and practical wear for rigorous duty use. The class “B” uniform shall be kept clean, pressed, and orderly at all times. The class “B” uniform is acceptable for on-duty, routine work. It shall not be worn for funerals, parades, or other special occasions unless specifically directed

by command staff. Unless specifically listed below, all class "B" components are to be consistent with a class "A" uniform.

- a). Shirts. Components are to be consistent with a class "A" uniform shirts.
- b). Trousers. Class "B" uniform trousers shall be dark navy blue, of the six-pocket cargo design, with no black stripe along their vertical seam. They shall conform to specifications kept by the Resource Manager/Supply Unit. Cargo pockets shall not contain materials expanding the pocket more than 1 inch. Trousers shall not be bloused.
- c). Stockings or Pantyhose. Stockings or pantyhose shall be worn with the uniform skirt. They shall be either black, navy blue, or flesh-tone in color.
- d). Sweater Vest. Sweaters may be worn by non-sworn employees. They shall be dark navy blue in color. Specifications shall be kept in Supply.
- e). Polo Shirt. Polo shirts are an optional employee purchase item and shall be worn with the class "B" uniform trousers or the BDU style uniform pants. Polo shirts shall be short sleeve and light blue in color, with the department shoulder patch embroidered in blue/yellow over the left breast and the employee's first initial and last name over the right breast. The employee's name shall be in ½ inch high block lettering in blue thread, to match the embroidered patch. Employees shall be responsible for purchasing the specified polo shirt, having their name and approved department logo embroidered appropriately. Specifications shall be kept in the Resource Manager/Supply Unit.
- f). Coveralls. Non-sworn employees may wear one or two piece coveralls over, or in lieu of, their regular uniform for a short term while actively performing duties that require rigorous use of the uniform, or that may cause unusual soiling or wear to their regular uniform (i.e. duties of handling boxes of supplies, cleaning, etc). Coveralls may not be worn daily in place of the class A or B uniforms or for parades, funerals or other special occasions as directed by command staff. Specifications shall be kept in Resource Manager/Supply Unit.
- g). Leather gear. Leather gear (trouser belt) shall be plain black or black basket weave in design. They shall not be re-dyed from another color. Leather gear shall be clean and orderly at all times. Belt buckles may be a plain, chromium design. Decorative buckles are prohibited.
- h). Outer Garments. All department issued outer garments (jackets and coats) shall be blue in color, and shall conform to the Department shoulder patch and name tag requirements. Non-department issued outer garments shall not be worn during funerals, parades, or other special occasions as dictated by command staff.

i).Footwear. Footwear will conform to the non-sworn class “A” section of this policy.

E. Uniform Components and Specifications for Chaplains. The following items and their specifications are required or optional articles (as identified) of the Anchorage Police Department Chaplain uniform. Items listed will be provided by the Department or the individual chaplain as indicated below. Specifications will be maintained in supply. Chaplains will wear their uniform items in accordance with sworn class “A” uniform standards.

1. Items Issued by the Department. The following items will be issued by the department for official use by the police chaplain.

- a). Winter Jacket.
- b). Blazer. The blazer will have the department emblem on the pocket.
- c). Radio.
- d). Pager.
- e). Department ID. Will be issued with a badge and flat wallet.
- f). Winter Hat. Specifications will be kept in supply.
- g). Summer Hat. Specifications will be kept in supply.
- h). Protective Vest. Requirements for the protective vest will be the same as for sworn and will be worn in the same fashion as the sworn class “A”.

IV. PERSONAL EQUIPMENT INVENTORY

A. General. During each employee’s annual personnel evaluation conference, the Supervisor conducting the evaluation shall, at the same time, perform a personal equipment inventory of certain specific items which have been issued to that employee. Because sworn and non-sworn employees are issued different types of equipment, this inventory must be coordinated with other Sections within the Department. It is incumbent upon those who issue Department-owned equipment to provide the information necessary for an accurate annual inventory.

B. Supervisors’ Responsibilities. Supervisors performing an evaluation shall be responsible for obtaining the type, make, serial number, APD tag number, or any other necessary information which identifies equipment issued to the employee.

1. Record the information requested on the Personal Equipment Inventory checklist (Supply will provide the Inventory checklist).

- a). Missing or damaged equipment must be noted on the checklist.
- b). A Supervisor performing a personnel evaluation is not responsible for checking equipment issued and separately inventoried by any Special Unit, such as SWAT, CRU, Crime Scene Team, etc.

2. Upon completion of the initial inventory, the Supervisor shall forward the checklist, together with the evaluation, to the employee's Captain for review. Note: The Captain will not accept an evaluation which is not accompanied by the checklist.

C. Captain's Responsibilities. Upon reviewing the checklist, the Captain shall forward the white copy to the Supply Section, the yellow copy to the Department Armorer, and the pink copy to the Traffic Section.

D. Employees' Responsibilities. Employees shall be responsible for providing all equipment to be inventoried during the personnel evaluation. Missing or damaged equipment must be reported to the Supervisor. In addition, employees shall immediately forward a memorandum regarding missing or damaged equipment to their Shift Commander and to the Supply Section.

E. Department Armorer's Responsibilities. The Department Armorer shall compare the weapons listed on the employee's checklist with Department firearms inventory records. After review, the Armorer shall initial the checklist and forward it to the Supply Section within 30 days of receipt. Any discrepancies shall be addressed with the employee before the checklist is forwarded.

F. Traffic Section Responsibilities. The Traffic Sergeant shall compare any radar unit listed on an officer's checklist with Department radar inventory records. After review, the Sergeant shall initial the checklist and forward it to the Supply Section within 30 days of receipt. Any discrepancies shall be addressed with the employee before the checklist is forwarded.

G. Supply Section Responsibilities. The Supply Section is the final destination of all copies of the Personal Inventory Checklist. As such, the Supply clerk must ensure that all copies are returned completed and in a timely manner.

1. The Supply Clerk shall maintain a separate thirty (30) day file for the original (white) copy of any employee's Personal Equipment Inventory checklist.

2. The clerk shall compare all property listed on the employee's checklist to that recorded on the employee's Individual Equipment and Clothing Control Sheet except the two exceptions listed above in this section.

3. If, after 30 days, the yellow and/or pink copies of the employee's checklist have not been received, or the employee has not provided the equipment to be inventoried by the Supply clerk, the clerk shall notify the appropriate person(s), using the Request for Action form and procedures.

4. Upon receipt of both copies, the Supply clerk shall remove the copies and the original from the 30-day file and attach them to the employee's Individual Equipment and Clothing Control Sheet. The entire form shall remain there until the employee's next personnel evaluation and inventory.

V. PERSONAL APPEARANCE AND GROOMING OF ALL PERSONNEL

A. General. Members of the Department, while on duty, shall at all times be neat and clean. Clothes shall be clean and pressed, and uniforms and clothing shall be in conformity with specifications contained in this procedure. Equipment shall be maintained in serviceable condition. In order to present a professional image, non-uniformed dress shall be moderate, keeping with good taste and judgment.

B. Hair Style. The public has a right to expect police personnel to present a neat, well-groomed appearance, whether in uniform or civilian attire. The Department recognizes, too, that hair style is an especially individual matter. The following guidelines for hair appearance are designed to balance these needs:

1. General. An officer's hair, regardless of style, may not at any time interfere with the proper wear/function of any uniform headgear or equipment, noting particularly:

- a). Use of the gas mask.
- b). Rendering first aid, especially the use of the resuscitation (CPR) mask.
- c). Wearing of the summer hat to perform Departmental functions.
- d). Secure wearing of the helmet.

2. All academy recruits and parking enforcement employees shall follow the established guidelines for sworn employees.

3. Male Hair Guidelines. The following guidelines will apply to all personnel unless specifically noted.

a). Male sworn employees may wear their hair any length on the front and sides; providing it is styled so as not to extend into the eyes or otherwise interfere with the officer's vision. The back of the hair may be cut in any style providing it does not extend beyond the top of the uniform shirt collar when the head is held erect. All hair styles shall be no longer than four inches from any part of the head.

i. Wigs or hairpieces must conform to these standards as well.

b). Male non-sworn employees may wear their hair any length on the front and a side, providing it is styled so as not to extend into the eyes or otherwise interfere with their vision. The back of the hair may be cut in any style. If the length extends beyond the top of the uniform shirt collar when the head is held erect, it shall be worn in a pony tail style.

i. Wigs or hairpieces must conform to these standards as well.

c). Extreme hairstyles are prohibited. Hair color may only be a naturally occurring color.

d). Hair shall be kept clean and well-groomed at all times.

e). Sideburns shall be trimmed so that they do not extend beyond the bottom of the earlobe, and do not flare more than one inch at the widest width.

f). Moustaches are permitted, but shall not extend further than the smile crease line, and not more than 1/4 inch below the corner of the mouth. Mustaches shall be neatly trimmed at all times.

g). Beards and goatees are not permitted to be worn by sworn employees unless allowed by a command officer for undercover related assignments. If worn by a non-sworn employee, the beard or goatee shall be well-groomed and of natural coloration. Beards and goatees may not exceed 1/2 inch in length. The upper cheeks and neck below the chin must be clean shaven.

4. Female Hair Guidelines.

a). Hair shall be kept neat, clean, and well-groomed at all times. For sworn employees the hair shall be cut to a length and/or worn in a style that does not extend beyond the top of the shoulders.

b). Extreme hairstyles are prohibited and hair color may only be a naturally occurring color.

C. Fingernails. Fingernails shall be trimmed to a length which does not interfere with the performance of duties. Employees may use fingernail polish, and, if used, shall be clear or muted tones of natural colors.

D. Jewelry.

1. Choker-type necklaces shall not be worn by sworn personnel.

2. Religious or identification type necklaces may be worn. If being worn by sworn personnel it must be on a chain long enough to conceal the item while on duty.

3. Only one pair of small, non-dangling earrings may be worn by sworn female personnel while on duty. No earrings are to be worn by any sworn male personnel while on duty unless allowed by a command officer for undercover related assignments.

4. Non-sworn female personnel may wear dangling or non-dangling earrings so long as they don't interfere with the performance of their duties. No earrings are to be worn by non-sworn males.

5. No employee while on duty may wear jewelry in a piercing other than in the ear if it is visible to the public or other employees.

E. Tattoos. All tattoos or body markings on any employee shall, if visible to the public or other employees, not detract from the professional image that shall be presented. Any tattoo that is deemed by an employee's supervisor to detract from the professional image of the department shall be covered in a manner that makes it not visible to the public or other employees.

VI. COURT APPEARANCES

A. Uniform in Civil Court. Unless acting in an official capacity for the Department, employees will not wear any part of the official Department uniform that would denote their employment when appearing in court.

VII. WAIVER OF UNIFORM AND APPEARANCE REQUIREMENTS

A. General. Special operations within the department may require any of the provisions of this procedure to be waived or suspended by the Chief of Police or his designee, and is so authorized in those events.

Chapter 6

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.06.000-005	
Policy and Procedure Title Special Procedure Use of AFD Aviation Support	Effective Date 8/05/2009	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.06.000 Special Procedures

2.06.005 Use of AFD Aviation Support

PURPOSE

The purpose of this policy is to define the use and authorization of the Anchorage Fire Department Aircraft for Law Enforcement related incidents.

POLICY

Specialized law enforcement aviation missions are to be planned and conducted in coordination with the Anchorage Fire Department Aviation Unit. It shall be the policy of the Anchorage Police Department to strictly adhere to the requirements set forth in the policy.

DISCUSSION

This chapter is provided for the purpose of ensuring the maximum degree of safety and efficiency in law enforcement aviation operations. It is therefore essential that any Anchorage Police Department personnel who utilize the Anchorage Fire Department aircraft in the conduct of the Anchorage Police Department's missions, possess a complete knowledge of all safety aspects of helicopter operations. Law enforcement aviation operations on occasions have special needs. The carriages of weapons or canines on board are examples. Some missions are conducted in a higher-than-normal risk environment where the hazards on the ground from potential gunfire and apprehending suspects may be greater than, or compound, the hazards associated with the aviation mission. Though this chapter and the Anchorage Fire Department policy may exempt Anchorage Police Department Personnel from some standard helicopter operating procedures, it must be emphasized that an exemption in one area does not automatically exempt Anchorage Police Department personnel from following other standard operating practices and procedures.

DEFINITIONS

AIRCRAFT: For the purpose of this policy, aircraft is defined as a fixed wing (one or multiple engine) airplane or a Helicopter.

PROCEDURE

I. OPERATIONAL PLANNING: The Anchorage Police Department aviation missions may be accomplished utilizing the Anchorage Fire Department aircraft. These missions are to be conducted and coordinated thru the Anchorage Fire Department Aviation Program Manager. The Aviation Program Manager shall be consulted to ensure compliance with guidelines and procedures and to assist in planning safe, effective operations.

II. TYPE OF MISSIONS: The Anchorage Police Department missions are to be conducted and coordinated thru the Anchorage Fire Department Aviation Unit. These missions may include by not limited to:

A. Spontaneous Incidents

1. Violent Felony Imminent Threat
2. Felony Violent Crimes
3. Felony Property Crimes
4. Misdemeanors that pose an immediate threat to the public

B. Pre-planned Incidents

1. Operationally Sensitive/Not for Publication.
2. Warrant Service
3. Operationally Sensitive/Not for Publication.
4. Crime Suppression
5. Fire Investigations

III. REQUESTING AN AIRCRAFT: The Aircraft will be requested via the following process:

A. Spontaneous Incidents

1. The responding officers will request the aviation asset via an on duty supervisor.
2. The supervisor will contact the Division Commander (Captain) or acting Division Commander for approval. If the Division Commander is not available, the supervisor will contact the Deputy Chief of Police for approval. The supervisor then will notify the Dispatch Center upon approval of the call out.
3. The Police Dispatch Center will notify the Fire Dispatch Center for the request of the aircraft. AFD will follow their internal procedure, and make the appropriate notifications.
4. The Police Dispatch Center will inquire of Fire Dispatch the location and status of the aircraft and aircrew, and relay that information to the on

scene supervisor so that they may assign one or two officers to respond as observers to the aircraft.

5. When officers arrive at the aircraft they will follow the directions of the AFD aircrew in preparation for and during flight.

a). Officers will be required to wear safety equipment as directed by the AFD flight crew, such as Nomex® jumpsuits over their regular uniform, flight helmets, and safety harnesses.

B. Pre-Planned Incidents

1. Pre-planned incidents will follow a similar pattern as the Spontaneous Incident guideline, except for the following:

a). The supervisor or officer in charge of the event shall contact and coordinate with the AFD Aviation Manager prior to the event to ensure a smooth operational environment aircraft deployment.

PROGRAM DEVELOPMENT

Both AFD and APD recognize that this program is under development. The Chief of Police shall designate an officer or supervisor to serve as the APD Aviation Program Coordinator. In the interest of the future interagency cooperation and program growth, suggestions for improving the program or operational concerns that come to light shall be forwarded to the AFD Aviation Manager through the APD Aviation Program Coordinator. The APD Aviation Program Coordinator shall work together with the AFD Aviation Manager to ensure the current and future success of the program.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 2.06.010	
Policy and Procedure Title Use of Dept. Mtg. Room		Effective Date 8/05/2009	Page 1 of 2
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.06.010 Use of Department Meeting Room

PURPOSE

This policy will direct the reservation and use of the Anchorage Police Department Conference and Meeting rooms.

POLICY

The primary use of Conference and Meeting rooms within the Anchorage Police Department and Anchorage Police Department Training Center shall be for official Municipality of Anchorage business.

Non-profit and other community organizations may use Conference and Meeting rooms within the Anchorage Police Department provided they meet the criteria outlined in this policy. These organizations must provide local education, as well as public and humanitarian support services with the Municipality of Anchorage. Reservation and use by any non-profit or community service organization shall require active membership and attendance in the organization by at least one MOA employee.

REFERENCES

Mayor's Directive #6

PROCEDURE

I. PRIORITIZATION OF CONFERENCE AND MEETING ROOMS. Conference and meeting rooms will be reserved and used according to departmental priority.

A. Priority one: Police Department Units that need to conduct official business.

B. Priority two: Task Forces and appointed commissions for regular meeting dates.

C. Priority three: Offsite department requests, ad hoc committees and non-profit groups during regular business and evening hours.

II. USE OF CONFERENCE AND MEETING ROOMS.

A. Use of the Chief's Conference Room shall be coordinated through the Chief's Secretary.

B. The Patrol Briefing Room will not be utilized by any other unit from 0700-0800, 1500-1600, and 2300-2400.

C. Use of the meeting rooms at the Anchorage Police Department Training Center shall be coordinated through the Training Section.

D. The sponsoring agency of a commission, task force or admissible non-profit organization shall be responsible for the reservation, preparation, set-up, security, and clean-up of any and all meetings using department facilities.

III. MUNICIPALITY OF ANCHORAGE POLICY COMPLIANCE.

A. Changes to this policy will be forwarded to the Facility Management Division for review and coordination.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.06.015	
Policy and Procedure Title Use of MOA Procurement Cards	Effective Date 10/12/2012	Page 1 of 1
Replaces Prior Policy: 08/05/2009	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.06.015 Procurement Cards-MOA

PURPOSE

To establish departmental policies and procedures for use of MOA Procurement Cards.

POLICY

That all employees adhere to the provisions herein regarding the use of MOA Procurement Cards. This policy is written in accordance with MOA directives regarding Procurement Cards

REFERENCES

MOA Policy/Procedure 48-16, 68-1, MOA Procurement Card Program Guide

PROCEDURE

I. Pre-purchase procedures

A. The requester will perform a budget check to verify funds are available..

II. Travel-related purchases

A. All travel-related expenses (including P-card transactions) will be approved prior to travel on the MOA Travel Authorization form (in accordance with MOA Operating Policy 68-1).

1. P-Card receipts will accompany the PaymentNet monthly statement forwarded to Fiscal Management.

2. A copy of P-card receipts will be attached to Travel Expense Report within 30 days of traveler's return to Anchorage. The completed Travel Expense report will be forwarded to Fiscal Management.

III. Post-purchase procedures

A. The requester will reconcile all purchases in PaymentNet within one week of the purchase.

B. The Approval Authority will check PaymentNet at least weekly to ensure all purchases are being reconciled. As soon as purchases are reconciled, the Approval Authority will then approve the purchases.

C. The requester will retain all invoices and related documentation for reconciliation to the monthly statement. Once reconciled, the original statements and invoices will be forwarded to Fiscal Management.

D. Fiscal Management will conduct periodic reviews of PaymentNet to ensure compliance with all procedures.

IV. Exceptions:

A. Exceptions to this policy will be made for Card Holders that make routine/recurring purchases and in emergencies on a case-by-case basis.

The procurement card may not be used for any of the transactions restricted in the Anchorage Municipal Code Title 7, Policy and Procedure 68-1, Policy and Procedure 48-18 and the Procurement Card Guide. The procurement card should not be used to purchase supplies normally stocked by the APD Supply section.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 2.06.020	
Policy and Procedure Title Line of Duty Death or Serious Injury		Effective Date 8/05/2009	Page 1 of 10
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.06.020 Line of Duty Death or Serious Injury

PURPOSE

The purpose of this policy is to outline the procedure for notification, assistance and support of the families of Anchorage Police Department personnel who suffer serious injury or death in the line of duty.

POLICY

The Anchorage Police Department shall provide services to the family of any employee who is seriously injured or dies in the line of duty. These services include timely notification of the injury or death, assisting the family at the hospital, supporting the family at a funeral and burial (if applicable), helping the family with benefits matters, supporting family through criminal proceedings (if any), and maintaining long-term contact with the family in the event of death.

DISCUSSION

One of the most challenging situations that a police department might face is the line of duty death or serious injury of an employee. Coordination of events following the line-of duty death or serious injury of an employee is an extremely important and complex responsibility. Professionalism and compassion must be exhibited at all times as an obligation to the member's survivors and to the law enforcement community.

DEFINITIONS

Survivors: Those people within a deceased employee's family. A "family" consists of: spouse, child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew or niece of the victim, whether related by blood, marriage or adoption; a person who lives, or has previously lived, in a spousal relationship with the victim; a person who is a former spouse of the victim; or domestic partners.

Line of Duty Death: The death of an active duty officer or employee by felonious or accidental means during the course of performing public safety functions while on-duty or off-duty.

Serious Injury: An incapacitating injury by felonious or accidental means during the course of performing public safety functions while on-duty or off-duty, requiring extended medical care of an active duty officer or employee

PROCEDURE

Each employee shall complete a emergency contact form provided by the department that gives the name(s) and contact information of immediate family members, domestic partners, or friends that the employee wishes to have personally notified in the event of a serious injury or death in the line of duty. This form will contain information from the employee giving instruction in case of serious injury or death in the line of duty. These confidential forms will be maintained in a secure location within the Personnel Section and employees will be encouraged to update their forms once a year. These forms will only be accessed by the employee to update the information or by personnel staff in case of death or serious injury in the line of duty.

Should there be a serious injury or death of an employee, it will be the responsibility of the shift commander to immediately notify the Chief of Police, Deputy Chief of Operations and the Deputy Chief of Administration. This can be done through the dispatch supervisor. Other members of the Department will be notified at the direction of the Chief of Police. The dispatch supervisor will notify the police chaplain.

The following are the various responsibilities and positions that will be implemented to provide the best possible services and support to the member's family. Specific tasks will be assigned to selected members of the Department by the Chief of Police or his designee. The Chief of Police can select an individual to be responsible for several liaison assignments.

Notification Officer: A command staff member of the Department designated by the Chief of Police or his designee, to make the notification to the member's family.

Hospital Liaison Officer: A sergeant or commander who has been assigned to act as the liaison between the hospital and the Department.

Family Liaison Officer: A sergeant or commander who has been assigned by the Chief of Police to act as the liaison between the family and the Department.

Department Liaison Officer: A sergeant or command staff member who will coordinate the Department's response to the family and the news media. This person will be responsible for coordinating the funeral and related activities. The officer will also be a liaison between the family and the Anchorage Police Department Personnel Division.

Police Chaplain: The chaplain will assist all the liaison officers and be another contact for the family.

I. Notification Officer:

A. In the event of a serious injury or death to a department employee in the line of duty, the notification of the family will be generally in accordance with this policy.

B. The on-duty Shift Commander will make personal notification to the persons listed by the employee on their emergency contact form. While these notifications should be in person, it is recognized that extenuating circumstances may sometimes make that impossible. Such incidents should be rare. In the event a person named by the employee resides outside the jurisdiction of the Anchorage Police Department, the shift commander shall determine if it is practical and expeditious to go there personally (or by designee), or if a request should be made to a law enforcement agency having jurisdiction for the location to make such notification on behalf of this department.

C. The principles of death notification are:

1. The name of the deceased member will never be released to the news media until after the family and/or immediate survivors are notified.
2. In person: Such notifications should always be in person. If necessary, an officer from another jurisdiction may be requested to make the notification where the family member resides.
3. In time: There should be an immediate and timely notification. News of such events will travel fast, and it is important that the survivors hear the news from a reliable source.
4. In pairs: The notification officer with another officer or with a clergy member should make the notification. Before they arrive, the notification team should decide who will speak, what will be said, and how much will be said. Many times the survivors may react in a manner requiring medical attention, or there may be more than one person in the home to deal with.
5. In plain language: The notification should be straight forward and honest. As many questions from the survivors should be answered at this time. Always remember to refer to the deceased officer by name. State that the officer died in clear terms, never leave doubt or suspense or create false hope. Avoid terms such as "passed away", or that "God chose this time to take him/her".
6. With compassion: Offer to assist the survivors with contacting other family members, their chosen clergy, or friends. Never make statements like "I know how you feel" unless you have actually been a survivor in identical circumstances. Remember that you are creating a memory for the survivor that will be with them for the rest of their life.
7. The notifying party should assist the family as long as the officer's presence is needed. Officers should offer to transport an employee's immediate family by police vehicle to the local hospital, if such need for

transportation is advised due to lack of available transportation or the emotional state of the family member.

8. Prior to leaving for the hospital, the Notification Officer should make contact with the Hospital Liaison Officer and advise that officer that the family is en route to the hospital. This should be done by telephone only.

9. A Command Staff Officer should respond to either the residence or the hospital to meet with the family as soon as possible.

II. Hospital Liaison Officer:

A. The officer or supervisor who accompanies the injured or deceased employee to the hospital will function as the Hospital Liaison Officer, until such time as relieved by the appointed Hospital Liaison Officer.

B. The Hospital Liaison Officer will be responsible for coordinating the activities of hospital personnel, fellow police officers, the member's family, the press and others that may be involved.

C. Arrange with hospital personnel to provide an appropriate waiting facility for the family, the Chief of Police, the Notification Officer and only those people that the surviving family wishes to be there.

D. In the case of death, the Hospital Liaison Officer will arrange for the Police Chaplain to have access to the deceased employee to drape the body with a flag.

E. Arrange with hospital personnel for a second area for police officers and friends of the employee to assemble.

F. In conjunction with the hospital, arrange through the Departments P.I.C.R.U. for a place to use as a press staging area.

G. Ensure that medical personnel relay pertinent information regarding the employee's condition to the family on a timely basis and before the information is released to others.

H. Notify the appropriate hospital personnel that all medical bills relating to the injured or deceased employee will be directed to the Personnel office of the Anchorage Police Department. The family should not receive these bills at their residence. This may require the Hospital Liaison Officer to contact the hospital during normal business hours to ensure the proper billing will take place.

I. If possible, arrangements should be made with hospital personnel to allow the family to visit with the employee. It is important that the family be prepared for what they might see in the Emergency Room. If the family requests, an officer should accompany the family. It should be remembered that there is a definite need to touch and hold the employee.

J. Officers should not be overly protective of the family. This means that specific information should be shared with the family when appropriate. This should include how the employee met his/her death.

K. The Hospital Liaison Officer and the Notification Officer(s) will remain at the hospital as long as the deceased employee's family is present.

L. It will further be the responsibility of the Hospital Liaison Officer to take custody of the deceased officer's duty weapon, ammunition and other equipment that can be released prior to the officer's remains being transported to the medical examiner's office.

III. Family Liaison Officer:

A. The Chief of Police will designate an officer to act as liaison between the Department and the deceased officer's family. This is not a decision making position, but is that of a facilitator between the family and the Department.

B. The Family Liaison Officer should be a sergeant or commander who knew the deceased officer, but should not be an officer who is so emotionally involved in the death of the officer as to render him/her ineffective. The Chief of Police may assign other officers or chaplain as necessary to assist the Family Liaison Officer.

C. Ensure the needs and the wishes of the family come before the wishes of the Department.

D. In the event of a death: maintain a detailed record of assignments and duties associated with the wake and the funeral.

E. Determine what type of funeral the family desires. Meet with the family and advise them of what the Department can offer if they decide to have a line of duty death funeral. If they should choose this, explain the funeral procedure (i.e., 21-Gun Salute, presentation of the flag, playing of "TAPS", etc.). If the family chooses any of these options, it will be the responsibility of the Family Liaison Officer to notify the Department Liaison of this.

F. Apprise the family of information concerning the investigation into the death of the employee.

G. Provide as much assistance as possible to the family. This may include assisting them in making travel and lodging arrangements for out of town family members.

H. Notify Concerns of Police Survivors (C.O.P.S) at (773) 205-7868 and local representative. Members of this group are survivors of officers that have died in the line of duty and are available to provide emotional support to the families.

I. Work closely with the Department Liaison Officer.

J. The Family Liaison Officer will recover any gear and equipment from the officer's home.

K. Support for the family awaiting trial for those responsible.

1. This is a very important part of the grieving process and there are a number of things that should be done so the family does not feel left out or

feel the Department is hiding something from them. There are a number of ways to prevent this.

2. If not done at this point, the family should be met with and the circumstances surrounding the officer's death should be explained to them. If there are investigative reasons why certain details cannot be released prior to the trial, this should be explained to them.
3. The family should never hear of court or parole hearings from the media first. It is the responsibility of the Department to keep the family advised of all legal proceedings.
4. Family members should be encouraged to attend the trial so they feel they are representing the slain officer's interests.
5. The Family Liaison Officer should be assigned to accompany the family throughout the trial. This officer can explain the proceedings to the family and advise them of testimony that may be upsetting to them. The officer should remember not to be overly protective of the family. It is the decision of the family whether or not to attend the trial.
6. Members of the Department should be encouraged to attend the trial. This is not only comforting to the family, but also may be beneficial to the members of the Department that were close to the fallen officer.

L. An employee who was close to the fallen officer should be assigned to assemble a scrapbook to give to the family, along with any plaques or memorabilia that will be given to the family. The remembrance book could include newspaper articles, remembrances from fellow employees, etc.

IV. Department Liaison Officer

- A. This position will normally be assigned to a Command Staff Officer or sergeant due to the need to effectively coordinate the Department resources.
- B. Work closely with the Family Liaison Officer to ensure the needs of the family are fulfilled.
- C. Be available to handle any and all inquiries from the news media throughout the ordeal, should the family want this service. If the family decides to accept an interview, the Department Liaison Officer or his/her designee will be present to screen questions presented to the family.
- D. Gather information on all benefits and funeral payments that are available to the survivors. The Officer will be responsible for the following:
 1. Assist the family in the filing of Worker's Compensation claims and other related paperwork.
 2. Contact the Personnel office to ensure the correct paperwork is filed for survivor benefits and work with the Personnel office to ensure all monies due to the deceased officer are paid.

3. Prepare a printout of benefits available to the surviving family, listing benefits available to the named survivors, along with contacts for the various benefits.
 4. Meet with the surviving family a few days following the funeral to discuss the benefits they will be receiving and provide them with a copy of the printout. If there are surviving children from a previous marriage who did not reside with the deceased officer, they also should be provided with a copy of any benefits due them.
 5. Meet with the family approximately six months following the funeral to ensure they have received all the benefits that are due to them.
- E. Meet with the following persons in order to coordinate funeral activities:
1. The Chief of Police and Senior Staff
 2. Honor Guard Coordinator
 3. Funeral Director/Funeral Home
 4. Clergy
 5. Cemetery Director
- F. Coordinate the activities of the Department and visiting police departments according to the wishes of the family.
- G. Issue an itinerary to include the following information:
1. Name of deceased officer
 2. Date and time of death
 3. Circumstances surrounding the death
 4. Funeral Arrangements (state if service will be private or a police funeral)
 5. Uniform to be worn
 6. Expressions of sympathy in lieu of flowers
 7. Name and telephone number of the contact person for visiting departments to indicate their desire to attend and to obtain further information
- H. Obtain an American Flag. If the family wishes presentation of the flag by the Chief of Police, notify the Chief.
- I. If the family desires a burial in uniform, select an officer to obtain a uniform and leather gear and deliver the items to the funeral home.
- J. Arrange for delivery of the officer's personal belongings to the family.
- K. Ensure the Chief of Police is briefed on the arrangements and that Department employees are aware of duties as outlined in the itinerary.
- L. Ensure the surviving parents are afforded recognition and that proper placement is arranged for them during the wake and the funeral.

M. Coordinate traffic management with other jurisdictions, if necessary, to accommodate the procession and funeral.

N. Maintain a roster of all visiting departments sending personnel to the funeral, including:

1. Name and address of the responding agency
2. Name of the Chief of Police
3. Number of Officers attending
4. Number of vehicles

O. Acknowledge visiting departments.

P. Make arrangements for routine checks of the survivor's home for a period of six-eight weeks following the funeral. If the survivors live out of town, make arrangements with the agency for the town of residence. This is done due to the amount of money that passes through the residence and the fact that the survivors will be out of the residence attending to legal matters.

V. Police Chaplain:

A. Will assist all liaison officers.

B. Will provide a flag to be draped over the deceased officer at the hospital.

VI. Continued Support for the Family

A. Members of the Department must remain sensitive to the needs of the survivors long after the officer's death. The grief process has no timetable and survivors may develop a complicated grief process. More than half of the surviving spouses can be expected to develop a post-traumatic stress reaction to the tragedy.

B. Survivors should continue to feel a part of the "police family". They should be invited to Anchorage Police Department and APDEA activities for continued support.

C. Members of the Department are encouraged to keep in touch with the family. Close friends, co-workers and staff should arrange with the family to visit the home from time to time, as long as the family expresses a desire to have these contacts continue.

D. The Department should maintain close contact with the family as long as the family feels need for the support. The family will let it be known when they are ready to move on and live their lives without the assistance of the Department.

VII. Post Incident Stress of Department Personnel

A. Family members, friends and close associates of the fallen employee will experience various levels of grief. However, the need for the Police Department to provide psychological assistance or post incident debriefing cannot be stressed strongly enough. The loss of a co-worker is often the

most traumatic experience that an employee may experience in his or her career.

VIII. Funeral Protocol

A. Any Anchorage Police Officer who dies in the line of duty will be accorded full honors if requested by the family. This will include the Casket Watch during the wake, Honor Guard, pallbearers, rifle squad, taps, military flag fold, and presentation of the flag and motor escort.

B. The Honor Guard Coordinator will be responsible for coordinating and directing the activities of the Honor Guard, Casket Watch, Pallbearers, Rifle Squad, Bugler and Flag presentation and will be under the direct supervision of the Department Liaison Officer.

1. Uniforms and Appearances

- i. Class A uniforms will be worn by all personnel
- ii. A black band will be worn over the badge.

2. Wake

- i. All members of the Department who attend the wake will, regardless of assignment, dress in the appropriate dress uniform.

C. The Casket Watch is comprised of volunteer officers from throughout the Department. Officers assigned to the casket watch must present an excellent uniform appearance and will conform to all Department regulations on grooming and appearance.

1. The dress uniform will be worn to include white gloves. The watch will be divided into shifts with two officers standing watch for 2 to 4 hours at a time.
2. A shift supervisor will organize the casket watch immediately following the line of duty death, until the Honor Guard Coordinator is able to take over the responsibility.

D. The Honor Guard Coordinator will post the watch and the officers will position themselves at or near the head and feet of the deceased officer.

E. If the family requests pallbearers from the Department or they have no special request for who will serve as pallbearers, the Honor Guard Coordinator will be responsible for selecting them. If possible and practical, the pallbearers should be officers that the slain officer worked closely with, regardless of rank. Pallbearers will be under the direct command of the Honor Guard Coordinator and will report to the funeral home as directed for instructions.

IX. Funeral Procedures

A. Refer to the funeral procedures outline in the Anchorage Police Department Funeral Planning Guide or based upon the requests of the family.

X. Procedural Variation

A. The procedures that have been outlined in this policy will be followed in most cases. Any changes that are made necessary by shortage of manpower, the unusual size of the funeral, the type of service, the physical arrangement of the place of the service or for any other reasons, shall be made by the Department Liaison Officer in conjunction with the Chief of Police.

B. In the case of an officer killed in the line of duty, the Chief of Police or his designee will make arrangements for two officers to escort the deceased officer's family to the Police Memorial Wall ceremony in Washington DC.

C. At the discretion of the Chief of Police, Department Honors may be accorded to deceased members of the Department.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.06.025	
Policy and Procedure Title Basic Selection Process	Effective Date 1/04/2013	Page 1 of 7
Replaces Prior Policy: 5/15/2012	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.06.025 Basic Selection Process

PURPOSE

To define the manner in which selections will be made for posted positions.

POLICY

It is the policy of the Anchorage Police Department to use a selection process which provides the best employee for the position and maintains the work force's expectation of equitable treatment.

DEFINITIONS

Additional Assessment. An optional testing criteria used in conjunction with the Basic Selection Process.

Basic Selection Process. The process provided in this policy for selection when career performance and an oral board are sufficient for deciding placement.

Selection Process. The procedure for selecting a qualified candidate for a position.

Position. For purposes of this policy, a job assignment requiring a posting.

Posting. The standard process and format for advising employees of the availability of a position, the selection criteria, and the process for selecting an employee for that position.

Process Facilitator. The hiring manager or supervisor who is responsible for the specific selection process.

Resume. A written document prepared by the applicant for presentation at the oral board which outlines experience and achievements for possible point consideration.

Selection Score Sheet. The process of scoring for the purpose of achieving a ranked list of applicants.

Substantially Different Qualifications. For the purposes of this policy, there must be a 2% difference in the scores of competing applicants in the ranked list for the score achieved through the Selection Process to over-ride seniority.

PROCEDURES

I. ADMINISTRATIVE POSTING PROCEDURE

- A. A request for posting requires that a Draft Posting be submitted to the Captain of Administration. This is usually provided by the Process Facilitator or their designee.
- B. The request will be forwarded for authorization from the three Chiefs by the Captain of Administration.
- C. A draft posting will be forwarded to the police union by the Captain of Administration.
- D. A draft posting will be forwarded by the Captain of Administration to City Hall Employee Relations for entry into NeoGov.
- E. City Hall Employee Relations will post the position via the Internet (NeoGov) and also to Department personnel via email.
- F. Postings will include:
 - 1. A description of the position responsibilities
 - 2. Specific Eligibility Criteria
 - 3. Specific Selection Process
 - 4. Who will be the final selecting authority
- G. A posting is required to fill a position.
- H. The Process Facilitator is responsible for promoting and managing the process to fill the specific position. The Process Facilitator's responsibilities and authority include:
 - 1. Managing the work flow through the selection process.
 - 2. Obtaining approval of any Assessment beyond the Basic Selection Process and the Oral Board framework.
 - 3. Evaluating and confirming, together with the Oral Board panel, applicant points including:
 - a). Oral Board
 - b). Additional Assessment (if applicable)
 - c). Career Experience
 - d). Awards and Commendations
 - e). Education
 - f). Related Training

g).Discipline

4. Upon completion of the process, having the results audited by another supervisor or commander.
5. The Process Facilitator or the person responsible for the final selection(s) should complete rankings and coordinate with the Captain of Administration to finalize the process.
6. Make notification to all candidates of their selection or non-selection and make themselves available for post-assessment conversations should an applicant desire one.

II. SELECTION OF CANDIDATES

A. The Basic Selection Process is the minimum selection criteria for posted positions, except for the following positions that will be selected based on seniority with the approval of the Chief of Police:

1. Parking Enforcement
2. Recruitment Team
3. Warrants

III. BASIC SELECTION PROCESS

A. Position Testing (70%):

1. Oral Board Questions: An Oral Board is the minimum for position testing.
 - a). The Oral Board is comprised of questions (a minimum of ten questions). The questions are to be designed to be specific to the duties of the position and are to be determined by the unit supervisor, commander, and/or the Process Facilitator. All questions must be submitted and approved by the Chain of Command. The scoring range of Zero (0) points for no answer or the answer is not related to the question, to Ten (10) points for the complete answer as indicated on a scoring master will be used. Each board member must have a score that is within two (2) points (+/-) of all other members' score for each question.
 - b). The total number of possible points will vary with the number of questions asked. The options for the number of questions to be presented at the Oral Board can be 10, 12, 14, 16, 18, or 20.
 - c). An Oral Board panel will consist of a minimum of three (3) evaluators.
2. Additional or Alternate Testing: When alternate testing is more specific to the position and/or more challenging, this testing can replace the Oral Board with the concurrence of the Chain of Command. When a Process Facilitator elects to use assessment tools beyond the Basic Selection Process, those tools must be vetted through the Chain of

Command and given specific weighted value for use in the Selection Score Sheet.

B. Career Experience (10%):

1. Time served in positions outside of Patrol and/or on special units shall earn the following points according to position tenure: Half a point (1/2) for every two years of time served in the assignment.
2. Maximum total points awarded cannot exceed 20 points.

C. Awards/Commendations (5%)

1. Points will be awarded for Department recognized Medal awards received and do not expire.
 - a). Three (3) points for Medal of Valor/Honor
 - b). Two (2) points for the Lifesaver Award
 - c). All other Medal Awards are awarded one (1) point each for those received while employed by APD.
2. Points will be awarded for Employee Recognition awards received and do not expire:
 - a). Three (3) points for sworn/non-sworn of the year
 - b). Two (2) points for sworn/non-sworn of the quarter
3. All other commendations received shall be awarded at 1 point each (Unit award, Chief's Letter of Recognition, etc.).
4. Letters of appreciation received by all external sources, APD Supervisory and Command Staff, and the APD Employee Recognition Board shall be awarded 1 point each.
5. Maximum points awarded cannot exceed 10 points.

D. Education/APSC Certification (10%):

1. Credit for the highest level of education achieved will be given for credits issued by the University of Alaska or any like credit which is acceptable under the accreditation requirements of the University of Alaska: (To receive any university credit points, the employee must have an official transcript on file in their Personnel folder.)
 - a). Seven (7) points for a Masters Degree
 - b). Five (5) points for a Bachelor Degree
 - c). Four (4) points for over 80 credit hours
 - d). Three (3) points for 61-80 credit hours
 - e). Two (2) points for 40-60 credits

2. Credit for the highest level of certification achieved for APSC Certification earns the applicant one (1) point for Basic, two (2) points for Intermediate and three (3) points for Advanced.
3. An active instructor certificate earns one (1) point.
4. Additional training must have a direct correlation to the job assignment for which the applicant is applying. Applicability will be determined by the Oral Board panel. Training (if certificate is issued with the ability to verify the course contents) may be received from anywhere, similar to a University course from any jurisdiction (as above). A list of the qualifying courses must be attached to the final Selection Score Sheet. One (1) point is awarded for each completed course.
5. Maximum total points awarded cannot exceed 20.

E. Discipline/P-File (5%): No discipline will net five (5) points.

1. Points will only be deducted from that five (5) points for a formal oral reprimand, written reprimand, or suspension of less than 2 days within the previous two (2) years or which remains in the Personnel file consistent with the current labor contract.
 - a). One (1) point deduction for each oral reprimand in last year
 - b). Three (3) point deduction for each written reprimand in last year
 - c). Five (5) point deduction for a suspension in last two (2) years.
2. The maximum deduction is five (5) points yielding a score of zero (0) for this category.
3. Maximum total points awarded cannot exceed 5 points
4. Multiple disciplinary actions requiring a DAR or suspensions in excess of one day may, after evaluation by the chain of command, render the applicant ineligible.

F. Resume: A Resume and point evaluation for categories outside of the Oral Board shall be submitted by the applicant at the time of the Oral Board to be considered for points. Rating Officials will review the scores with the applicant at the conclusion of the Oral Board. Confirmation of validity can be sought through the Personnel file and IAPro. Employees should review their Personnel file and confirm the file is current. Resumes will include a cover sheet outline highlighting point evaluation under each of the above categories. Additional information and/or documentation may be attached to the outline.

G. Ranked List: A ranked list will be developed using a Basic Selection Process score sheet provided by the Captain of Administration. The scores will be independently determined by the Process Facilitator and another supervisor or commander. The ranked list will be used in selection, provided there are substantially different qualifications between candidates.

APPLICANT CHECK LIST

1. Get a copy of the posting

Read it!

Note unit/position requirements

Compare them to your skill/experience set

2. Get a copy of the Position Description

Check the *APDonly* page

Check with Personnel if it is not available on line

3. Talk to existing members of the unit for specifics of the position, the unit's mission and current activities.

4. Review your personal file

List awards and recognitions

List past positions, special units and their dates.

5. Document your training.

6. Write a resume. This will help you create a structure for your oral board presentation and is required for point evaluation in the standard process.

7. Resumes will include a cover sheet outline highlighting point evaluation under each of these categories.

Additional information and/or documentation may be attached to the outline.

8. Prepare a sample internal selection score sheet with the points you expect to receive outside of the oral board or additional testing categories.

9. Conduct a practice session with a Supervisor. Common questions are:

What do you know about this position/unit's responsibilities?

Scenario questions which tend to show how you would deal or have dealt in the past with situations similar to those you will meet in the new position.

Policy and procedure information which relates specifically to that position (remember that many units have policy and procedure manuals specific to their unit not available on line).

Content questions which tend to show knowledge or expertise in the area that the position functions within.

TALLY SHEET

10% of Total Score: Career Experience - Maximum total points awarded cannot exceed 20 points

- Time served in position outside of patrol or on a special unit.(1/2 point for every 2 years)

Unit/position_____ years_____ points_____

Unit/position_____ years_____ points_____

Unit/position_____ years_____ points_____

Unit/position_____ years_____ points_____

Total_____

5% of Total Score: Awards/Commendations - Maximum points awarded cannot exceed 10 points

Medal of Valor/Honor_____ X 3 = _____points

Lifesaver Award _____ X 2 = _____points

Other Medal Awards _____ X 1 = _____points

Sworn/Non-sworn/yr_____ X 3 = _____points

Sworn/Non-sworn/qrtr _____ X 2 = _____points

All others _____ X 1 = _____points

Total_____

10% of Total Score: Education/ APSC Certification - Maximum total points awarded cannot exceed 20 points

Master's Degree = 7 _____ Advanced APSC = 3 _____

Bachelor Degree = 5 _____ Intermediate APSC = 2 _____

80+ credit hours = 4 _____ Basic APSC = 1 _____

61-80 credit hours = 3 _____ Active Instructor = 1 _____

40-60 credit hours = 2 _____ Additional Training = 1 ea _____

Total_____

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.06.030	
Policy and Procedure Title Travel Procedures Policy	Effective Date 10/12/2012	Page 1 of 8
Replaces Prior Policy: 8/05/2009	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.06.030 Travel Procedures Policy

PURPOSE

To establish policies and procedures to approve travel requests, process travel activity, and pay travel expenses.

POLICY

All employees will follow department policy in procuring travel authorization and payment or Municipal policy if travel is outside of that described in this policy.

DEFINITIONS

Anchorage Area: The Municipality of Anchorage (from the Knik River Bridge to Portage).

APD Travel Coordinator: Contact person within APD that will initiate and process all travel paperwork. Current designations are Fiscal Clerk, Executive Assistant to the Chief, and Detective Clerk.

Approval: Authorization to travel or authorization for expense reimbursement. Approval must be obtained through the appropriate Chain of Command process.

Chain of Command: Chain of Command is defined as the lines of communication, responsibility, and authority going upward and downward within the organizational hierarchy through each successive level of supervision. In applying this definition, an employee must direct/receive Official Communication(s) through his or her Supervisor(s). Each person within the Chain of Command has the inherent responsibility and authority to make decisions and provide solutions for those under their supervision.

International Travel: Travel outside of the United States. Travel to U.S. territories is not considered to be international travel. International travel must be submitted to the Mayor for approval after Chain of Command approval.

Per Diem: The rate of pay per day for meals and other miscellaneous expenses. This rate is reduced on travel days per IRS regulations.

Prohibited Expenses: Prohibited expenses will not be reimbursed by the Municipality. They include, but are not limited to: 1) “buying” frequent flyer miles from employees who use miles to obtain airline tickets, 2) passport fees, 3) travel/rental car insurance, 4) alcohol, 5) the use of personal watercraft, 6) cruise ship conferences, 7) the use of personal aircraft, 8) dry cleaning and laundry charges and 9) business meals (unless in compliance with MOA P&P 68-3).

Request for Professional or Technical Training/Development: A form to be completed when travel is for training purposes.

Travel: Travel outside of the Anchorage Area, but inside the United States, unless otherwise noted.

Traveler: Any individual traveling on behalf of the Municipality. Travelers are not necessarily employees. Contractor travel need not comply with this policy.

Travel Authorization: The form showing the trip details and approval(s).

Travel Day: The day of departure from and the day of return to the point of origin.

Travel Expense Report: The report showing details of the expenses, the accounting distributions, and approvals.

DISCUSSION

This policy applies to all APD employees, sworn and non-sworn, who are traveling on Anchorage Police Department-related business. This policy in no way supersedes MOA Travel Procedure Guide 68-1 (11/1/2008). It is the employee’s responsibility to read and understand MOA P&P 68-1.

For the Anchorage Police Department’s parameters on compensation on travel related to Department-sponsored training, optional training and mandatory work travel/training, see Appendix A “Guidelines for Travel and Training Pay Rate Compensation” at the end of this policy.

For travel conducted for business, training and investigation purposes by Anchorage Police Department personnel, this policy sets out guidelines and instructions that shall be followed. Travel must be approved in advance. The consequence of unauthorized travel could be non-reimbursement. Failure to follow these work instructions/guidelines may result in discipline.

PROCEDURE

I. GENERAL

- A. Regardless if travel is paid for by a grant, APD, any other law enforcement agency, or zero travel, arrangements shall not be reserved or purchased until travel paper work has been approved through employees’ Chain of Command and notification of approval has been received from the Fiscal Clerk.

II. TRAVEL AUTHORIZATION AND APPROVAL

- A. The requesting employee must first meet with an APD Travel Coordinator to initiate a Travel Authorization form and Request for Training form. The employee must identify the funding source before meeting with an APD Travel Coordinator. An APD Travel Coordinator will research quotes and costs, complete the form, including employee signature, and deliver, with all attachments, to the Fiscal Clerk. The Fiscal Clerk will complete the budget information and forward forms through the approval Chain of Command. The Fiscal Clerk will be the final point of contact for all forms.
- B. If employees travel outside the Anchorage Area with their APD assigned car, they are required to obtain permission from their Chain of Command.
- C. Prior to a request for travel, the employee will check in the electronic timekeeping system for scheduled court cases during the employee's absence. If there is a conflict, this must be resolved prior to making travel arrangements or leaving town.
- D. It is also the responsibility of employees and their Chain of Command to arrange the travel and training to minimize overtime costs to the Department. (Refer to Appendix A "Guideline for Travel and Training Pay Rate Compensation")
- E. If it is last minute travel and an APD Travel Coordinator is not available, employees shall contact their Chain of Command for directions.

III. BUSINESS/PERSONAL TRAVEL

- A. Employees who wish to combine personal travel in conjunction with the training/conference must document this request during the initial visit with an APD Travel Coordinator. The employee(s) are responsible for all expenses connected with the personal travel. If an employee takes personal time along with the business, the APD Travel Coordinator is required to submit two flight itineraries; one with the business and the personal dates, the second with just the business dates. If there is a difference of price where the combined business and personal travel is more expensive than just the business travel, the employee is responsible for the difference. On all combined business/personal itineraries, the APD Travel Coordinator must also have a printed copy of the business-only flight quoted on the same date that the combined airfare is purchased. This must be submitted with the travel expense report.

III. RENTAL CAR

- A. The Department will not pay for rental cars when the conference is held in the hotel where employees are staying or transportation is provided to and from the conference site. If the employees believe they need a rental car to attend the training or conference then employees shall make a request through an APD Travel Coordinator with the proper documentation to support the request. The APD Travel Coordinator will forward the request through the Chain of Command to the Captain level or higher for a decision.

- B. If a rental car is approved, the Department will pay for a compact or midsize car, whichever is cheaper. Most rental car companies do not accept 3rd party credit cards for rented vehicles and the employee may need to use a personal credit card to obtain the rental.
- C. If the MOA rents a car for an employee, it is for business purposes only (to and from the airport, training site, and meals). The city is self-insured, therefore will not pay for insurance. If the employee intends to use this vehicle for personal business, then it is the employee's responsibility to insure the vehicle through their personal insurance or by purchasing the car rental company's insurance; however, the employee will not be reimbursed for this expense. Whenever employees rent a vehicle for business purposes and use it for personal use, they shall fill out the Rental Car Fuel Pro-rater form, available through an APD Travel Coordinator, and submit it with their expense report.

IV. RESERVATIONS AND BOOKING ARRANGEMENTS

- A. Once travel paperwork has been approved, notification will be sent from the Fiscal Clerk and an APD Travel Coordinator will book the flight and hotel reservations and will contact the training agency concerning registration. APD receives miles, as does the traveler, through both EasyBiz (Alaska Airlines) and Sky Bonus (Delta). Research must still be done to make sure the Department gets the best ticket price. Sometimes there is a significant difference of several hundred dollars for a single ticket. A good rule of thumb is a price difference of \$100 or more. Travel must be booked with the cheaper airline or employees must justify to their Chain of Command why the more expensive ticket is the best option.
- B. The Department is willing to accommodate employees' travel needs as much as possible, however, keep in mind that we should still be prudent in our spending even if travel is being paid for by grant monies or another agency. Department personnel may be required to share a room and/or rental vehicles. The APD Travel Coordinator will book a reasonably priced room for each employee. If employees want to upgrade their room, they are responsible for the difference or must obtain permission through their Chain of Command up to the Captain level.
- C. Employees are permitted to leave their conference/training session up to two hours early in order to catch a reasonable flight back to Anchorage. They are also permitted to miss a banquet or dinner at the end of the conference/training in order to catch a reasonable flight back to Anchorage.
- D. If a conference or training session ends by noon or early afternoon, in time for employees to find a reasonable return flight home, travelers are required to return to Anchorage the same day. However, if the conference or training does not conclude until 5:00 PM or later and travelers cannot find a reasonable flight home, they are permitted to stay overnight and lodging and per diem will be covered by the Department. If employees

choose to extend their stay at the end of the conference, they will be responsible for all additional expenses and the MOA will not pay the employees per diem for the extra days.

- E. Employees will be responsible to ensure the airline ticket, hotel reservations, dates of travel, seminar/class registration, as well as any other information is correct. If not, employees will contact and work with an APD Travel Coordinator to correct it. Some errors can be changed or corrected within 24 hours without additional charges to the Department or employees.

V. CHANGES TO TRAVEL ITINERARY

- A. If changes are required on approved future travel, these changes must be done by the Fiscal Clerk.
- B. In the event employees cannot attend training or a conference after the travel arrangements have already been made, they shall contact an APD Travel Coordinator and their Chain of Command as soon as possible. An APD Travel Coordinator will cancel all reservations.
- C. If an employee changes their return flight for personal reasons (other than a family emergency), they will be responsible for all change fees as well as turning in revised paperwork. Employees who attend training in which their salary, travel, and training expenses are in full or partly paid for by the Anchorage Police Department or through a grant managed through the Anchorage Police Department are required to attend and complete that training. If an employee has a personal or family emergency that requires them to cut the trip short, they shall contact or attempt to contact someone in their Chain of Command before leaving.

VI. TRAVEL EXPENSE REPORT

- A. When an employee returns from travel, the employee has 30 days to complete the Travel Expense Report. Employees shall provide an APD Travel Coordinator:
 - 1. Original receipts for lodging, parking, baggage, fuel, airport shuttle or taxi, etc.
 - 2. Airline boarding passes.
 - 3. Event brochure and agenda if travel was for a conference, seminar, or training.
- B. An APD Travel Coordinator will complete the expense report, have the employee sign it, and submit the completed form and original receipts to the Fiscal Clerk. The Fiscal Clerk will forward the form for Chain of Command signatures.

APPENDIX A

Guideline for Travel and Training Pay Rate Compensation

- I. Department Sponsored and Approved Training:
 - A. Employees desiring to attend training shall submit an application in the form and manner specified by the Training Section or Chain of Command expressed by conventional posting or other Department-authorized method. Applicants shall be selected in a method prescribed by the Chain of Command, consistent with Department and Municipal policy/procedure
 1. Training is considered work and the employee must be afforded an 8-hour break both before and after training that spans 8 hours or more (a shift).
 2. Training 5 days or more in length: Employees who have worked 40 hours will transition to a 5 day/9 hours (unpaid lunch) schedule with two days off before and after the work week. Employees who have worked less than 40 hours will receive one day off and then transition into a 5 day/9 hours schedule with two days off after the training. Supervisors shall ensure the employees are given the number of days off on the front side and/or back side of the training to ensure that employees do not work more than 40 hours in a row or week and/or 80 hours in a pay period.
 3. Training less than 5 days in length: Supervisors shall ensure employees comply with the current restrictions for number of hours worked and that there is at least an 8-hour break between shifts utilizing training leave and adjust work hours when necessary. Employees shall also be given training leave for the next shift if they do not get 8 straight hours off due to court obligations or an emergency call-out.
 4. Temporary Duty Assignment: Employees who attend training 5 days or more in length will be placed on Temporary Duty Assignment (TDA) to Training. This status has certain administrative impact, including:
 - a) Those employees on TDA will not be eligible for overtime call-in during the period of the school, but will still be responsible for satisfying all normal court obligations, and are eligible to respond to emergency call-outs of specialized units of which those employees are members. If the employees are on an extended call-out they will work with their Chain of Command to determine if and when they will resume the training schedule.
 - b) Employees are not eligible for posted overtime during the duration of the training. Employees shall not work a posted overtime if it interferes with their 8 straight hours off between the end of a shift and the beginning of training, or after training and the beginning of

the next shift. The only exception to this rule is if employees signed up for and were selected for the posted overtime, prior to being selected for the training. Employees that find themselves in this circumstance shall work with their Chain of Command to resolve the conflict.

5. Compensation: If the training occurs on an employee's day off, the employee shall be compensated at the appropriate overtime or compensatory time rate per the Collective Bargaining Agreement. In cases where the training is not approved in the sense that all costs have been approved, training leave may be granted for voluntary attendance at training at the discretion of the administration.

Travel time that occurs during the during the normal work hours, including days worked and scheduled days off, is compensable. However, outside of normal work hours, it is generally not compensable.

II. Optional Travel and Training:

- A. Includes out of state and some in-state training for professional development that has not been approved by the APD Administration. If an employee chooses on their own to attend training which has not been specifically approved by the APD Administration, no expenses will be paid by the MOA, nor will there be an adjustment to the work schedule.
 1. Regarding out of state training, as a general rule, overtime will not be compensated for *optional* training unless approved at the Captain level or higher in the Chain of Command.

III. Mandatory Training and Mandatory Work Related Travel:

- A. Mandatory training is all training that employees are required to attend by their Chain of Command. Mandatory work-related travel is travel that is required as part of an employee's assignment (i.e. - background investigator, to testify in court, and to facilitate a police investigation).
 1. Mandatory Travel and Training 5 days or more in length: Employees who have worked 40 hours will transition to a 5 day/9 hours (unpaid lunch) schedule with two days off before and after the work week. Employees who have worked less than 40 hours will receive one day off and then transition into a 5 day/9 hours schedule with two days off after the training. If the training is two weeks or more in duration, employees will continue, after the initial week, in the 5 day/9 hours (unpaid lunch) schedule with two days off before and after the training. Supervisors shall ensure the employees are given the number of days off on the front side and/or back side of the training to ensure that employees do not work more than 40 hours in a row or week and/or 80 hours in a pay period.
 2. Mandatory Travel and Training less than 5 days in length: Employees who have worked less than 40 hours in the work week and are

required to travel or attend training within less than 8 hours of the end of that shift shall be given training leave for that shift. Employees shall also be given training leave for the shift before or after the training/travel if they do not get 8 straight hours off due to court obligations or an emergency call-out. Employees will be given the number of days off on the front side and/or back side of the training to ensure that the they) do not work more than 40 hours in a row or week and/or 80 hours in a pay period.

3. Compensation: As a general rule, overtime incurred for mandatory training/work on a scheduled day off and travel during normal work hours on a day off will be compensated at an employee's normal rate of paid overtime or compensatory time per the labor contract.
 - a). Training/work that exceeds employees' normal daily work hours or TDA training schedule will be compensated at the normal rate of paid overtime or compensatory time per the CBA.
 - b). Exception: Employees who do Department-related work while traveling shall be compensated at normal rate of overtime pay or compensatory time per the CBA. Employees shall receive permission from their Chain of Command before doing work while traveling during the time frame when they are entitled to no more than hour for hour compensation as required by this policy.

End of document

Chapter 7

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.07.000-005	
Policy and Procedure Title Job Assignments Light Duty Assignment	Effective Date 10/11/2011	Page 1 of 3
Replaces Prior Policy: 8/05/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.07.000 Job Assignments

2.07.005 Light Duty Assignments and Obligations

PURPOSE

The purpose of this policy is to define the duties and responsibilities of Department personnel while assigned to light duty.

POLICY

That all light duty assignments be authorized, granted and documented according to sound management and accounting principles. It shall be the policy of the Anchorage Police Department to strictly adhere to the requirements set forth in the policy.

DEFINITIONS

Light Duty: a temporary measure utilized to facilitate the return of an employee to their regular job duties.

REFERENCES

Municipal Personnel Rules and existing labor contract(s) between the Municipality and the Anchorage Police Department Employees' Association are the primary reference documents to this chapter.

PROCEDURES

I. Introduction: There are occasions where employees are encouraged, required, or wish to return to work, but their medical condition(s) do not allow full performance of their normal job duties. In this sense, they are "absent" from their regular position, but not on a leave status. Therefore, when a physician releases an employee for work, but with limitations that do not allow the employee to perform to the full capacity of their job description, that employee shall be placed on Light Duty status. Employees will be assigned to a job that will permit them to work within the physician's guidelines until their release to full duty.

A. Eligibility and Purpose: Light Duty status is available to all ill or injured employees who can obtain a release from their physician to perform certain restricted duties. The opportunity to return to work, even on a limited basis, often hastens the recovery time from illnesses and injuries, while the Department enjoys certain productivity from the employee.

B. Application: Employees who receive a release from the physician must return to or be ordered to return to duty on a limited capacity, according to the guidelines prescribed by the physician. No overtime will be permitted while on light duty, except under exigent circumstances and with the approval of the Division Commander.

C. Assignments: If the light duty assignment is 40 hours or less in length, there will be no involuntary change in shifts or days off. If the light duty assignment is more than 40 hours, the employee will be assigned to day shift, with a 5/9's schedule with an unpaid lunch until released to full duty. Once the employee is placed in light duty status, the Captain supervising the Personnel Division will assign that employee to his/her duties, providing the physician's medical limitations are met.

D. ACTING POSITION/TRANSFER/PROMOTIONS: A light duty employee is allowed to transfer or promote based on the Chief's approval. A light duty employee will not be allowed to take on an "Acting" roll.

E. Obligations of Employees on Light Duty: While on light duty, sworn employees are assumed incapable of performing the duties normally required of their position. Of particular concern are the special precautions necessary to avoid taking police action, or acting under color of authority, except under the most extreme circumstances. In anticipation of possible light duty status, all employees must adhere to the following:

1. Notify their Division Supervisor or Commander as soon as it becomes apparent that they are unable to perform their regularly-assigned duties, or meet the physical and mental requirements of the job at full capacity and in all cases before reporting to work.
2. Submit to the Personnel Section an APD Physician's Report form listing all limitations (See Personnel Office).
3. Continue to submit appropriate paperwork as directed by the Personnel Section and at a minimum make contact with Personnel every (4) four weeks, unless notified differently by that office.
4. When given a light duty assignment contact the Division Commander to which they have been assigned so as to determine the reporting date and specific assignment. The employee will also provide that Commander with a copy of the medical restrictions.
5. Sworn employees assigned to light duty shall not drive marked or unmarked police vehicles and shall make arrangements to have their marked or unmarked vehicle returned to the station as soon as possible.

6. Sworn employees on light duty will not contact a suspect for an interview without express authorization from their Captain and that contact is only done by telephone. Sworn employees will not participate in making a physical arrest of a suspect.

7. Business casual will be the dress code for light duty employees, unless there's a conflict with limitations prescribed by a doctor or based on the Commander's approval.

8. Upon being released to full duty, but before returning to work, employees shall submit a Doctor's release to duty letter to the Personnel Section, indicating the date of release to full unrestricted duty and employees shall notify their Division Supervisor or Commander of the anticipated date of return to full duty.

NOTE: In order to return to full duty, employees must be able to perform the duties, physical and mental requirements of the job, including overtime as required, as listed in the position description.

Chapter 8

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 2.08.005	
Policy and Procedure Title Work Place Safety (Interior)	Effective Date 1/04/2010	Page 1 of 9
Replaces Prior Policy: NEW	Approved by: Acting Chief Stephen Smith	

This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2.08.005 Work Place Safety (Interior)

PURPOSE

To help reduce workplace injuries and illness by informing employees about potential workplace hazards and office safety. Preventing workplace injuries and illness benefits both the employee and the employer.

POLICY

That members of the Anchorage Police Department will practice and maintain standard safety practices while working in buildings and offices of the Municipality of Anchorage and specifically the Anchorage Police Department.

DISCUSSION

Changes have occurred in the American workplace as a result of new office technology and the automation of office equipment. As with all new technology, these changes bring with it a set of health and safety concerns. In addition to obvious hazards such as slippery floors or an open file drawer, a modern office may also contain hazards related to lighting, noise, furniture design, or equipment and machines that emit gases and vapors when improperly maintained. Even the nature of office work itself can produce a variety of aches, pains, and problems. However, the leading types of disabling accidents in an office environment continue to be caused by falls, strains, over exertions or by impacts with objects.

DEFINITIONS

Interior: Those areas within the confines of a building owned or maintained by the Municipality of Anchorage.

Workspace: The specific areas where an employee normally works at, or within a common area where employees work.

PROCEDURE

I. GENERAL SAFETY INFORMATION AND INSTRUCTION

A. Falls: Falls are the most common office accident, accounting for the greatest number of disabling injuries. The disabling injury rate of falls among office workers is 2 to 2.5 times higher than the rate for non-office employees. A fall occurs when you lose your balance and footing. One of the most common causes of office falls is tripping over an open desk or file drawer. Bending while seated in an unstable chair or tripping over electrical cords or wires are another common hazard. Office falls are frequently caused by using a chair or stack of boxes in place of a ladder or by slipping on wet floors. Loose carpeting, objects stored in halls or walkways, and inadequate lighting are additional hazards that invite accidental falls. Fortunately, all of these fall hazards are preventable. The following checklist can help stop a fall before it happens:

Be sure the pathway is clear before you walk.

Close drawers completely after every use.

Avoid excessive bending, twisting, and leaning backward while seated.

Secure electrical cords and wires away from walkways.

Always use a stepladder for overhead reaching. Chairs should never be used as ladders.

Clean up spills immediately.

Pick up objects co-workers may have left on the floor.

Report loose carpeting or damaged flooring.

Never carry anything that obscures your vision.

Wear stable shoes with non-slip soles.

If you find yourself heading for a fall, remember - roll, don't reach. By letting your body crumple and roll, you are more likely to absorb the impact and momentum of a fall without injury. Reaching an arm or leg out to break your fall may result in a broken limb instead.

B. Strains and Over-Exertion: Although a typical office job may not involve lifting large or especially heavy objects, it's important to follow the principles of safe lifting. Small, light loads (i.e., stacks of files, boxes of computer paper, books) can wreak havoc on your back, neck, and shoulders if you use your body incorrectly when you lift them. Backs are especially vulnerable; most back injuries result from improper lifting. Before you pick up a carton or load, ask yourself these questions:

Is this too heavy for me to lift and carry alone?

How high do I have to lift it?

How far do I have to carry it?

Am I trying to impress anyone by lifting this?

If you feel that the lift is beyond your ability, contact your supervisor or ask another employee to assist you.

1. Safe Lifting Steps

Take a balanced stance, feet placed shoulder-width apart. When lifting something from the floor, squat close to the load.

Keep your back in its neutral or straight position. Tuck in your chin so your head and neck continue the straight back line.

Grip the object with your whole hand, rather than only with your fingers. Draw the object close to you, holding your elbows close to your body to keep the load and your body weight centered.

Lift by straightening your legs. Let your leg muscles, not your back muscles, do the work. Tighten your stomach muscles to help support your back. Maintain your neutral back position as you lift.

Never twist when lifting. When you must turn with a load, turn your whole body, feet first.

Never carry a load that blocks your vision.

To set something down, use the same body mechanics designed for lifting.

2. Lifting from a seated position

Bending from a seated position and coming back up places tremendous strain on your back. Your chair could be unstable and slip out from under you.

Stand and move your chair out of the way.

Squat and stand whenever you have to retrieve something from the floor.

3. Ergonomic solutions to backbreaking tasks

If you are doing a lot of twisting while lifting, try to rearrange the space to avoid this. People who have to twist under a load are more likely to suffer back injury.

Rotate through tasks so that periods of standing alternate with moving or sitting. Ask for stools or footrests for stationary jobs.

Store materials at knee level whenever possible instead of on the floor. Make shelves shallower (12-18") so one does not have to reach forward to lift the object. Break up loads so each weighs less.

If you must carry a heavy object some distance, consider storing it closer, request a table to rest it on, or try to use a hand truck or cart to transport it.

C. Struck By or Striking Objects: Incidents of this type include:

Bumping into doors, desks, file cabinets, and open drawers.

Bumping into other people while walking.

Striking open file drawers while bending down or straightening up.

Striking against sharp objects such as office machines, spindle files, staples, and pins.

Pay attention to where you are walking at all times, properly store materials in your work area and never carry objects that prevent you from seeing ahead of you.

Office supplies sliding from shelves or cabinet tops.

Overbalanced file cabinets in which two or more drawers were opened at the same time or in which the file drawer was pulled out too far.

Machines, such as typewriters, that were dropped on feet.

Doors that were opened suddenly from the other side.

Proper material storage and use of storage devices can avoid these accidents.

D. Caught In or Between Objects: The last category of leading disabling incidents occurs as a result of office workers who get their fingers or articles of clothing caught in or between objects. Office workers may be injured as a result of:

Fingers caught in a drawer, door, or window.

Fingers, hair or articles of clothing and jewelry caught in office machines.

Fingers caught under the knife-edge of a paper cutter.

While working on office equipment, concentrate on what you are doing and avoid wearing clothing or accessories which may get caught in equipment.

E. Material Storage: Office materials that are improperly stored can lead to objects falling on workers, poor visibility, and can create a fire hazard. A good housekeeping program will reduce or eliminate hazards associated with improper storage of materials.

Examples of improper storage include:

Disorderly piling, piling materials too high, and obstructing doors, aisles, fire exits and fire-fighting equipment.

The following are good storage practices:

Boxes, papers, and other materials should not be stored on top of lockers or file cabinets because they can cause landslide problems. Boxes and cartons should all be of uniform size in any pile or stack. Always stack material in such a way that it will not fall over.

Store heavy objects on lower shelves.

Try to store materials inside cabinets, files, and lockers.

Office equipment such as typewriters, index files, lights or calculators should not be placed on the edges of a desk, filing cabinet, or table.

Aisles, corners, and passageways must remain unobstructed. There should be no stacking of materials in these areas.

Storage areas should be designated and used only for that purpose. Store heavy materials so you do not have to reach across anything to retrieve them.

Fire equipment, extinguishers, fire door exits, and sprinkler heads should remain unobstructed. Materials should be at least 18 inches away from sprinkler heads.

II. WORKSTATION ERGONOMICS

Ergonomics means fitting the workplace to the workers by modifying or redesigning the job, workstation, tool or environment. Although many employees assume this means specific equipment is required in the workplace, in fact, the employee can take many steps to improve the work environment without buying new equipment.

The key to comfort is in maintaining the body in a relaxed, neutral position. The ideal work position is to have the arms hanging relaxed from the shoulders. If a keyboard is used, arms should be bent at right angles at the elbow, with the hands held in a straight line with forearms and elbows close to the body. The head should be in line with the body and slightly forward.

A. Arranging your workstation to fit you

Adjust the height of the chair's seat such that the thighs are horizontal while the feet are flat on the floor.

Adjust the seat pan depth such that your back is supported by the chair back rest while the back of the knee is comfortable relative to the front of the seat.

Adjust the back rest vertically so that it supports/fits the curvature of your lower back.

With the arms at your sides and the elbow joint approximately 90 degrees, adjust the height/position of the chair armrests to support the forearms.

Adjust the height of the keyboard such that the fingers rest on the keyboard home row when the arm is to the side, elbow at 90 degrees, and the wrist straight.

Place the mouse, trackball, or special keypads, next to the keyboard tray. Keep the wrist in a neutral position with the arm and hand close to the body.

Adjust the height of the monitor such that the top of the screen is at eye level. If bifocals/trifocals are used, place the monitor at a height that allows easy viewing without tipping the head back.

Place reference documents on a document holder close to the screen and at the same distance from the eye.

A footrest may be necessary if the operator cannot rest his/her feet comfortably on the floor.

B. Applying good work practices

The way a task is performed and the workstation environment it is performed in can influence the risk of injury and general work productivity. Good technique can make a job easy and safe to accomplish. Try:

- Adjusting the drapes or blinds

- Moving the monitor away from sources of glare or direct light

- Tipping the monitor slightly downward

- Using diffusers on overhead lighting

- Placing an anti-glare filter on the screen

- Clean the monitor screen on a regular basis

- Avoid cradling the telephone between the head and shoulder. Hold the phone with your hand, use the speaker phone, or a headset

- Keep frequently used items like the telephone, reference materials, and pens/pencils within easy reach

- Position the monitor directly in front of the user

- Move between different postures regularly

- Apply task lighting as to your needs

- Use the minimum force necessary to strike the keyboard/ten-key keys

- Use the minimum force necessary to activate the hole punch and stapler

- Vary your tasks to avoid a long period of one activity

- Take mini-breaks to rest the eyes and muscles. A break does not have to be a stop of work duties. However, it should be a different style of physical activity such as changing from keyboarding to using the telephone or filing

- Neutralize distracting noise by using ear plugs, playing soft music, or turning on a fan

- Maintain a comfortable workplace temperature by using layers of clothing or a fan

III. OFFICE ELECTRICAL SAFETY

Electricity is essential to the operations of a modern automated office as a source of power. Electrical equipment used in an office is potentially hazardous, can be the source of building fires, or can cause serious shock and burn injuries if improperly used or maintained.

Electrical accidents usually occur as a result of faulty or defective equipment, unsafe installation, or misuse of equipment on the part of office workers.

A. Ungrounded Equipment

Grounding is a method of protecting employees from electric shock. By grounding an electrical system, a low-resistance path to earth through a ground connection is intentionally created. When properly done, this path offers sufficiently low resistance and has sufficient current-carrying capacity to prevent the build-up of hazardous voltages. Most fixed equipment such as large, stationary machines must be grounded. Cord and plug connected equipment must be grounded if it is located in hazardous or wet locations, if operated at more than 150 volts to ground, or if it is of a certain type of equipment (such as refrigerators and air conditioners). Smaller office equipment, such as typewriters and coffee pots, would generally not fall into these categories and therefore would not have to be grounded. However much of the newer office equipment is manufactured with grounded plugs as a precaution (three prong plugs).

In such cases, the equipment should be used in accordance with the manufacturer's instructions. In any case, never remove the third (grounding) prong from any three-prong piece of equipment.

B. Overloaded Outlets

Overloading of electrical outlets should be avoided. A sufficient number of outlets will eliminate the need for extension cords. Overloading electrical circuits and extension cords can result in a fire. Floor mounted outlets should be carefully placed to prevent tripping hazards.

C. Unsafe/Non-Approved Equipment

The use of poorly maintained or unsafe, poor quality, non-approved (by national testing laboratory) coffee makers, radios, lamps, etc. (often provided by or used by employees) should be discarded. Such appliances can develop electrical shorts creating fire and/or shock hazards. Equipment and cords should be inspected regularly, and a qualified individual should make repairs.

D. Defective, frayed or improperly installed cords for electrically-operated office equipment

When the outer jacket of a cord is damaged, the cord may no longer be water-resistant. The insulation can absorb moisture, which may then result in a short circuit or excessive current leakage to ground. If wires are exposed, they may cause a shock to a worker who contacts them. These cords should

be replaced. Electric cords should be examined on a routine basis for fraying and exposed wiring.

E. Improper Placement of Cords

A cord should not be pulled or dragged over nails, hooks, or other sharp objects that may cause cuts in the insulation. In addition, cords should never be placed on radiators, steam pipes, walls, and windows. Particular attention should be placed on connections behind furniture, since files and bookcases may be pushed tightly against electric outlets, severely bending the cord at the plug.

F. Electrical Cords across Walkways and Work Areas

An adequate number of outlet sockets should be provided. Extension cords should only be used in situations where fixed wiring is not feasible. However, if it is necessary to use an extension cord, never run it across walkways or aisles due to the potential tripping hazard. If you must run a cord across a walkway, either tape it down or purchase a cord runner.

G. Live Parts Unguarded

Wall receptacles should be designed and installed so that no current-carrying parts will be exposed, and outlet plates should be kept tight to eliminate the possibility of shock.

H. Pulling of Plugs to Shut Off Power

Switches to turn on and off equipment should be provided, either in the equipment or in the cords, so that it is not necessary to pull the plugs to shut off the power. To remove a plug from an outlet, take a firm grip on and pull the plug itself. Never pull a plug out by the cord.

I. Working on "Live Equipment"

Disconnect electrical machines before cleaning, adjusting, or applying flammable solutions. If a guard is removed to clean or repair parts, replace it before testing the equipment and returning the machine to service.

J. Blocking Electrical Panel Doors

If an electrical malfunction should occur, the panel door, and anything else in front of the door will become very hot. Electrical panel doors should always be kept closed, to prevent "electrical flashover" in the event of an electrical malfunction.

Common types of electrical hazards found in an office environment include heat-producing equipment - copiers, work processors, coffee makers and hot plates - are often overlooked as a potential fire hazard. Keep them away from anything that might burn.

IV. OFFICE FIRE PREVENTION AND STRATEGIES

The best time to think about fire safety is before a fire starts. Learn the location of fire escape routes and how to activate the fire alarm. Participate in practice

fire drills on a regular basis. Become familiar with stairway exits - elevators may not function during a fire, or may expose passengers to heat, gas and smoke.

Electrical appliances can be fire hazards. Be sure to turn off all appliances at the end of the day. Use only grounded appliances plugged into grounded outlets (three prong plug).

If electrical equipment malfunctions or gives off a strange odor, disconnect it and call the appropriate maintenance personnel. Promptly disconnect and replace cracked, frayed, or broken electrical cords.

Keep extension cords clear of doorways and other areas where they can be stepped on or chafed and never plug one extension cord into another.

Do not allow combustible material (boxes, paper, etc.) to build up in inappropriate storage locations (near sources of ignition).

Through a program of scheduled inspections, unsafe conditions can be recognized and corrected before they lead to serious injuries. Take a few moments each day to walk through your work area. Look for items previously pointed out, such as objects protruding into walkways, file cabinets that are weighted toward the top or frayed electrical cords. Advise personnel in the area of the hazards and set about correcting them.

Chapter 9

Anchorage Police Department Regulations and Procedures Manual	Administrative Procedures 2.09.005	
Policy and Procedure Title Early Intervention Program	Effective Date 12/21/2012	Page 1 of 5
Replaces Prior Policy: New	Approved by: Chief Mark T. Mew	

2.09.005 Early Intervention Program

PURPOSE

To inform all employees of the procedures involved with the Early Intervention Program (EIP) which was developed to ensure a successful and productive career for all.

DISCUSSION

Employees of the Anchorage Police Department are subject to the same causes of stress, problems, and difficulties as the public we serve. On occasion, these issues can affect an employee's behavior and/or performance at work. The EIP is designed to provide supervisory personnel with tools to help employees before the stress can affect the employee's performance or result in conduct that is contrary to the mission of the Department. The EIP is a supportive personnel management program committed to promoting employee success through the early identification of employees who demonstrate potential symptoms of job stress, training deficiencies, or personal problems that could affect job safety, job performance, or lead to disciplinary action or termination.

POLICY

If identified for the Early Intervention Program, various assistance strategies shall be tailored to address the specific issues affecting the employee. The EIP employs intervention strategies that are not punitive or disciplinary in nature. Early intervention is implemented through the employee's first line supervisor and may include counseling, training, and/or referral, based on the particular needs of the employee.

It is the duty of all supervisors to continually monitor the performance and behavior of the personnel assigned to them.

An employee's participation in the EIP will not be considered in any promotional process, employee transfers, or selection for or continued assignment to specialty units.

There are three ways in which an employee may be referred for early intervention. The first is by recommendation of the employee's first line supervisor and subsequent approval of the employee's chain of command. The second is through either peer referral or self-referral. The third is by an alert triggered when the employee reaches a threshold in a selected performance category.

Although no specific or universal criteria can determine job stress and/or job performance patterns, it is important that certain types of criteria be reviewed. Even though individual incidents may appear to be acceptable by themselves, a pattern of less than optimal job performance may be developing that can be difficult to identify. For example, a single use of force incident by an officer may be within policy, but a pattern of frequently resorting to force may be indicative of an officer who requires training in conflict resolution or on how to more effectively communicate. It may also be an indicator of stress or conflict in the officer's personal life. In the event that a pattern or trend appears to be developing in certain performance categories, alerts will be generated within Internal Affairs, thus identifying an employee as a potential candidate for the EIP. The employee's supervisor will be notified and will examine the employee's actions within the context of their work assignment and past performance in order to make a more accurate assessment of the situation. Command will periodically review the criteria that have been selected to generate alerts in order to assess their accuracy and improve the effectiveness of the program. An employee's participation in recommended intervention(s) may be voluntary or mandated.

DEFINITIONS

Confidentiality Admonishment: A document stressing the importance of maintaining confidentiality and the potential consequences of failure to do so.

Early Intervention Plan: A strategy developed by an employee's first line supervisor and chain of command, with input from the employee, which is designed to assist the employee in a positive and supportive manner.

Employee Assistance Program: A confidential, no-cost service provided by the Municipality of Anchorage to all employees and members of their household. Some areas of assistance include health and wellness; child and elder care; family and parenting issues; work/life balance; marital or relationship issues; pre- and post-natal concerns; grief, loss, depression anxiety, and stress; and alcohol or drug dependency issues.

Threshold: The point at which the maximum number of measured performance criteria is reached within a rolling 12-month period, resulting in an alert being generated, and that may indicate the need for early intervention.

PROCEDURE

A. Candidates for Early Intervention. The selection or identification of an employee for participation in the EIP can occur by

1. Having been recommended for participation in the program by the employee's first line supervisor (after consultation with and approval by the employee's chain of command), or
2. Is identified by a peer as possibly needing help or self identifying to the supervisor as needing help, or
3. Having been identified after an alert has been triggered upon reaching a threshold outlined in this policy.

B. Criteria, Thresholds, and Alerts. The period of time during which selected criteria will be examined shall be a "rolling" 12-month period. Within that time frame, the following areas of concern will be monitored and, should an alert be generated for excessive occurrences, employees will be identified for possible participation in the EIP:

:

1. Complaints – 3 occurrences. External complaints received from the public, e.g., rude conduct.
2. Civil Litigation – 1 occurrence. Lawsuits filed against an employee alleging misconduct by the employee during the discharge of their duties.
3. Request For Action Forms (RFA) – 10 occurrences. Failure to complete or correct a police report.
4. Suspensions. 1 occurrence. Employees who receive discipline following an internal investigation that resulted in their suspension from duty for any period of time.
5. Traffic Collisions. 3 occurrences. Employees whose job duties include operation of a municipal vehicle who are involved in on-the-job traffic collisions.
6. Response to Resistance. 5 occurrences. The application of non-lethal force, identified through Blue Team entries.
7. Unexcused Tardiness- 3 occurrences. Unexcused tardiness is documented in Blue Team.

C. Early Intervention Program Initiation Process. Alerts generated by Internal Affairs will be forwarded to a reviewer(s) designated by the Chief of Police. That reviewer will then:

1. Immediately log the alert into the Early Intervention Program Log; and
2. Notify the employee's first and second line supervisors by email; and
3. Follow up with the employee's first line supervisor within one week to ensure that the EIP has been initiated or that a determination was made that there was no need for intervention.

D. Supervisor and Command Responsibilities. Regardless of the method or reason for notification, once notified that an employee is a potential candidate for the EIP, the employee's first line supervisor shall

1. Review the alert to determine if it merits further investigation; and
2. Gather and review performance information regarding the employee within 4 work days of receiving the alert; and
3. Schedule an initial meeting with the employee within 8 work days of receiving the alert to determine what factors may be contributing to the indicated performance issue(s); and
4. Prior to the initial meeting with the employee, consult with the employee's second line supervisor (or chain of command) to determine the proper course of action, to include strategies outlined in the *Supervisor's Guide*.
5. If the alert does not have merit the supervisor will consult with the chain of command and note their findings in Blue Team.

E. Confidentiality Requirement and Admonishment. Confidentiality is paramount to the success of the Early Intervention Program. As such, there are tight restrictions on the sharing of information revealed by an employee participating in early intervention. A violation of the Confidentiality Admonishment may be subject to an internal investigation and discipline, up to and including termination. During the initial meeting with the employee, the supervisor shall

1. Explain that the EIP is neither disciplinary nor punitive in nature; and
2. Offer the employee the presence of a shop steward; and
3. Review the elements of the Confidentiality Admonishment; and
4. Request the signature of both the employee and the shop steward.

F. Implementation and Termination of an Early Intervention Plan. After an intervention plan has been developed and approved by the chain of command, the first line supervisor will meet again with the employee. During and after this meeting, the supervisor shall

1. Explain the details of the plan and answer any questions or concerns; and
2. Schedule regular follow-up meeting(s) as necessary to monitor the progress of the plan and document in Blue Team; and
3. Keep the chain of command apprised of the employee's progress or lack thereof; and
4. Upon completion of the intervention, make the appropriate notation (without details) in Blue Team.

G. Success or Failure of Early Intervention. The EIP employs strategies that are not disciplinary in nature and that are separate and distinct from the complaint investigation and the disciplinary process. Although complaints may be considered in determining intervention strategies, this does not imply that these complaints have been or will be sustained. However, should intervention fail to

remedy the performance issues identified as areas of concern, discipline may be the end result considered under a separate process for the performance deficiencies and not for lack of participation in the EIP program.

PART 3 Operational Procedures

Chapter 1

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.000-005	
Policy and Procedure Title Call for Service Animal Problems	Effective Date 12/03/2009	Page 1 of 3
Replaces Prior Policy: 8/10/2009	Approved by: Acting Chief Stephen Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.000 Call for Service

3.01.005 Animal Problems

PURPOSE

To advise all personnel of their responsibilities in calls for service involving animals.

POLICY

The Anchorage Police Department, when resources permit, resolve complaints and situations involving animals with the objective of restoration of public peace and safety, while being mindful of humane treatment of animals.

DISCUSSION

Officers may be exposed to a remarkably wide range of calls involving animals, be it barking dogs, wandering moose and bear, a hostile animal keeping medics at bay, animal abuse and/or neglect or an actual death from an animal attack. Citizens understandably want protection and assistance with these incidents, but want that service delivered humanely.

DEFINITIONS

Domestic Animals and Exotic Pets: Those animals generally regarded as pets and not indigenous to the area. This would include dogs, cats, various birds, snakes, and similar animals.

Farm Animals: Those animals generally regarded as having commercial value other than sale as pets.

Wildlife: Animals indigenous to the state, whether in the wild or in captivity.

PROCEDURE

I. AGENCIES AND THEIR ASSOCIATED RESPONSIBILITIES

A. State and Municipal Agencies. In nearly all events, patrol officers will work in conjunction with either of the following two agencies:

1. Alaska Department of Public Safety, Division of Fish and Wildlife Protection, which has the primary responsibility for enforcing the various laws governing fishing, hunting, trapping and other such activities as it pertains to wildlife. Alaska Division of Fish and Game will be considered the primary contact agency for all wildlife questions and concerns. Contact can be made the appropriate personnel through APD dispatch.
2. Anchorage Animal Care and Control Center, which has fundamental responsibility for all animal situations within the Municipality of Anchorage when the subject animal(s) is (are) domestic, exotic, or farm. The Anchorage Police Department will, when resources permit, process criminally prosecutable cases.

II. ANCHORAGE POLICE DEPARTMENT RESPONSIBILITIES

A. Primary Responsibility. The fundamental role of the Anchorage Police Department is to preserve the peace and to protect the public. Situations involving animals require independent evaluation, but the following is offered to assist in the most common situations:

1. Anchorage Police may be dispatched as an initial responder: Officers routinely find themselves as the first unit at a scene, even when resolution of the complaint may not be a police responsibility. Public expectation, however, is that the officer will take action. The following is offered to help guide officers in these situations.
 - a). Non-Urgent problems. If public safety is not urgently imperiled, officers shall not be dispatched. Notification may be made to the appropriate agency. In the event an officer happens upon such a non-urgent situation, discretion should be used prior to taking action.
 - b). Urgent problems. When public safety is significantly compromised, officers must take action. This action can only be based on the immediate circumstance.
2. Outside Agency Assist. The Department will, when resources permit, provide outside agencies with whatever reasonable assistance is requested. This may include:
 - a). Providing traffic control when appropriate.
 - b). Accompanying an Animal Control Officer to contact an owner/defendant in an animal complaint (as in a Civil Standby) if requested.

B. Destruction of Animals. Occasionally, officers are confronted with situations where humane treatment and/or public safety require the destruction of an animal. The following guidelines shall apply:

1. Standards. Destruction of an animal is a last resort response, and will not be considered unless the following conditions are met:

a). There is an urgent and immediate threat to public safety; or

b). The animal is suffering extreme pain and/or injury; and, in either event:

i. There is no person (e.g. owner) or agency (i.e. Fish and Wildlife Protection if wildlife is involved, or the Municipal Animal Control Officer for other animals) willing or able to respond in a timely fashion; and

ii. The method of destruction will not create a significant hazard to any person or property. If destruction is required, the following procedure will apply:

1). Notify the Field Supervisor to confirm authority.

2). A handgun will not be used on any animal larger than a small dog, except in extreme circumstances.

C. Disposal of Remains. Officers are reminded that Federal and State laws govern the disposition of certain animal carcasses and the appropriate agency should be contacted for guidance in the disposal process. Samplings of these laws include:

1. Not retaining pelts of furbearing animals, since it could be construed as benefiting from office.

2. Not possessing any part of an eagle.

3. Notification of the proper person(s) through APD Dispatch from the Charitable Organization list maintained by the Alaska State Troopers for moose kills.

D. Notification of Owner. Whenever possible, officers shall make a reasonable attempt to notify the owner of an animal, if known, that the animal has been injured, killed, or disposed of.

E. Impoundment of Animal. During some situations it may become necessary to seize or impound an animal while performing normal police duties. Every effort shall be made to contact the animal's owner or other responsible party to take custody of the animal. If these efforts fail, APD Dispatch will make contact with the Anchorage Animal Care and Control Center to respond and take custody of the animal. If it is after hours the Officer may be required to personally transport the animal to Animal Care and Control to be where the animal can be secured.

F. Enforcement

1. Criminal charges such as animal cruelty are generally handled by an APD Officer with assistance from an Animal Care and Control Officer. Under the current contract, Animal Care and Control Officers cannot enforce Animal Cruelty laws but are able to assist APD Officers in the investigation of complaints.
2. APD officers shall, when resources permit, investigate and enforce animal related offenses under AMC 8.55 and AS 11.61.140. These include, but are not limited to: animal abuse, neglect or fighting.
3. Animal Care and Control Officers generally have the primary responsibility to enforce AMC 17.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.010	
Policy and Procedure Title Death Investigations	Effective Date 8/10/2009	Page 1 of 12
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.010 Death Investigations

PURPOSE

To instruct all members on the procedures regarding investigation of all non-traffic related deaths. (For fatal traffic accidents, refer to procedure Traffic Accident – Fatal Injury).

POLICY

That all deaths, except expected home deaths, be investigated as homicides until or unless evidence concludes otherwise.

DEFINITIONS

Deceased Person: The physical remains of a human who has either been pronounced dead by a licensed physician or paramedic, or is noted to bear unmistakable evidence of death.

Expected Home Deaths: The death of a person suffering from a terminal illness. Procedures are established by the family, through the attending physician, with the Coroner's Office prior to death to allow the terminally ill person to die at home. (Formerly No-Code Deaths)

Natural Death: Death which occurs through the progression of natural pathological processes.

Accidental Death: Death which results from an unexpected and unintentional event.

Suicide: Death which results from a person intentionally killing him or her self, and is not aided or assisted by another.

Homicide. Death which results from one person killing another person.

Unmistakable Evidence of Death: Bodily evidence which makes death clear and obvious. This evidence includes decapitation, rigor mortis, postmortem lividity, and decomposition and putrefaction.

Dying Declaration: A statement made by a victim who believes they are about to die in reference to the manner in which he/she received the injuries of which he/she is dying, or other immediate cause of his/her death, and in reference to the person who inflicted such injuries or the connection with such injuries of a person who is charged or suspected of having committed them. The victim must die or must be unable to testify and must have been otherwise competent and rational at the time of the statement.

Cause, Manner, and Mechanism of Death: A legal method of describing the total circumstances of a death. Specifically:

Cause is the injury or disease which begins the process which leads to death.

Manner is those circumstances under which death occurred. There are five manners of death; natural, accidental, homicide, suicide, or undetermined.

Mechanism is the physical or biochemical derangement which was set into motion by the cause of death.

An example of this classification would be:

Cause of Death: Gunshot wound to the head

Manner of Death: Homicide

Mechanism of Death: Massive brain injury

REFERENCES

AS 11.41.100 (a)--Murder in the First Degree

AS 11.41.110 (a)--Murder in the Second Degree

AS 11.41.120 (a)--Manslaughter

AS 11.41.130 (a)--Criminally Negligent Homicide

Alaska Rules of Evidence, Rule 804 (b)(2)

DISCUSSION

Except for hospital deaths from natural causes or expected home deaths, any death occurring within the Anchorage Police Service area becomes the responsibility of the Anchorage Police Department to investigate. This investigation is to collect evidence regarding the cause, manner, and mechanism of death, and, if the manner is criminal, to identify, apprehend the person(s) responsible and provide evidence to the court regarding culpability.

There are four distinct manners of death: natural, accidental, suicide, and homicide. Additionally, there is a fifth category which cannot be readily classified within one of the four distinct manners of death due to lack of information and/or unknown circumstances. This will be initially classified as "Death--Undetermined Cause." All deaths responded to shall be regarded as potential homicides. This should also include any rescue assist call where death is imminent or likely to result, even though the victim is transported to a medical facility.

All deaths should be investigated not only to prove a specific manner, like homicide, but also to eliminate the other manners. Further, the investigation

should not stop if criminal culpability is eliminated, as the Department still carries the obligation to investigate cause, manner, and mechanism of death for other than criminal purposes, including public health civil litigation and insurance concerns.

PROCEDURE

I. EXPECTED HOME DEATHS

A. Emergency Communications Center Responsibilities. The Anchorage Fire Department, by agreement with the Anchorage Police Department, shall maintain a file of all Expected Home Deaths within the Municipality of Anchorage.

1. The Communications Center can expect to be notified of an expected home death by electronic mail or by facsimile transmission.
2. Once an expected death has been reported, no other action by the Anchorage Police Department shall be necessary unless an officer's presence is requested by a person at the scene because of suspicious or unusual circumstances, in which case an officer shall be dispatched immediately.
3. A Department Report Number will not be required unless an officer responds to the scene and later requests such number.
4. If the Anchorage Fire Department advises that no physician's form was on file at the time of death, an officer shall be dispatched to conduct a death investigation.

B. Officer Responsibilities. If dispatched to an Expected Home Death because of suspicious or unusual circumstances, the responding officer shall determine the need for further investigation.

1. Should the responding officer feel that suspicious or unusual circumstances exist, that officer shall contact a supervisor to discuss the possibility of a full death investigation.
2. The supervisor shall decide if the Division Commander should be notified, who may then call out the Homicide Unit.
3. If a death investigation is conducted, the investigating officer shall request a copy of the physician's form, if on file, from the Emergency Communications Center or the Anchorage Fire Department and attach it to the police report. If a physician's form was not on file, that fact shall be noted in the report.

C. "Comfort One" Deaths. Officers and dispatchers should be aware of another level of the Expected Home Death program. Comfort One allows terminally ill patients who are mobile and can leave their residence to wear a bracelet or carry a card or form which instructs medical personnel not to resuscitate them in the event of a non-breathing, non-responsive emergency. Officers may initially be sent to a scene involving a "man down" or a non-

responsive person. Until it is determined that the person is in fact a Comfort One patient, normal rescue procedures should be followed.

II. HOMICIDES

A. Dispatch. Recognize that many homicides are originally dispatched as something else--a disturbance, shooting, or a simple "welfare check."

B. Responding Officer's Responsibilities--General. The responding officer has several duties to perform in the relatively brief period from dispatch to the arrival of the Homicide Investigators who assume responsibility of the case. In the simplest terms, the responding officer:

1. Protects/preserves life;
2. Assesses and stabilizes the scene;
3. Protects/preserves the scene;
4. Identifies witnesses;
5. Identifies and detains suspects;
6. Supervisor notification.

C. Responding Officer's Responsibilities--Specific. What follows are guidelines in the processing of a homicide case. It is important to note that the circumstances confronting officers to a large degree dictate the order in which these duties are performed, and that these activities can often be delegated and accomplished simultaneously.

1. Preservation of life. Protection of life supersedes a police investigation.
 - a). If the slightest possibility of life/revival exists, officers shall give medical personnel great latitude in the delivery of medical services. This includes entry into the crime scene, moving evidence if necessary, and removal of the victim for medical treatment. Consequently, officers shall adjust the investigation to accommodate this activity by the following:
 - i. Attempt to photograph the victim while being attended to by medical personnel.
 - ii. Note body position as accurately as practical prior to intervention by the paramedics.
 - iii. Attempt to photograph and/or mark location of physical evidence likely to be disturbed by the actions of the paramedics.
 - iv. Should a victim be transported, make all reasonable effort to coordinate with associated personnel to ensure an officer accompanies that victim to process possible dying declarations, clothing seizure, evidence seizures, and the like. Note that the scene should be secured immediately after the victim's departure.

-OR-

- b). If officers detect unmistakable evidence of death, they shall exclude all unauthorized and/or unnecessary persons from entry into the scene. One (1) Paramedic may be allowed access to the victim with an officer to confirm death, if necessary.

Note especially the following:

- i. All unnecessary traffic, including police not directly involved in the crime scene investigation, shall be excluded. Maintain a "Crime Scene Entry Log". Traffic through the scene shall be strictly minimized, and any such traffic entered completely in the log.
 - ii. Officers shall describe their observations to the medics to assure them that the victim is, in fact, deceased.
- 2. Isolate and protect the scene. Be extremely "evidence conscious".
- 3. Assess the Circumstances. Officers should be concerned with determining if a crime has been committed, who the witnesses are, and who is suspect. This information is gained by:
 - a). Personal observations.
 - b). General questioning of all persons present.
 - i. This questioning is to acquire sufficient information to permit officers to make informed decisions on how to proceed (stabilize any remaining dangers, identify and locate people involved, and other such urgent concerns).
 - ii. General questioning is distinguished from formal interviews, statements, and custodial interrogation of suspect(s). It is normally a brief discussion of urgent matters.
- 4. Witnesses. Should the initial investigation establish witnesses, those witnesses should be transported separately to the Police Station to allow comprehensive interviewing in a managed environment.
- 5. Operationally Sensitive/Not for Publication.
- 6. Vacate and secure the scene. Once all persons have been removed from the crime scene, and the victim has either been confirmed deceased or transported for medical treatment, then all officers shall:
 - a). Vacate and secure the immediate scene; and
 - b). Await the arrival of the Homicide Investigators and the Crime Scene Investigation Team.
- 7. Attempt to establish who has legal ownership/right of occupancy or legal control of the premises or of the crime scene, if the incident occurred within a structure. Any information gleaned shall be forwarded to the Homicide Investigators. They will take measures to ensure proper search and seizure requirements are met.

8. Brief the Homicide Investigator(s). This shall include witness statements from the scene, the result of the initial investigation, etc.

9. Homicide investigators will do taped interviews with first responding officers. This interview will serve as the officer's narrative report, but the officers may be required to complete a face sheet and additional names reports.

D. Patrol Supervisors' Responsibilities. The Patrol Supervisor shall:

1. Ensure the following notifications are made:

- a). Shift Commander;
- b). Dispatch Center Supervisor;
- c). Captain of Investigations.

2. Assist the responding unit as applicable.

E. Dispatch Center's Responsibilities. Upon notification of a suspicious death, Dispatch Center shall follow existing Unit Procedures for subsequent notifications. Notify the Homicide Unit supervisor first to facilitate proper resources and personnel activation.

F. Homicide Unit Supervisors' Responsibilities. Upon learning of a suspicious death, the Homicide Unit Supervisor shall:

- 1. Notify the division Lieutenant;
- 2. Determine if the Homicide Investigation Unit should be dispatched;
- 3. Determine if notification should be made to the Medical Examiner and/or District Attorney;
- 4. Make any appropriate case assignments;
- 5. Provide all authorized releases of information to the PICRU for release of information to members of the media;
- 6. Next of kin notification.

G. Homicide Unit's Responsibilities. On arrival, the following shall apply:

- 1. Assume responsibility for all aspects of the investigation;
- 2. Confer with the on-scene Supervisor and initial investigating officer to establish case status;
- 3. Provide for the dissemination of information, for example, but not limited to suspect information, possible witnesses, vehicles, and other evidence. This information shall be given to all assigned investigators and assisting patrol units.

III. SUICIDES

A. Dispatch. Suicides are normally dispatched Code Three. Although dispatched as a suicide, officers should be alert to two possibilities:

1. That the attempt might be unsuccessful and rescue possible; or
2. That the injuries might not be self-inflicted. Always approach such incidents with an open mind for other criminal aspects.

B. Responding Officers' Responsibilities--General. Responding officers should approach a reported suicide similarly to a homicide. The general responsibilities are:

1. Protect/preserve life;
2. Assess and stabilize the scene;
3. Protect/preserve the scene;
4. Identify witnesses;
5. Supervisor notification.

C. Responding Officers' Responsibilities--Specific. All death investigations shall be initially approached as homicide cases until the facts prove differently. The resolution of the manner of death as suicide is based on a series of factors which eliminate the other manners--homicide, accidental, and natural deaths.

1. Officers should be aware of three basic considerations that may establish that the death was a suicide, namely:
 - a). The presence of the weapon or means of death at the scene. The absence of a weapon does not necessarily rule out suicide as the mode --the weapon could have been removed by others.
 - b). Injuries that are obviously self-inflicted, or could have been self-inflicted.
 - c). The existence of a motive or intent to commit suicide.
 - i. Crime scene investigation may indicate presence of life-threatening behavior.
 - ii. Background inquiry may indicate activities which suggest suicidal intent.
2. Maintain a Crime Scene Entry Log. Traffic should be strictly minimized, but any traffic through the scene should be accurately logged.
3. Conduct recorded interviews with all witnesses. Attempt to determine the victim's state of mind and previous behavior.
4. If possible, provide next of kin information to the shift supervisor or Medical Examiner, if no family members are present.
5. Ensure that the following notifications are made:
 - a). Patrol Supervisor;
 - b). Medical Examiner's Office. The Medical Examiner's office will decide the disposition of the deceased

6. Be alert to questionable circumstances. Should any such circumstances come to the attention of officers, they shall notify a Supervisor who will, in turn, determine if the Homicide Unit Supervisor should be notified.

7. Officers shall:

- a). Photograph the Scene;
- b). Complete a Police Report; and
- c). Complete a Death Investigation Report: One copy of the Death Investigation Report shall accompany the deceased to the Medical Examiner's office or be forwarded to the Medical Examiner's Office if the body is released.

8. If the victim lived alone in a residence, that residence shall be locked and secured when the investigation has concluded.

D. Patrol Supervisors' Responsibilities. The Patrol Supervisor shall:

- 1. Ensure the next of kin is notified;
- 2. Assist the responding unit as applicable.

IV. NATURAL DEATHS

A. Dispatch. Recognize that a natural death can originally be dispatched as a "rescue assist" or other type of call. The code may vary accordingly.

B. Officers' Responsibilities--General. Responding officers should approach a natural death similarly to a homicide. The general responsibilities are:

- 1. Protect/preserve life;
- 2. Assess and stabilize the scene;
- 3. Protect/preserve scene;
- 4. Identify witnesses;
- 5. Supervisor notification.

C. Officers' Responsibilities--Specific. The resolution of the mode of death as being the result of natural disease processes is based on factors which eliminate homicide, suicide, and accident as the cause of death.

- 1. Be aware that the pathological condition which produced the death often is not readily apparent. Consequently, autopsy results may be needed to determine the actual cause of death.
- 2. Conduct interviews with witnesses, family members, medical personnel, and other appropriate people. Attempt to determine any previous medical history or complaints.
- 3. If possible, provide next of kin information to the shift supervisor or Medical Examiner, if no family members are present.

4. Ensure the following notifications are made:

- a). Patrol Supervisor;
- b). Medical Examiner's Office. The Medical Examiner's office will decide the disposition of the deceased

4. Be alert to questionable circumstances. A Supervisor shall be notified, should information come to the attention of officers casting doubt on the mode of death. That Supervisor shall decide if the Homicide Unit Supervisor should be notified.

5. Officers shall:

- a). Photograph the Scene;
- b). Complete a Police Report; and
- c). Complete a Death Investigation Report: One copy of the Death Investigation Report shall accompany the deceased to the Medical Examiner's office or be forwarded to the Medical Examiner's Office if the body is released.

5. If the victim lived alone in a residence, that residence shall be locked and secured when the investigation has concluded.

D. Patrol Supervisors' Responsibilities. The Patrol Supervisor shall:

- 1. Ensure the next of kin is notified;
- 2. Assist the responding unit as applicable.

V. ACCIDENTAL DEATHS

A. Dispatch. Recognize that the dispatch for an accidental death can range from rescue assists, to overdoses, industrial accidents, and more. Fatal automobile accidents are "accidental deaths," but are processed as described in the procedure "Traffic--Injury and Fatal Accidents".

B. Officers' Responsibilities--General. Responding officers should approach an accidental death similarly to a homicide. The general responsibilities are:

- 1. Protect/preserve life;
- 2. Assess and stabilize the scene;
- 3. Protect/preserve the scene;
- 4. Identify witnesses;
- 5. Supervisor notification.

C. Officers' Responsibilities--Specific. The resolution of the mode of death as being the result of an "accident" (an unexpected and unintentional event) is based on factors which eliminate homicide, suicide, and natural disease processes as the cause of death.

1. Note that criminal charges may still result from an accidental death (criminal negligence).
 - a). A proper investigation includes awareness of possible contributing circumstances. This could include unsafe working conditions or dangerous acts of others.
 - b). Interviews should be conducted with witnesses and/or other appropriate persons (co-workers, family members).
 - c). Should any questionable circumstances arise, or if the filing of criminal charges appears possible, notify a Supervisor. That Supervisor shall decide if the Homicide Unit Supervisor should be notified.
2. Autopsies are generally needed to conclude the actual cause of death.
3. If possible, provide next of kin information to the shift supervisor or Medical Examiner, if no family members are present.
4. Ensure the following notifications are made:
 - a). Patrol Supervisor;
 - b). Medical Examiner's Office. The Medical Examiner's office will decide the disposition of the deceased
5. Assist outside agencies with investigation if needed.
6. Assist the Medical Examiner's Office in securing the victim's residence if the victim lived alone.
7. Officers shall:
 - a). Photograph the Scene;
 - b). Complete a Police Report; and
 - c). Complete a Death Investigation Report: One copy of the Death Investigation Report shall accompany the deceased to the Medical Examiner's office or be forwarded to the Medical Examiner's Office if the body is released.

D. Patrol Supervisors' Responsibilities. The Patrol Supervisor shall:

1. Ensure the following notifications are made:
 - a). Next of kin notification.
 - b). The Patrol Supervisor shall notify, cause to be notified, or verify that notification has been made to next of kin and to any appropriate agency. Depending on the nature of the accidental death, such notification could include:
 - i. FAA and NTSB if an aircraft crash
 - ii. OSHA (Federal) and Department of Labor Occupational Safety and Health (State) if an industrial accident

iii. Municipal Fire Investigator if a fire death

c). The Patrol Supervisor shall notify the homicide unit (e-mail group) via e-mail of notification status. If notification has not been made and the duty is handed to another supervisor, the name of that supervisor will be included in the notification. The second supervisor and any subsequent supervisor shall also notify the homicide (e-mail group) via e-mail of the notification status, until notification has been made (final e-mail notification) or the duty has been given over to the homicide unit supervisor.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.015	
Policy and Procedure Title Death Investigations- Child Deaths	Effective Date 8/10/2009	Page 1 of 10
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.015 Death Investigation- Child Deaths

PURPOSE

To instruct all members on the procedures regarding investigation of all non-traffic related child death investigations in which the death may have occurred through some form of child abuse.

POLICY

That all deaths of children under the age of 18 years, except expected home or hospital deaths, be investigated as homicides until or unless evidence causes the investigator to conclude otherwise.

Investigation of the deaths of children under 18 years which may be due to child abuse shall be the responsibility of the Crimes Against Children Investigation Unit.

Investigation of the deaths of children due to overt acts of violence such as gunshot victims shall be the responsibility of the Homicide Investigation Unit. (Refer to procedure - Death Investigation/General Order 98-2)

Investigation of child traffic fatalities shall be the responsibility of the Traffic Accident Investigations Unit. (Refer to procedure Traffic Accident – Fatal Injury).

DISCUSSION

The death of a child is one of the most traumatic events a family and a community can experience. This type of death always evokes strong emotions in family members, community members, first responders and medical personnel. As such it is important that Anchorage Police personnel conduct their investigation carefully and tactfully so as not to exacerbate the already emotionally charged situation. Unfortunately, in the unexpected death of a child, the evidence as to what caused the death is often subtle or not immediately apparent even to the most seasoned investigator. As with all homicides, except for hospital deaths from natural causes or expected home deaths, any death of a child occurring within the Anchorage Police Service area becomes the

responsibility of the Anchorage Police Department to investigate. This investigation is to collect evidence regarding the cause, manner, and mechanism of death, and, if the manner is criminal, to identify, apprehend the person(s) responsible and provide evidence to the court regarding culpability.

There are four distinct manners of death: natural, accidental, suicide, and homicide. Additionally, there is a fifth category, which cannot be readily classified within one of the four distinct manners of death due to lack of information and/or unknown circumstances. This will be initially classified as "Death--Undetermined Cause". All deaths to which APD responds shall be regarded as potential homicides. This should also include any rescue assist call where death is imminent or likely to result, even though the victim is transported to a medical facility.

All child deaths should be investigated not only to prove a specific manner, like homicide, but also to eliminate the other manners. Further, the investigation should not stop if criminal culpability is eliminated, as the Department still carries the obligation to investigate cause, manner, and mechanism of death for other than criminal purposes, including civil litigation and insurance concerns.

DEFINITIONS

Deceased Person: The physical remains of a human who has either been pronounced dead by a licensed physician or paramedic, or is noted to bare unmistakable evidence of death.

Child Death: The death of a child under the age of 18 years which resulted from physical abuse and/or neglect.

Expected Home Deaths: Death of a person suffering from a terminal illness. Procedures are established by the family, through the attending physician, with the Coroner's Office prior to death to allow the terminally ill person to die at home. (Formerly No-Code Deaths)

Impending Death: Physical condition in a child such that death may be imminent.

Natural Death: Death which occurs through the progression of natural disease processes.

Accidental Death: Death which results from an unexpected and unintentional event.

Homicide: Death which results from one person killing another person.

Unmistakable Evidence of Death: Bodily evidence which makes death clear and obvious. This evidence includes decapitation, rigor mortis, postmortem lividity, and decomposition and putrefaction.

Dying Declaration: A statement made by a victim who believes they are about to die in reference to the manner in which he/she received the injuries of which he/she is dying, or other immediate cause of his/her death, and in reference to the person who inflicted such injuries or the connection with such injuries of a person who is charged or suspected of having committed them. The victim must

die or must be unable to testify and must have been otherwise competent and rational at the time of the statement.

Cause, Manner, and Mechanism of Death: A legal method of describing the total circumstances of a death. Specifically:

Cause is the injury or disease which begins the process which leads to death.

Manner is that circumstance under which death occurred. There are five manners of death; natural, accidental, homicide, suicide, or undetermined.

Mechanism is the physical or biochemical derangement which was set into motion by the cause of death.

An example of this classification would be:

Cause of Death: Violent shaking of an infant.

Manner of Death: Homicide.

Mechanism of Death: Brain swelling (cerebral edema).

REFERENCES

AS 11.41.100 (a)--Murder in the First Degree

AS 11.41.110 (a)--Murder in the Second Degree

AS 11.41.120 (a)--Manslaughter

AS 11.41.130 (a)--Criminally Negligent Homicide

Alaska Rules of Evidence, Rule 804 (b)(2)

PROCEDURES

I. EXPECTED HOME DEATHS: Procedures are the same as detailed in Death Investigation/General order 98-2 Procedures 1-3.

II. HOMICIDES

Note: Usually the manner of death in a child death is not immediately evident. It should be approached as a homicide recognizing that it may be due to other causes such as SIDS or meningitis.

A. Dispatch. Recognize that many child homicides are originally dispatched as something else--a baby not breathing, a medic assist for a fall, or a simple "welfare check." Often children are transported to a medical facility by a caregiver after sustaining injuries which result in their deaths.

B. Officer's Responsibilities--General. The responding officer has several duties to perform in the relatively brief period from dispatch to the arrival of the Crimes Against Children Investigators who assume responsibility of the case. In the simplest terms, the responding officer:

1. Protects/preserves life.

2. Assesses and stabilizes the scene.
3. Protects/preserves the scene.
4. Identifies witnesses.
5. Identifies and detains suspects.
6. Supervisor notification.

C. Officer's Responsibilities--Specific. What follows are guidelines in the processing of a potential child homicide case. It is important to note that the circumstances confronting officers to a large degree dictate the order in which these duties are performed, and that these activities can often be delegated and accomplished simultaneously.

1. Preservation of life. Protection of life supersedes a police investigation.

- a). If the slightest possibility of life/revival exists, officers shall give medical personnel great latitude in the delivery of medical services. This includes entry into the crime scene, moving evidence if necessary, and removal of the victim for medical treatment. Consequently, officers shall adjust the investigation to accommodate this activity by the following:
 - i. Attempt to photograph the victim while being attended to by medical personnel.
 - ii. Note body position as accurately as practical prior to intervention by the paramedics.
 - iii. Attempt to photograph and/or mark location of physical evidence likely to be disturbed by the actions of the paramedics.
 - iv. Be alert and document by recording and in a police report any explanations of the mechanism of injury given by caregivers and information about the caregivers just prior to and at the time of the onset of symptoms or time of discovery of the injured or dead child given.
 - v. Should a victim be transported, make all reasonable effort to coordinate with associated personnel to ensure an officer accompanies that victim to process possible dying declarations of older children, clothing seizure, evidence seizures, and caretaker statements. Note that the scene should be secured immediately after the victim's departure.

-OR-

- b). If officers and/or paramedics detect the unmistakable evidence of death, Anchorage Fire Department medics will not transport the victim and the officer is responsible to assure a continued police presence with the victim until the removal of the body takes place. The officer shall exclude all unauthorized and/or unnecessary persons from entry

into the scene, being sensitive to the fact that grieving family members may have access to the remains of the child as long as a police officer or police chaplain is present to assure that the remains and scene are not altered in any way. In any event the officer must assure that the remains and the scene are not changed until the arrival of investigating detectives.

Note especially the following:

All unnecessary traffic, including police not directly involved in the crime scene investigation, shall be excluded. Maintain a "Crime Scene Entry Log." Traffic through the scene shall be strictly minimized, and any such traffic entered completely in the log.

2. Isolate and protect the scene. Be extremely "evidence conscious." Encourage family members to go to another location after the body has been removed. If the body remains at the scene, it can be released to the medical examiner or to a funeral home with the medical examiner's consent.

3. Assess the Circumstances. Officers should be concerned with determining if a crime has been committed, who the witnesses are, and who is suspect. This information is gained by:

a). Personal observations.

b). General questioning of all persons present.

i. This questioning is to acquire sufficient information to permit officers to make informed decisions on how to proceed (stabilize any remaining dangers, identify and locate people involved, and other such urgent concerns).

ii. General questioning is distinguished from formal interviews, statements, and custodial interrogation of suspect(s). It is normally a brief discussion of urgent matters. General questioning should, if at all possible, be recorded.

4. Witnesses. Investigating detectives might request the transportation of any witnesses to the Police Station for interviewing. In these cases, witnesses should be transported separately to the Police Station to allow comprehensive interviewing in a managed environment.

5. Operationally Sensitive/Not for Publication.

6. Scene. Once all persons have left the crime scene, and the victim has either been confirmed deceased and transported by the Medical Examiner or transported for medical treatment, then all officers shall:

a). Isolate and secure the immediate scene; and

b). Await the arrival of the Crimes Against Children Investigators.

- c). Attempt to establish who has legal ownership/right of occupancy or legal control of the premises or of the crime scene, if the incident occurred within a structure. Any information gleaned shall be forwarded to the Crimes Against Children Investigators. They will take measures to ensure proper search and seizure requirements are met.
- d). Brief the Crimes Against Children Investigator(s). This shall include witness statements from the scene, the result of the initial investigation, etc.
- e). Crimes Against Children Investigators will do recorded interviews with first responding officers. This interview will serve as the officer's narrative report, but the officers may be required to complete a face sheet and additional names reports.

7. Patrol Supervisors' Responsibilities. The Patrol Supervisor shall:

- a). Ensure the following notifications are made:
 - i. Shift Commander;
 - ii. Dispatch Center Supervisor;
 - iii. Captain of Investigations;
 - iv. Crimes Against Children Supervisor through dispatch.
- b). Assist the responding unit as applicable.

8. Dispatch Center's Responsibilities. Upon notification of a suspicious death or impending death, Dispatch Center shall follow existing Unit Procedures for subsequent notifications. Notify the Crimes Against Children Unit supervisor first to facilitate proper resources and personnel activation.

9. Crimes Against Children Unit Supervisors' Responsibilities. Upon learning of a suspicious death, the Homicide Unit Supervisor shall:

- a). Notify the division Lieutenant;
- b). Determine if the Crimes Against Children Investigation Unit should be dispatched;
- c). Determine if notification should be made to the Medical Examiner and/or District Attorney;
- d). Make any appropriate case assignments;
- e). Provide all authorized releases of information to the PICRU for release of information to members of the media;
- f). Assure next of kin notification if needed.

10. Crimes Against Children Unit's Responsibilities. On arrival, the following shall apply:

- a). Assume responsibility for all aspects of the investigation;

- b). Confer with the on-scene Supervisor and initial investigating officer(s) to establish case status;
- c). If indicated, provide for the dissemination of information, i.e. suspect information, possible witnesses, vehicles, and other evidence. This information shall be given to all assigned investigators and assisting patrol units.

III. SUICIDE

- A. If the victim is older than 16 years of age, refer to procedure – Death Investigation/General Order 98-2 C. SUICIDES.
- B. If the victim is under age 16 treat as a child death investigation – homicide. Keep in mind that there is a strong relationship between suicide in children and sexual, physical and emotional abuse and the apparent suicide of a young child is highly suspicious.

IV. NATURAL DEATHS

- A. Dispatch. Recognize that a natural death can originally be dispatched as a "rescue assist" or other type of call. The code may vary accordingly.
- B. Officers' Responsibilities--General. Responding officers should approach a natural death similarly to a homicide. The general responsibilities are:
 - 1. Protect/preserve life.
 - 2. Assess and stabilize the scene.
 - 3. Protect/preserve scene.
 - 4. Identify witnesses.
 - 5. Supervisor notification.
- C. Officers' Responsibilities--Specific. The resolution of the mode of death as being the result of natural disease processes is based on factors which eliminate homicide, suicide, and accident as the cause of death.
 - 1. Be aware that the pathological condition which produced the death often is not readily apparent especially in young children. Consequently, autopsy results may be needed to determine the actual cause of death. The death investigation should include homicide as a possible manner of death until another manner has been proven.
 - 2. Conduct interviews with witnesses, family members, medical personnel, and other appropriate people. Attempt to determine any previous medical history or complaints.
 - 3. If possible, provide next of kin information to the shift supervisor or Medical Examiner, if no family members are present.
 - 4. Ensure the following notifications are made:
 - a). Patrol Supervisor;

b). Medical Examiner's Office. The Medical Examiner's office will decide the disposition of the deceased

5. Be alert to questionable circumstances. A Supervisor shall be notified, should information come to the attention of officers casting doubt on the mode of death. That Supervisor shall decide if the Homicide Unit Supervisor should be notified.

6. Officers shall:

a). Photograph the Scene;

b). Complete a Police Report; and

c). Complete a Death Investigation Report: One copy of the Death Investigation Report shall accompany the deceased to the Medical Examiner's office.

7. If the victim lived alone in a residence, that residence shall be locked and secured when the investigation has concluded.

D. Patrol Supervisors' Responsibilities. The Patrol Supervisor shall:

1. Ensure the next of kin is notified;

2. Assist the responding unit as applicable;

3. Notify Crimes Against Children Supervisor.

V. ACCIDENTAL DEATHS

A. Dispatch. Recognize that the dispatch for an accidental death can range from rescue assists, to overdoses, falls from great heights, and more. Fatal automobile accidents are "accidental deaths," but are processed as described in the procedure "Traffic--Injury and Fatal Accidents".

Especially significant in the accidental death of a child is whether or not the explanation of injury matches the scene evidence and age of development of the child. A child who cannot walk will have difficulty falling from a window. A child who does not yet have the physical coordination to open a medicine bottle will probably not overdose on medication.

B. Officers' Responsibilities--General. Responding officers should approach an accidental death similarly to a homicide. The general responsibilities are:

1. Protect/preserve life.

2. Assess and stabilize the scene.

3. Protect/preserve the scene.

4. Identify witnesses.

5. Supervisor notification.

C. Officers' Responsibilities--Specific. The resolution of the manner of death as being the result of an "accident" (an unexpected and unintentional event)

is based on factors which eliminate homicide, suicide, and natural disease processes as the cause of death.

1. Note that criminal charges may still result from an accidental death (criminal negligence).
 - a). A proper investigation includes awareness of possible contributing circumstances. This could include unsafe home conditions, severe child neglect or dangerous acts of others.
 - b). Interviews should be conducted with witnesses and/or other appropriate persons (neighbors, family members).
 - c). Should any questionable circumstances arise, or if the filing of criminal charges appears possible, notify a Supervisor. That Supervisor shall decide if the Crimes Against Children Unit Supervisor should be notified.
2. Autopsies are generally needed to conclude the actual cause of death.
3. If possible, provide next of kin information to the shift supervisor or Medical Examiner, if no family members are present.
4. Ensure the following notifications are made:
 - a). Patrol Supervisor;
 - b). Medical Examiner's Office. The Medical Examiner's office will decide the disposition of the deceased;
 - c). Crimes Against Children Unit Supervisor.
5. Assist outside agencies with investigation if needed.
6. Officers shall:
 - a). Photograph the Scene;
 - b). Complete a Police Report; and
 - c). Complete a Death Investigation Report: One copy of the Death Investigation Report shall accompany the deceased to the Medical Examiner's office.

D. Patrol Supervisors' Responsibilities. The Patrol Supervisor shall:

1. Ensure the following notifications are made:
 - a). Next of kin notification.
 - b). The Patrol Supervisor shall notify, cause to be notified, or verify that notification has been made to any appropriate agency. Depending on the nature of the accidental death, such notification could include:
 - i. Municipal Fire Investigator if a fire death.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.01.020	
Policy and Procedure Title Death Notification		Effective Date 8/10/2009	Page 1 of 3
Replaces Prior Policy:		Approved by:	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.020 Death Notification

PURPOSE

To advise all sworn personnel of the guidelines for making death notifications.

POLICY

That death notifications be made as immediately as possible to all appropriate parties, and that such notification be done accurately and with compassion.

DISCUSSION

Of all the possible contacts that officers can have with the public, death notification stands out as potentially the most stressful and traumatic for both the survivors being notified and the officer(s) making the notification. This is understandable for a variety of reasons--some obvious, some less apparent. For officers, death notification is a rare call that cannot be practiced, and it demands emotional skills instead of the physical and technical skills so well trained and practiced in police work. For the family, an obvious loss is faced, and the focus of their attention is on the officers present. Unlike a form that can be corrected later, the method and effect of death notification is indelibly marked on the survivors. Experience has shown that if a few fundamental guidelines are followed, the mutual trauma of this kind of call can be minimized.

DEFINITIONS

Survivors: For purposes of this procedure, "survivor(s)" are those people within a death victim's family who remain alive. As used here, "family" includes "significant others," as described in the Domestic Violence statutes.

PROCEDURE

I. GENERAL GUIDELINES FOR DEATH NOTIFICATIONS

A. Collection of Information. Officers should amass as much information as practical regarding:

1. The victim, unless highly unusual circumstances exist, positive identification of the victim shall be made prior to next-of-kin notification.
2. The event, so that it can be discussed intelligently; and
3. The survivor(s), to anticipate violent reactions, medical complications, or other adverse reactions to the news of the death.

B. Timeliness. The survivor(s) should be notified as soon as practical, with every effort to make notification prior to any news releases.

C. Responsibility. The investigating officer shall provide all of the necessary and appropriate information to his/her supervisor for notification purposes. It shall be the responsibility of the supervisor to make the next-of-kin notification unless specifically directed otherwise by the supervisor or commander.

D. Resources. Officers are reminded that there are two potential sources of assistance, namely:

1. The neighbor(s). Often a neighbor can suggest other relatives and/or friends to be present or available during notification, or alert officers to possible medical reactions, and so forth.
2. The clergy. Many people are comforted by having a member of the clergy available for support. A chaplain may be contacted through APD dispatch to assist in the notification or with grief counseling.

E. Method. How a person is notified is very critical. Below are guidelines established by experience, and recommended by behavioral scientists:

1. Never make a death notification over the telephone, even if a personal contact will delay notification by days.

a). Should it become necessary to make a death notification in another jurisdiction, it should be done through and with the assistance of the local police agency.

2. Make every effort to have two officers present, with at least one in full uniform. This serves to:

a). Add credibility to the information given; and

b). Provide an officer to observe reaction to the news. This safety measure recognizes that some people become dangerous to themselves or others when told catastrophic news, so restraint and/or medical assistance may become necessary.

3. When possible, make contact at the survivor(s) residence. When at the residence:

a). Politely ask to come inside. If a child answers the door, get permission to enter from a responsible adult.

b). Introduce yourself (and the other officer). If you are not in uniform, show credentials.

- c). Try to ensure the door is closed; and
- d). If possible, have the person(s) seated.
- e). Make certain you know who the parties are, and identify the closest survivor. Direct your conversation to him or her as much as practical.

4. When actually telling of the event, try to abide by the following:

- a). Be compassionate but reasonably direct. A sincere "I have some very bad news for you. Your son was killed in an automobile accident last night" seems to be the best approach in most cases.
- b). Don't avoid the topic by using expressions such as "expired," or "passed away."
- c). Avoid trying to talk the people out of their grief by such comments as "It's God's will," or "She led a full life." Avoid saying you "understand" unless you truly do. The officer's role is to inform and guide in as professional and compassionate a manner as possible, and not, necessarily, to counsel.
- d). Don't rush. There is a balance between rushing to get a disagreeable job over with, and stalling to look for just the right words. Deliver the news, be available for questions and help, and then start directing activities when appropriate.
- e). Anticipate physical contact. It is normal for persons to clutch for security, or even to be angered by the news. The second officer can help deter violence, but both officers should be alert to a probable non-hostile movement and grabbing.

F. Follow-up Activities. Depending on the circumstances, the officer may be coordinating certain activities with the survivors. Recall that, with some people, having duties to perform actually helps in the adjustment. Others may have to be aided in satisfying their responsibilities. It is recommended that officers:

- 1. Leave his or her name and telephone number with the survivor(s).
- 2. If possible, return the next day, if only for a "status check." Experience has shown that this action is greatly appreciated by the parties concerned.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.025	
Policy and Procedure Title Domestic Violence Response and Inv.	Effective Date 11/30/2011	Page 1 of 9
Replaces Prior Policy: 8/10/2009	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.025 Domestic Violence Response and Investigation

POLICY

There is no specific offense of domestic violence. The term is used to describe a range of criminal offenses occurring within particular relationships. It is the policy of the Anchorage Police Department that physical arrests shall be made in cases where there is probable cause to believe that a violation of the domestic violence laws has occurred.

Also paramount to the investigating officer is the responsibility to protect the victim of domestic violence. This will be accomplished by following the requirements of Alaska State Statute and Anchorage Municipal Code.

DEFINITIONS

Domestic Violence is defined in AS 18.66.990 as a violation or attempt to commit a violation of any provision of the following state statutes or a similar local ordinance, when the victim is a household member.

Murder, Incest, Manslaughter, Unlawful exploitation of a minor, Criminally negligent homicide, Indecent exposure, Assault, Robbery, Reckless endangerment, Extortion, Stalking, Coercion, Kidnapping, Burglary, Custodial interference, Trespass, Sexual assault, Arson, Sexual abuse of a minor, Criminally negligent burning, Murder of an unborn child, Assault of an unborn child, Human trafficking, Online enticement of a minor, Violating a protective order [section (a)(1)], Criminal mischief, Harassment [section (a)(2)-(4)], and Terroristic threatening

Domestic Violence Protective Order is a special type of restraining order issued by the court when convinced that the applicant has been a victim of domestic violence by a household member (defined below). The applicant is known as the petitioner and the person the order is against is called the respondent. The orders are defined as a domestic violence protective order (1 year), an ex-parte domestic violence protective order (20 days) and an emergency domestic violence protective order (72 hours). Failure of the respondent to abide by the

terms of the domestic violence protective order can result in arrest for violating a protective order.

Fourth Degree of Consanguinity describes a relationship by descent from the same ancestor. To determine the degree of consanguinity, count the generational steps between people on a family tree, working upward to a common ancestor and then downward again. For example, first cousins are related to the 4th degree.

Household Member is defined as:

- Adults or minors who are current or former spouses;
- Adults or minors who live together or have lived together;
- Adults or minors who are dating or who have dated;
- Adults or minors who are engaged in or who have engaged in a sexual relationship;
- Adults or minors who are related to each other up to the fourth degree of consanguinity whether of the whole or half blood or by adoption;
- Adults or minors who are related or formerly related by marriage;
- Persons who have a child of the relationship; or
- Minor children of a person in a relationship described above.

Principal Physical Aggressor is the person responsible for the domestic violence crime to which the police were called.

Probable Cause: Reliable information in sufficient quantity and detail that would lead a reasonable person to believe that a crime has been committed or was attempted and that the suspect committed the crime.

Similar Local Ordinance is defined as an Anchorage Municipal Ordinance that has similar elements to those offenses listed in Alaska Statute as being a crime of domestic violence. Each investigation is unique but officers should review the elements of the following municipal ordinances for similarities:

Assault, Vehicle Tampering, Stalking, Violation of Conditions of Release, Child Abuse, Trespass, Child Neglect, Unauthorized Entry, Illegal Use of the, Telephone, Indecent Exposure, Malicious Destruction of Property, Family Violence, Destruction or Disconnect of Communication Equipment, Graffiti

Strangulation is defined as a form of asphyxia (lack of oxygen) characterized by closure of the blood vessels and/or air passages of the neck as a result of external pressure on the neck.

REFERENCES

AS 11.41 series, AS 11.46.300-330, AS 11.46.400-430, AS 11.46.475-486, AS 11.56.740(a) (1), AS 11.56.745, AS 11.56.750-755, AS 11.56.757, AS 11.56.807-810, AS 11.61.120(a) (2)-(4), AS 12.25.030, AS 12.30.027, AS 18.65.510-590, AS 18.66.100-180, AS 18.66.990, AMC 8.10.010, AMC 8.10.020, AMC 8.10.030,

AMC 8.10.040, AMC 8.10.050, AMC 8.10.080, AMC 8.10.090. AMC 8.20.0, AMC 8.20.020, AMC 8.20.030, AMC 8.20.040, AMC 8.30.110, AMC 8.45.010, AMC 8.45.020

PROCEDURES

I GENERAL: Significance of Domestic Violence – When officers recognize that an incident is domestic violence related several issues surface:

A. State statute gives officers the authority to arrest a perpetrator of domestic violence on probable cause alone, even if the offense is a misdemeanor which did not occur in the officer's presence. AS 12.25.030 allows the officer to make an arrest without a warrant if the officer has probable cause to believe that the suspect has committed domestic violence, violated a protective order or violated conditions of release imposed on an original charge involving stalking or domestic violence. No private person arrest is required.

B. Mandatory Arrest: AS 18.65.530 states that a peace officer, with or without a warrant, shall arrest a person if the officer has probable cause to believe that the person has, within the previous 12 hours, committed domestic violence, violated a domestic violence protective order or violated conditions of release imposed on an original charge involving stalking, domestic violence, or sexual abuse and sexual assault. The statute also lists exceptions to mandatory arrest. The exceptions are:

1. Homicide cases,
2. When an officer receives authorization from a prosecuting attorney not to arrest, and
3. When only the principal physical aggressor is arrested.

C. Principal Physical Aggressor: If an officer receives complaints of domestic violence from more than one person arising from the same incident, the officer shall evaluate the conduct of each person to determine who the principal physical aggressor was. If the officer determines that one person was the principal physical aggressor, the other person or persons need not be arrested. To determine the principal physical aggressor the officer shall consider:

1. Prior complaints of domestic violence,
2. The relative severity of the injuries inflicted on each person,
3. The likelihood of future injury from domestic violence to each person,
4. Whether one of the persons acted in defense of self or others.

D. Physical Arrest: When an officer determines there is probable cause to believe that a person committed domestic violence, the officer shall make an arrest to be in compliance with Department policy and state law. This will be a physical arrest with appearance before a magistrate. A misdemeanor citation is not appropriate.

E. Juvenile Suspects: A juvenile suspect requires an arrest to fall within the law and APD policy. However, because guidelines for juvenile remands are different than those of adults, a physical arrest with remand to McLaughlin may not be possible. Officers are required to contact McLaughlin and explain the circumstances of the offense, allowing McLaughlin to accept or reject placement of the juvenile. The officers are required to document that contact in the police report. Should McLaughlin not remand the suspect, victim safety is the top priority when making a determination as to the proper placement for the juvenile suspect. Officers should consider options such as a relative, Covenant House or foster placement.

F. Mandatory Arrest: Note that the law requires mandatory arrest with probable cause if the offense occurred within the previous 12 hours. If the offense is reported more than 12 hours after it occurred, the officer is no longer required to make a mandatory arrest but still may arrest without a warrant. In most cases when an officer determines probable cause exists, an arrest is the preferred disposition.

G. Statutory Responsibilities: Officers will comply with statutory responsibilities to the victim which include transporting the victim and any family member to a safe place, assisting the victim in removing essential personal items from the residence, assisting the victim and any member of the victim's family in obtaining medical treatment necessitated by the offense and both orally and in writing informing the victim of the rights and services available to them.

H. Deadly Weapons: Officers may also seize any deadly weapon in plain view and if a deadly weapon was used or possessed during the domestic violence the officer may seize all deadly weapons owned, used, possessed or within the control of the alleged perpetrator.

I. When investigating a crime involving domestic violence, the officer may not threaten or suggest the arrest of all parties involved in a manner that would have a tendency to discourage requests for intervention by law enforcement.

J. Victim Notification: After arrest, if the defendant is released from other than a correctional facility, the arresting authority shall make reasonable efforts to notify the alleged victim of the defendant's release and provide the victim with a copy of the order setting any conditions of release. Officers must document their efforts at notification of the victim in the report. If the defendant is remanded to a correctional facility, the officer shall provide a copy of the completed ATN with the victim's contact information to the Department of Corrections in order to facilitate them making the proper notification upon the defendant's release.

K. Mandatory Reporting: When an arrest is made, the officer will document the circumstances in a police report. A report is also required when an officer investigates a complaint of "domestic violence" as defined above and does not make an arrest. In such cases, officers shall describe in writing the reasons for not making an arrest. This information should be included in the

narrative portion of the report and is based upon your description of the incident, not a single statement.

L. Prosecutor Contacts: If contact was made with a prosecutor or district attorney, officers are discouraged from detailing, in the report, the conversation and the specific reasons that were provided for not making an arrest. Often, these written statements make a future prosecution more difficult if new information or evidence becomes available.

II. INITIAL RESPONDER'S RESPONSIBILITIES

A. Arrival: Any call for service can escalate at any time. However domestic violence calls can be particularly volatile. Officers are reminded to practice good officer safety tactics.

B. Investigation: When investigating an incident where domestic violence is suspected, the officer must be able to establish both that a violation of law occurred and that the relationship between the victim and suspect fits within the scope of "household members" defined above. Additionally, because of the unique position of the victim, officers need to make reasonable efforts to gather independent evidence of the offense. This evidence will often be in the form of physical evidence and testimonial evidence from people other than the victim (children, witnesses, complainants, family, friends and neighbors).

1. Separate all parties for interview purposes, especially the victim and suspect. Conduct audio-recorded interviews with all victims and witnesses. Officers are encouraged to interview all juveniles who may have been victims or witnesses to the incident, while taking into consideration the age and abilities of the juvenile. Officers shall also make an effort to conduct a taped statement with the defendant, being mindful of Miranda issues.
2. Seize all physical evidence at the time of the call.
3. Take photographs. Good investigation technique calls for:
 - a). being aware that bruising can become visible later and follow-up photos to capture that evidence might be in order.
 - b). being discreet when photographing physical injury. Covering unaffected anatomy can help insure the usefulness of the photograph as evidence in court.
 - c). being alert to exculpatory evidence. If a complainant alleges vandalism or assault but no damage or injury can be found, a photograph showing no damage is an important form of evidence.
4. Officers should pay close attention to victim complaints of strangulation. This sophisticated method of power and control is particularly dangerous. Incidents of strangulation, properly investigated and documented, fit the definition of serious physical injury and should result in felony charges against the suspect. Officers who arrive on scene may find the suspect

with visible injuries and the victim with none. If both claim self defense, officers need to avoid the temptation just to arrest the person who is perceived to have won the fight, or the person with no injuries. Special care must be taken to identify the principal physical aggressor.

C. Disposition: If, after thoroughly investigating the complaint of domestic violence, the officer determines probable cause exists to believe that a crime involving domestic violence has occurred, the officer shall make a physical arrest as outlined above. If probable cause does not exist, the officer shall document the circumstances of the investigation in a police report.

1. Officers should charge under either municipal code or state statutes for the specific crime committed, noting the offense as domestic violence related. This is accomplished by adding "DV" to the criminal charge and marking "DV" on the face sheet of the police report, arrest sheet and ATN.
2. The victim has the right to attend the bail hearing should they choose to do so. Officers shall inquire if the victim wishes to telephonically participate and note that action in their police report.
3. The officer shall notify the victim, both orally and in writing, of the rights of victims and the services available to them. This can be accomplished by reading and leaving a copy of the "DV Booklet", currently the Anchorage Community Emergency and Advocacy Resources booklet.
4. Steps should be taken to protect the victim from further domestic violence. This includes, but is not limited to, providing the victim transportation, assisting the victim in removing personal items, assistance in obtaining medical treatment, and the seizure of weapons as appropriate. Should the defendant be released on their own recognizance, the officer must notify the victim of that. If necessary, an officer may also, with the knowledge and consent of the victim, apply for an emergency protective order.
5. If the suspect is not present when the officer arrives and the investigation reveals probable cause to believe a crime of domestic violence occurred, officers should search the immediate area and make other reasonable efforts to attempt to locate the suspect. In the event the officer is unable to locate the suspect, the officer shall immediately apply for an arrest warrant. Upon obtaining the warrant it is the officer's responsibility to notify APD or AST for timely entry of the warrant, noting in the report the DSN of the person entering the warrant.
 - a). Officers who obtain an arrest warrant for a domestic violence offense should continue to make reasonable efforts to locate the suspect.
 - b). When serving an original warrant for a domestic violence offense, the arresting officer should attempt an interview with the defendant, whether or not the arresting officer is the same officer who originally obtained the warrant.

6. Officers shall make appropriate notification to outside agencies as required by current procedure and document doing so in the police report.

- a). In all cases of domestic violence where the parties involved have children; officers must notify the Office of Children's Services with the APD case number. This can be accomplished by selecting "OCS" in the follow-up drop-down menu, thereby causing the report to be forwarded automatically. The officer may also elect to call 269-4000 and provide the necessary information.

D. Domestic Violence Unit: The Domestic Violence Unit reviews all domestic violence reports to make sure that all necessary investigative steps were taken to ensure the victim's safety as well as offender accountability. Follow-up investigation will occur on any report as needed to include, but not limited to:

- 1. Contact the victim to inquire whether they need any further assistance.
 - a). taking additional photographs
 - b). complete audio recorded interviews
 - c). attempt to serve outstanding domestic violence warrants
 - d). provide assistance to the prosecuting agency to ensure successful prosecution

The Domestic Violence Unit is located in the Domestic Violence Office at the Boney Courthouse. The officers also provide assistance to any citizen who comes into the courthouse needing assistance with a domestic violence situation.

Patrol officers shall complete a thorough investigation in accordance with policy at the time of the report. If follow-up investigation is needed that they cannot complete themselves, officers may provide direct notification to one of the Domestic Violence Unit officers and request that they complete the follow-up.

E. Domestic violence protective orders: Domestic Violence Protective Orders, issued by the court, are served and enforced by the Anchorage Police Department.

- 1. Service: After petitioning the court and having a domestic violence protective order granted, the order must be served on the respondent in order for it to be enforced. Although most protective orders are processed and served by the Warrants section, Patrol is often called upon to serve them as well.
- 2. Officers who come into contact with a respondent of a protective order which has not yet been served shall make reasonable efforts to obtain a copy of the order and serve it on the respondent. If a copy is not available, the officer shall verbally inform the respondent of the specific terms of the protective order and then document that action on a Return of

Service form. The terms of the order are annotated in APSIN. The officer shall also obtain the respondent's contact information to ensure later service of a copy of the order.

3. When serving protective orders, officers shall:

- a). Receive the order, verifying that it has been properly issued. This can be done by verifying the order in APSIN or with the issuing court;
- b). Serve the order on the respondent by reading the order and providing a copy of the order to the respondent;
- c). Contact appropriate personnel to have the record of service entered into APSIN, and note their DSN on the Return of Service Form;
- d). Complete a Return of Service form and submit it to the Records Section.

4. Enforcement of the order: Complaints of violation of a domestic violence protective order shall be investigated as a crime involving domestic violence as outlined above. When investigating an allegation of a violation of a domestic violence protective order, officers must establish three elements:

- a). The suspect had knowledge and legal service of the order;
- b). The act alleged violated a specific prohibition expressed in the order;
- c). Probable cause that the respondent actually committed the violation exists.

5. Officers must take care to confirm that the act alleged constitutes a criminal violation of the order prior to making an arrest. Those provisions which are criminal involve contact with the victim (sections a-e on all the orders) as well as the possession of firearms (sections i and j on the long term order). If the violation is clearly criminal in nature and there is probable cause, the officer shall make an arrest. If the alleged violation is civil in nature (orders to pay child support, pay specific bills, or return property), officers shall not make an arrest but a report is still required.

6. A written report must be completed for any violation of the protective order, criminal or civil, whether or not the order has been served on the respondent. It is important to document these non-criminal acts in the event it becomes necessary to have documentation for possible future criminal charges such as stalking. Dispatch will screen the call for service to determine if the report will be taken by an officer or by records. If either of the following criteria is met, an officer will be dispatched to take the report. If not, the report will be taken by records.

- a). If there is any possibility that the officer may be able to locate the respondent and serve the restraining order.

b). If there is the allegation or possibility that a new crime has been committed.

7. “Blending” of State and Municipal charges should be avoided.

Therefore, if a respondent violates the terms of a protective order, which must be charged under State Statutes, other associated violations should also be State charges.

F. Violation of Conditions of Release: The violation of conditions of release allows the police to enforce conditions of bail imposed upon a defendant by a judge or magistrate while the defendant is awaiting trial.

1. Conditions vary from one case to the next. In domestic violence cases the defendant will generally be prohibited from having contact with the victim(s) or returning to the victim’s residence.

2. Officers can verify a defendant’s conditions in several different ways. Contacting the Municipal Prosecutor or District Attorneys Office, whichever is appropriate given the original charge, is the ideal way to do so. Recognizing this may not be possible given the time of day, officers should consider sources such as the jail or magistrate. The victim may have a copy of the defendant’s conditions or have a specific contact name or number with the Prosecutor or District Attorney. The defendant might have a copy of the conditions of release available for your review or make admissions to the officer regarding what the conditions are.

3. Currently, the Municipal Prosecutor’s Office enters the conditions of release for DV cases into APSIN, attached to the defendant. The APD Dispatch supervisor also has access to the Municipal Prosecutor’s database and can verify the listed conditions.

4. If a victim makes a report of violation of conditions of release, the officer shall investigate the complaint as a crime of domestic violence as described above.

5. If an officer is unable to determine at the time of the report whether or not the reported behavior violated a condition of the defendant’s release, the officer shall document the incident in a police report. The investigating officer is also required to follow up on the report by contacting the Prosecutor or DA as soon as possible.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.030	
Policy and Procedure Title Stalking Orders	Effective Date 11/03/2011	Page 1 of 2
Replaces Prior Policy: 8/10/2009	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.030 Stalking Orders

PURPOSE

To instruct all personnel of the policies and procedures governing the service and enforcement of stalking orders.

POLICY

It is the policy of the Anchorage Police Department that stalking protective orders be served in a timely manner and enforced appropriately to enhance victim safety.

DEFINITIONS

Stalking Order is a specific type of restraining order issued by the court when convinced that an applicant (petitioner) is a victim of stalking by the respondent. These orders are specifically designed for use by persons not in a domestic violence situation. They are defined as stalking protective orders (6 months), ex-parte stalking protective orders (20 days), and emergency stalking protective orders (72 hours).

REFERENCES

AS 11.41.260-270, AS 12.25.030, AS 18.66.160, AS 11.56.740(a)(2), AS 18.65.850-870

PROCEDURES

I. GENERAL

A. State statute gives officers the authority to arrest a respondent for violating a stalking protective order on probable cause alone, even if the offense is a misdemeanor which did not occur in the officer's presence. No private person arrest is required.

B. Unlike domestic violence protective order violations, the law has no requirement for mandatory arrest for a violation of a stalking order. If probable

cause does exist to make an arrest, a supervisor will be contacted for approval to not make the arrest, which will be noted in a police report.

II. INITIAL RESPONDER'S RESPONSIBILITIES

A. Service of stalking orders: After issuance of a stalking order, the order must be served on the respondent in order for it to be enforced. Although most stalking orders are processed and served by the Warrants section, Patrol may be called upon to serve them as well.

B. Officers who come into contact with a respondent who has a stalking order needing to be served shall make reasonable efforts to obtain a copy of the order and serve it on the respondent. If a copy is not available, the officer shall verbally inform the respondent of the specific terms of the stalking order and document that action on a Return of Service form. The specific terms are listed under the advisement in APSIN. The officer shall also obtain the respondent's contact information to ensure later service of a copy of the order.

C. When serving stalking orders, officers shall:

1. Receive the order, verifying that it has been properly issued. This can be done by verifying the order in APSIN or with the issuing court;
2. Serve the order on the respondent by reading the order and providing a copy of the order to the respondent;
3. Contact appropriate personnel to have the record of service entered into APSIN and note the DSN on the Return of Service form;
4. Complete a Return of Service form.

D. Enforcement of stalking orders: When investigating an allegation of a violation of a stalking order, officers must establish three elements:

1. The suspect had legal service of the order;
2. The alleged act violated a specific prohibition expressed in the order;
3. Probable cause that the suspect actually committed the violation exists.

E. Disposition: Any complaint of a stalking order violation shall be documented in a police report.

1. If an officer has probable cause to believe that the respondent violated the terms of a stalking order, a physical arrest is the preferred course of action. Officers choosing not to make an arrest must document in the report their reasons for not doing so.
2. If the suspect is not on scene, officers shall make reasonable efforts to locate the suspect. If unable to do so, the officer should apply for a warrant for the suspect before the end of the officer's shift. Once the warrant is obtained, it is the responsibility of the officer to contact AST for entry of the warrant.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.035	
Policy and Procedure Title Operating Under the Influence	Effective Date 8/10/2009	Page 1 of 6
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.035 Operating Under the Influence

PURPOSE

The objective of the Department's aggressive enforcement program is to reduce alcohol and drug related traffic offenses by using patrol units that are trained and equipped to apprehend and process impaired drivers.

POLICY

It is the policy of the Anchorage Police Department to aggressively enforce the Driving Under the Influence related statutes of the State of Alaska and the Municipality of Anchorage.

DISCUSSION

The Anchorage Police Department recognizes the significant threat to public safety posed by drivers impaired by alcohol and/ or drugs. The Department maintains the position that the most effective method of dealing with this problem is to combine enforcement with education. The Anchorage Police Department officers will detect, apprehend and assist in the prosecution of persons in violation of the Driving Under the Influence statutes by providing officers on-going training in DUI countermeasures, and to work with the community to address the serious problems resulting from these violations.

REFERENCES

AS 28.35.030 through .032 - Operating a Vehicle, Aircraft, or Watercraft while Under the Influence of an Alcoholic Beverage, Inhalant, or Controlled Substance.

AS 12.25.033 - Arrest without a warrant for Operating a Vehicle, Aircraft, or Watercraft while Under the Influence of an Alcoholic Beverage, Inhalant, or Controlled Substance,

AS 12.25 .150 – Rights of Prisoner after Arrest,

AMC 9.28.020 through .025 – Driving Under the Influence,

AMC 9.42.020 – Unlawful Operation - Impoundment

PROCEDURE

I. TRAINING

A. Patrol officers will be trained and will maintain a current breath test operator certification from the State of Alaska.

II. DETECTION AND ARREST

A. All officers, regardless of their assignment, are to actively attempt to detect drivers driving under the influence of alcohol, other drugs, or a combination thereof,

B. If an officer observes a vehicle whose driver he/she believes is under the influence, and has reasonable suspicion or probable cause to stop the vehicle, enforcement action will be taken:

1. If the officer is driving a police vehicle which cannot initiate traffic stops, the officer will establish radio contact with Dispatch and attempt to have a marked unit respond to initiate the stop;

2. If the officer is driving a police vehicle which can initiate traffic stops, the officer will take enforcement action by initiating a traffic stop on the vehicle.

C. Upon stopping the vehicle, the officer will attempt to determine if the driver is under the influence by using Standardized Field Sobriety Tests and/or optional tests such as Rhomberg balance, finger to nose, alphabet, counting and other observational clues to establish probable cause.

D. Officer will not use a Preliminary Breath Test (PBT) to establish probable cause.

E. If probable cause has been established the subject shall be arrested.

F. Impound the suspect's vehicle in accordance with AMC 9.28.026 (see also "Towing--Vehicular Impounds,").

III. CHEMICAL TEST:

A. Breath Test:

1. Breath tests will be conducted by a certified breath test operator.

2. Arrested subjects will be tested on instruments certified by the State of Alaska and maintained by the Anchorage Police Department;

3. Following the arrest, the subject will not smoke or ingest any material into the mouth, with the exception of inhalers that are prescribed and medically necessitated. A 15 minute observation is required after checking the arrestee's mouth and during this time, the arrestee shall not burp, regurgitate, vomit or place anything into the mouth.

IV. IMPLIED CONSENT LAW

A. Introduction. The person arrested for DUI is processed to obtain specific evidence, usually a breath sample for chemical analysis.

B. Content of Law. The Implied Consent Law states that a suspect who is under lawful arrest for an offense arising out of acts alleged to have been committed while the person was driving, operating, or in actual physical control of a motor vehicle or operating an aircraft or a watercraft while impaired shall be considered to have given consent to a chemical test or tests of their breath for the purpose of determining the alcoholic content of his or her breath, and that refusal to do so is an additional crime. Non-consensual taking of a breath sample is obviously not practical, and non-consensual taking of a blood sample is permissible only in certain circumstances as described below.

V. CONTACT WITH ATTORNEYS, FRIENDS, AND FAMILY

A. Right to Contact with Attorney, Friend or Family.

1. Prior to arrest. The stop, the development of suspicion and the field sobriety/investigation occur before arrest, and no right to counsel exists.
2. After the arrest. If the suspect requests to telephone anyone after arrest (when State statute allows), but prior to direct questions (when Constitutional provisions require advisement), honor the request by providing a reasonable opportunity to the suspect.
3. Direct questioning. Police must provide a Miranda warning for arrested suspects before asking direct, potentially incriminating questions, such as those contained in the Intoxication Report. If an attorney is requested, allow the contact but do not ask any further questions. Attorneys cannot delay DUI processing.

VI. SPECIAL PROCEDURES

A. Person Other than DUI Suspect Injured. If a person is under arrest for an offense arising out of acts alleged to have been committed while the person was driving, operating, or in physical control of a motor vehicle, and that arrest results from a traffic collision that causes death or serious physical injury to another person, a chemical test may be administered without the consent of the person arrested to determine the amount of alcohol in that person's blood or breath (AS 28.35.031(g) / AMC 9.28.021.G). The preferred and recommended method for doing this is to apply to a magistrate for a search warrant to have a blood and urine sample drawn from the suspect and tested. If a chemical test is administered to a person under this provision, that person cannot be charged for refusal to submit to a chemical test. If someone other than the suspected impaired driver was injured in an accident, the driver does not have the right to refuse a chemical test (AMC 9.28.025A/AS 28.35.031(g)).

B. DUI Suspect is the Only Injured Party. A suspected impaired driver who is injured in a traffic collision and is transported to a hospital (no one else injured in the collision) will be treated at the hospital prior to any arrest. In normal operating procedures, an emergency room doctor may take a blood sample for analysis. This result may be obtained by either obtaining a 'Consent to

Release Medical Records' form signed by the suspect or by search warrant at a later date. Do not ask a doctor to take a sample for you and do not attempt to pressure a doctor into taking a sample for you. If the person is not deemed serious enough to hold for treatment, you can simply arrest him or her within the 4 hour time limit and transport him/her to a sub-station for normal DUI processing. If a blood sample is taken by the doctor and the suspect refuses to sign consent for release of medical records form, it is the officer's responsibility to coordinate with the Municipal Prosecutor's Office and obtain a search warrant. Serve the warrant and, if appropriate based on the results, prepare a complaint and summons.

C. Unconscious/Incapable Persons. A person who is unconscious or otherwise in a condition rendering that person incapable of refusal is considered not to have withdrawn the consent provided under Implied Consent and a chemical test may be administered to determine the amount of alcohol in that person's breath or blood. A person who is unconscious or otherwise incapable of refusal need not be placed under arrest before a chemical test is administered (AS 28.35.035(b) / AMC 9.28.025.B). If a chemical test is administered to a person under this provision, that person cannot be charged with refusal to submit to a chemical test. The critical question is the test of "otherwise incapable". Court decisions are not definitive, but tend to consider the physical condition of the subjects themselves, as opposed to the circumstances around them. If the suspect is so impaired as to be incoherent and incapable of intelligently refusing, a test may be taken. If, however, the suspect is able to intelligently decide, but other circumstances prevent him/her from going to a breath test facility, the involuntary test may NOT be administered. An example of this is a conscious, lucid subject being kept at the hospital for observation, but no medical blood test taken. In such cases, a search warrant, telephonic or in person, must be obtained to draw a blood sample.

D. Suspected Drug Impairment. If the suspect provided a breath test that yielded a very low reading, yet he/she shows signs of a much higher level of impairment, request a Drug Recognition Expert (DRE). Be alert for drug usage, illness or injury. Be alert for signs of drug abuse (i.e., needle tracks, pill bottles, drugs (prescription or illicit), and drug paraphernalia on the person or in the vehicle. If there is any concern for the well-being of the subject, arrange to have him/her examined by a doctor immediately. If the officer has already arrested the subject but now, as a result of the exam, feels the charges to be inappropriate, he or she should contact a shift Supervisor.

E. Traffic collisions with Critical or Fatal Injuries. When impaired driving is suspected in traffic collisions that result in critical injuries or fatalities, the possibility of felony charges being brought must be preserved. Arresting for DUI could jeopardize this, and so must be avoided. Such collisions are, therefore, not handled as a conventional DUI arrest and processing, but have a distinct procedure (see Traffic--Injury and Fatal Accidents). Such collisions

are usually investigated by the Traffic Unit, but initial responding units must take proper action to facilitate the investigation. This includes:

1. Treat the area of the traffic collision as a major crime scene, protecting it and limiting access to only those people providing care for victims or actually involved in the investigation.
2. If possible, take multiple photographs or video to record the scene prior to disturbing anything.
3. Identify and separate persons involved in the traffic collision, but avoid making any arrests.
4. Should a DUI suspect be transported to a hospital, an officer should accompany that person.
5. Be prepared to brief the traffic collision investigator. However, if the Traffic Section is unable to respond, officers should be prepared to conduct the investigation on its behalf. Again, the procedure "Traffic-- Injury and Fatal Traffic Collisions" should be consulted. The most remarkable difference between this collision investigation and others has to do with seizing blood as evidence. Since DUI is not being charged at this time (to allow for charging a more serious crime), Implied Consent does not apply. Seizing blood as evidence would follow this process:
 - a). Attempt to get a search waiver form signed by the subject to obtain a sample of breath or blood. Keep in mind that the suspect could pull his/her consent at any point before the samples are drawn, causing the officer to have to apply for a search warrant. If this happens, valuable time has been wasted. Because of this possibility, it is preferable to apply for the search warrant as soon as observations and evidence provide the probable cause to do so. Coordinate with the District Attorney's Office or Traffic Investigator in obtaining a search warrant.
 - b). Have the blood sample drawn at the hospital or a substation by the contracted medical company, either by search warrant waiver or by an actual search warrant.
 - c). If alcohol is suspected and a waiver or warrant is obtained, 3 (three) blood samples are to be drawn at 30-minute intervals, along with one urine sample.
 - d). If alcohol is not suspected and a waiver is obtained, one blood sample and one urine sample are sufficient.

VII. ARRESTS BY OUTSIDE AGENCIES

A. Military Law Enforcement Officers. The Anchorage Police Department will process DUI suspects that Military law enforcement personnel detain if those suspects are not members of the military. Military personnel cannot arrest, transport, or process non-military people for DUI. Consequently, when a military law enforcement officer detects a DUI, they will call for an Anchorage police officer. The responding officer will follow the guidelines of this policy.

B. Alaska State Troopers. On rare occasions, the Alaska State Troopers may have a need to use Department facilities. The following would apply:

1. State Troopers are responsible for the arrest and processing.
2. Anchorage officers will provide technical assistance as needed, forms, etc., and may operate the breath test instrument if the Trooper is not qualified to do so.
3. A police report entitled "Outside Agency Assist" will document the actions of all Anchorage police officers involved. All other documentation will remain with the other agency's officer.

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This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.040 Hate Crimes

PURPOSE

To instruct all members on the method of identifying, investigating, and processing all crimes satisfying the Federal definition of "Hate/Bias" Crimes.

POLICY

That the Department: Actively participate in the Uniform Crime Reports program of statistically tracking Hate Crimes; and

Aggressively and competently investigate all crimes satisfying the FBI's definition of Hate Crimes; and

Provide follow-up services to victims of Hate Crimes.

DISCUSSION

On April 23, 1990, Congress enacted the "Hate Crime Statistics Act of 1990." This act mandated the Department of Justice to collect data "about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property."

To comply with this law, the Anchorage Police Department merely has to count the number of Hate Crimes it detects through the UCR system. However, the advent of Hate Crime tracking has had another effect: Creating an awareness of, and sensitivity to, just how devastating such crime is. As a consequence, the department has elected to broaden its responsibilities to more completely protect its citizenry. This procedure, therefore, not only addresses how we comply with the UCR obligation, but describes how these offenses will be investigated, and what follow-up action the department will take with the victims.

To more fully appreciate why such an aggressive approach to Hate Crimes is necessary, one needs only to consider what makes these violations unique. While a "regular" theft may be committed for money or gain, or a "regular" assault

performed while in a temporary rage, a crime motivated by hate is designed to make a statement. It is the highest form of malice, and is virtually beyond the control of the victim. Its capricious nature puts all citizens in jeopardy, and fosters a contagious attitude of revenge.

When someone falls prey to a bona fide Hate Crime, there is a sense of alienation from the mainstream. Someone has violently stated, "You don't belong," often leaving the victim confused and feeling alone. It is easy to see how the police, the strongest symbol of society, can either create a comforting sense of protection and reintegration into that mainstream using a professional, reassuring style, or elevate a perception of alienation with an apathetic, disgusted, or hostile demeanor.

It is the goal of the Anchorage Police Department to help provide victims of Hate Crime with both the physical and psychological support they deserve, and demonstrate to persons who might consider committing a Hate Crime that such acts will not be tolerated.

DEFINITIONS

Hate Crime: For purposes of this procedure, any criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, ethnic/national origin group, or sexual orientation group.

For purposes of Uniform Crime Reports (UCR) tracking, "Hate" or "Bias" Crime is limited to murder, non-negligent manslaughter, forcible rape, aggravated assault, simple assault, intimidation, arson, destruction/damage/vandalism to property, robbery, and burglary when the commission is motivated in whole or in part by the offender's bias against a race, religion, ethnic/national origin group, or sexual orientation group.

Bias Crime: Same as "Hate Crime."

Ethnicity/National Origin Bias: A preformed negative opinion or attitude toward a group of person of the same race or national origin who share common or similar traits, languages, customs, and traditions (e.g., Arabs, Hispanics).

Hate Group: An organization whose primary purpose is to promote animosity, hostility, and malice against persons belonging to a racial, religious, ethnic/national origin, or sexual orientation group which differs from that of the members of the organization (e.g., the Ku Klux Klan, American Nazi Party).

Racial Bias: A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics (e.g., color of skin; eyes and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites, etc.).

Sexual Orientation Bias: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to,

members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

REFERENCES

FBI UCR Pamphlet entitled "Training Guide of Hate Crime Data Collection," which includes Public Law 101-275 enacted April 23, 1990.

FBI UCR Pamphlet entitled "Hate Crime Data Collection Guidelines."

PROCEDURE

I. IDENTIFICATION OF A HATE CRIME

Hate Crime must first be recognized before either proper accounting (reporting to the UCR) or handling can occur. To ensure that accurate identification is made, a multi-tiered system is used, knowing that it is the investigation that will ultimately determine if a hate crime has been committed or not. That system is described as follows:

A. Responding Officer. Responding officers shall be trained in the definition and recognition of Hate Crimes. If officers suspect that an incident meets the standards, they shall check the box on the Field Report titled "Hate."

B. Classifier. Since all written reports go to Classification, the Classifiers shall receive more advanced training in Hate Crimes. If a Classifier believes that a report is one of a Hate Crime, or, if officers have identified one as such, that report shall be forwarded to the next level--the Captain of Detectives.

C. Captain of Investigations. The Captain of Detectives shall review all reports submitted to him/her that have been identified as a potential Hate Crime. If the Captain concurs that a Hate Crime seems to have been committed, they shall assign the case for any appropriate investigation and notify the Captain of Patrol of that determination.

D. Investigator. The sworn officer assigned the subject case shall perform two functions:

1. Establish the essential elements of the criminal case, as normal; and
2. Determine, through investigation, if a Hate Crime has been committed.

II PROCESSING OF A HATE CRIME

Once a potential Hate Crime is identified, it is processed. This section describes the responsibilities of the various people who will take part in that processing.

A. Responding Officer. It is expected that responding officers will handle any call with a calm, professional demeanor. But, as described in the "DISCUSSION" portion of this procedure, a genuinely sympathetic, reassuring approach is essential in these cases. Beyond demeanor, responding officers other duties include checking the box marked "Hate" on the Field Report and ensuring the narrative supports officers determination that the event was a hate crime. If any questions exist, responding officers shall seek the advice of either their supervisor, or any member of the Hate

Crime Response Team that might be on shift (the Hate Crime Response Team is described in paragraph E. of this section).

B. Classifier. As mentioned earlier, Classifiers will have specialized training in Hate Crime, and act as the second level of screening to determine if a Hate Crime has been committed. When reviewing reports, Classifiers shall be alert to any reported incident that may be a Hate Crime, and will closely review all reports submitted with the "Hate" box checked. If determined to be a Hate Crime, the Classifier shall do two things:

1. Forward a copy of the report to the Captain of Detectives with the notation that the incident meets the criteria of a Hate Crime as defined by the Anchorage Police Department.
2. Determine if the incident qualifies as a Hate Crime as defined by the UCR. Recall that the UCR definition is more restrictive than the Anchorage Police Department's definition, in that only specified crimes can be Hate Crimes. Since those particular crimes also have definitions unique to the UCR, the Classifier must translate the reported event to UCR terms, then decide if the Hate Crime standards have been met. If so, the Classifier shall enter a tally on the appropriate accounting sheet. The Classifier is the sole authority on whether or not a reported event is a UCR Hate Crime for statistical purposes.

C. Captain of Detectives. If the Captain of Detectives does not agree with the Classifier that a Hate Crime has occurred, they shall merely assign the case as normal (re-route the case, or return to Classification). If, however, the Captain concurs with the Classifier that a Hate Crime (by APD standards) has occurred, they shall:

1. Assign the case, and
2. Establish the priority and intensity of the investigation. It is at this stage that the entire tone of the investigation is set, and the Captain of Detectives should weigh many factors when establishing how the department will respond to a particular allegation. The importance of this decision cannot be overstated.
3. Notify the Captain of Patrol. The purpose of this notification is to alert the Hate Crime Task Force, by way of the chain of command, that there is a Hate Crime to process, and what level of urgency is attached to it.

D. Captain of Patrol. The Captain of Patrol shall notify the appropriate member(s) of the Hate Crime Task Force (considering shift affected, nature of case, and other factors).

E. Hate Crime Response Team. The Hate Crime Response Team is an internal group comprised of department volunteers who have undergone advanced training in Hate Crime. Unlike the Classifiers, who are trained in the statistical aspects of Hate Crime, responders will have studied the dynamics of prejudice, victim sensitivity, and other investigative and

humanistic aspects. These volunteers are assigned throughout the department, and perform at least the following functions:

1. Act as shift/division consultants on Hate Crime.
2. Perform follow-up contacts with victims of Hate Crime. This follow-up can include investigative tasks as assigned, but is primarily for humanistic reasons. The exact techniques to be used shall be a topic of training, and beyond the scope of this procedure. However, the fundamental goal of such contact is clear: Reassure the victim(s) that the community wants the perpetrators identified and prosecuted; that the "statement" made by the malicious act does not represent the attitude of the community; and that they will receive the full protection of the police department.
3. Provide recommendations and observations to the department for enhancing the handling of Hate Crimes.
4. Act as liaison not only between the community and the Department, but between their shift/division and other divisions as well (Investigations, Crime Prevention, Training).

III MISCELLANEOUS

A. Charging. Some jurisdictions have specific legislation that allows elevating a normal criminal violation to a "Hate Crime" if all the standards are met (in other words, a vandalism could be elevated to the more serious charge of Hate Crime if the element of hate motivation could be established). Currently, Alaska has no such provisions, so charging is done without respect to any bias motives (so a vandalism is always charged as a vandalism. It cannot be elevated to anything else, even if clearly motivated by hate). However, in establishing the charge, officers/investigators would be well advised to research the applicability of AS 11.76.110(a), Interference with Constitutional Rights.

B. Recruitment and Selection of Hate Crime Responders. The Chief of Police or a designee shall accept and review applications from employees who wish to volunteer to be members of the Hate Crime Response Team. This group works entirely at the pleasure of the Chief. Appointments can be made and rescinded as needed and circumstances dictate.

C. Training. It is expected that all members of the Department receive at least the general training in Hate Crimes. That training, and the specific training required for Classifiers and Hate Crime Response Team members, shall be the responsibility of the Training Section of the Anchorage Police Department.

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This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.045 Missing/Runaway or Abducted Persons

PURPOSE

To instruct all personnel of the policies and procedures governing the investigation of missing/runaway or abducted persons.

POLICY

It shall be the policy of the Anchorage Police Department to reasonably investigate all reports of missing persons (both children and adults). Additionally, this agency holds that every child reported as missing will be considered at risk until considerable information to the contrary is confirmed.

Reports of missing persons will be accepted as soon as the call is received by dispatch, with no waiting period imposed to confirm the person's status.

If a question arises as to parental custody of a missing child, the Anchorage Police Department will accept the report of a missing child even if custody has not been formally established. Since the safety of a missing child is paramount, the Anchorage Police Department will begin an investigation when it can be shown that the child has been removed, without explanation, from his or her usual place of residence or current zone of safety (see definition below).

DEFINITIONS

Abduction: The circumstance in which a person is taken by an individual, through force or persuasion, usually in furtherance of additional victimization.

AMBER Alert: The Alaska AMBER Alert Plan is a voluntary partnership between law enforcement agencies and broadcasters to alert the public in the event of a child abduction. If the situation meets the appropriate criteria, the AMBER plan, will be activated. Area radio and television stations will interrupt programming to broadcast information about the abducted child, suspect and suspect vehicle, using the Emergency Alert System (EAS). This program is designed to gain public participation and support in passing on investigative leads to law enforcement to secure rapid and safe return of the abducted child.

Child: A person under the age of 18 years.

Child of tender years: A child who is at an age where he/she is generally incapable of fending for oneself, usually considered to be age 13 years or younger. This is not a fixed age, but a general guideline.

Missing Person Incident Command System: A temporary organizational system in which resources are established, organized, and controlled during a large scale missing or abducted person incident.

Missing Adult: A person who is 18 years of age or older whose absence is contrary to his or her normal patterns of behavior and may involve unusual circumstances.

Missing Child: A person under the age of 18 years whose whereabouts are unknown to the person having responsibility for him/her and who left their custody for unknown reasons or under unusual circumstances.

Runaway: A person under 18 years of age who is habitually absent from home, or refuses to accept available care (AS 47.10.390 (2)).

Zone of Safety: The zone of safety will vary depending on age. In the case of an infant, for example, the zone of safety shall include the immediate presence of an adult custodian, or the crib, stroller, or carriage in which the infant was placed. For a school age child, the zone of safety might be the immediate neighborhood or the route taken between home and school. In the case of an elderly person of diminished physical and/or mental health, the zone of safety might include the close proximity and availability of a caregiver familiar with that individual's condition and needs.

Unusual Circumstances:

1. The missing person is 13 years of age or younger. Younger people are in greater risk of being placed in danger or exploitation.
2. The missing person is believed to be out of the zone of safety (see definition) for his or her age and developmental stage.
3. The missing person is mentally incapacitated. If the person is developmentally disabled or emotionally disturbed, he or she may have difficulty communicating with others about needs, identity, or address. The disability places the person in danger of exploitation or other harm.
4. The missing person is drug dependent. In the case of a child, the term "drug dependent" shall refer to dependence on either prescription or illicit substances, since any drug dependency puts a child at substantially increased risk. In the case of an adult, the term "drug dependent" shall refer only to a dependence on legitimately prescribed drugs or medicines vital to the adult's continued physical well-being relating to an existing medically diagnosed condition. This in no way limits an investigating officer's discretion in determining exigent circumstances on specific situations regarding an adult's use of illicit drugs.

5. The missing person is a potential victim of foul play or sexual exploitation. Significant risk to the person can be assumed if investigation reveals indications of a possible abduction, violence at the scene of an abduction, or signs of sexual abuse.
6. The missing person has been absent from home for more than 24 hours before being reported to the police. While some persons may incorrectly assume that 24 hours must pass before law enforcement will accept a missing person case, a delay in reporting might also indicate the existence of neglect (in the case of a child) or abuse within the family.
7. Based on available information it is determined that the missing person is in a life-threatening situation. In Alaska, an example of this situation could involve being outdoors in inclement weather or not dressed for weather conditions.
8. Based on available information the missing person is believed to be in the company of persons who could endanger his or her welfare.
9. The absence is inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained. Most people have an established routine that is reasonably predictable. Significant and unexplained deviations from that routine increase the probability that the person may be at risk.
10. Other circumstances are involved in the disappearance that would cause a reasonable person to conclude that the missing person should be considered "at risk".

PROCEDURES

I. DISPATCH CENTER RESPONSIBILITIES

A. Upon receiving a report of a missing/runaway person, the Call-Taker shall determine if the circumstances of the report meet the definition of a missing child or adult and make a preliminary assessment about the level of risk to the missing person. The level of risk is based upon the number and type of unusual circumstances that exist. The Call-Taker shall obtain as much detailed information as possible and based upon the information that is received and,

1. Assign an expedited response to the call for service should the information indicate a missing person under unusual circumstances, or
2. Assign a routine response to the call for service should the information indicate the person is not missing under unusual circumstances, and
3. Notify the Dispatch Supervisor.

B. If the Call-Taker determines that the missing person is a runaway (see definition) with no unusual circumstances present and the complainant is an employee at a state run or supported facility (e.g. Camp Carroll or Booth Memorial), or the minor has been reported runaway 3 or more times within

the last 12 months the call taker can transfer the call to Records for a report to be taken.

1. The Records Clerk shall follow all applicable guidelines that are established and outlined this policy. This should include calling Office of Children's Services answering service and leaving a message.
 - a). Records will contact dispatch if there is any information on the possible whereabouts of the runaway. Dispatch will have a patrol unit respond and attempt to contact/recover the runaway.
2. The Dispatcher will broadcast a locate for the missing person and
 - a) Dispatch an officer to the scene of the report per the assigned priority level for the circumstances referred to above (I.A.1 & 2.). If the report is being made from school grounds by any person and there is a School Resource Officer available, a School Resource Officer should be utilized as the initial responder, and
 - b). notify a Patrol Supervisor of the incident.
3. In the event of a missing person under unusual circumstances the Dispatch Supervisor shall:
 - a). Search department records for any related information. It is essential for responding officers to know if the person or family has been the subject of previous reports that might have a bearing on this incident. If possible, records should also be reviewed to learn if any incidents have been reported in the area that might have investigative value in this case. Complaints such as attempted abductions, prowlers, public lewdness, and suspicious persons will be of particular interest.
 - b). Access should be made to the Sex Offender Registry to determine if individuals designated as sexual predators reside, work, or might otherwise be associated with the area. Access can be made to the registry through the State of Alaska web site at www.dps.state.ak.us.
 - c). Consider providing stand-by notification to the APD Auxiliary Search Team if initial information appears as though they may be needed. It is their desire to receive notification as soon as possible in order to lessen their response time if it is determined they will be needed. Determine through the Incident Commander, who in the early stages will likely be the Patrol Supervisor) who will be designated the Search Team Manager from APD and have Auxiliary Search team coordinate with them (see Incident Command Structure below).
 - d). When instructed by a commander activates the Alaska AMBER Alert system. Amber alerts will be issued only when it has been determined that the following specific requirements have been met:
 - i The abduction involves a child or children under the age of 18 or someone with a known mental or physical disability;

- ii. Officers are reasonably certain that an abduction has occurred and the victim is believed to be in grave danger of serious bodily harm or death; and,
- iii. Enough descriptive information is available about: the victim; the suspect; and/or the suspect's vehicle to assist with the safe recovery of the victim and/or the apprehension of the suspect.
- iv. Amber Alerts are not to be used for Runaway or Family Abductions, unless investigation determines that the victim's life is in immediate danger. Refer to the Alaska Amber Alert plan in dispatch for complete details.

e). Ensure that the missing person is correctly entered into the NCIC Missing Person File. The recommended categories are listed below:

- i. "CA". The Child Abduction flag will automatically notify the National Center for Missing and Exploited Children and the FBI's National Center for the Analysis of Violent Crime of missing children cases. The "CA" flag is used when there is a reasonable indication or suspicion that a child has been abducted and/or is missing under circumstances suggesting foul play or a threat to life.
- ii. "MKE*/EMD". The Disability coding for a person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him or herself or others to personal and immediate danger.
- iii. "MKE/EME". The Endangered coding for a person of any age who is missing under circumstances indicating that his or her safety may be in danger.
- iv. "MKE/EMI". The Involuntary coding for a person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary (i.e., abduction or kidnapping).
- v. "MKE/EMJ". The Juvenile coding for a person younger than the age of 18 who is missing and does not meet any of the entry criteria set forth in the other categories.
- vi. "MKE/EMV". The Catastrophe Victim coding for a person of any age who is missing after a catastrophe.

II. INITIAL RESPONDER'S RESPONSIBILITIES

A. The first responding officer(s) to the scene of a missing person/runaway call shall employ the following considerations:

1. Respond directly to the scene of the report.
2. Interview the person(s) making the report. It is important to interview for the purpose of risk assessment.

3. Obtain a detailed description of the missing person and broadcast an updated locate via, radio, MDT and Dispatch. Obtain recent photographs, video tape, or any other identifying sources for the missing person.
4. Verify that the person is in fact missing by personally checking the house and grounds including places where a person could be trapped, asleep, or hiding. Do not assume that a thorough search was conducted by those making the report. The home of the missing person should be searched even if the missing person was last seen elsewhere. Document the areas of the house searched and by which officer.
5. In the case of a child, confirm the child's custody and obtain non-custodial parent information if applicable.
6. Determine the circumstances of the disappearance. The first responding officers need to ascertain whether the circumstances surrounding a person's disappearance are such that a heightened level of response is warranted. If "unusual circumstances" exist (see definition), then the decision to employ additional responders and resources is clear. In other situations where the circumstances are not clear, officers should keep the missing person's safety in mind and act accordingly.
7. Determine when, where, and by whom the missing person was last seen. This information is needed to determine factors such as abduction time frame or window of opportunity and to verify previously received information.
8. Interview the individual(s) who last had contact with the missing person. Effective questioning of those individuals who last saw or spoke with a missing person is important in the case-assessment process. While seeking information about the person's appearance, demeanor, and actions, officers also should be alert to contradictions or evasiveness by the witness, especially if these statements cannot be readily substantiated.
10. Identify the missing person's zone of safety (see definition) for his or her age and physical and mental state. Responding officers should attempt to determine how far the missing person could travel from the location where last seen before he or she would most likely be at risk of injury or exploitation. This perimeter should, under many circumstances, define the first search zone.
11. Make an initial determination of the type of incident. By employing all available assessment tools (interviews, witness statements, scene search, etc.) an officer should be able to reach a preliminary determination regarding the type of case and the need for additional resources. Officers must be cautious in "labeling" or classifying a missing person case, since the classification process will affect the way in which information or evidence is gathered. Even if first indications suggest a "less urgent"

incident, officers should consider all possibilities until the case category is clearly determined.

12. In the case of an abduction, obtain a detailed description of the suspected abductor(s) and other pertinent information. If the abduction involves a business or other public place, officers may be able to obtain surveillance video from security cameras that might provide information about suspects, vehicles, and circumstances. In the case of a suspected family abduction, the reporting party may have photographs of the abductor or other valuable information.

13. Have dispatch enter the victim into the NCIC Missing Person file with the appropriate NCIC category and circumstance code (see I.B.3. above).

14. Identify and interview all involved parties at the scene. The name, address, home, work, and cell phone numbers of all involved at the scene, along with their relationship to the missing person, should be recorded.

15. Conduct a thorough scene search. With the assistance of additional personnel (potentially the crime scene team), a systematic, thorough search of the incident scene should be conducted. If appropriate, officers should obtain written permission to search houses, apartments, outbuildings, vehicles, and other property that might hold information about the person's disappearance. Officers are reminded to conduct a thorough, immediate search of the missing person's home and property, even if the disappearance supposedly took place elsewhere. When possible officers should also search a missing child's school locker as well as any computer or electronic messaging systems to which a child has access.

16. Secure and safeguard the area as a potential crime scene. Initial responding officers must take control of the immediate area where the incident occurred and establish an appropriate perimeter to avoid the destruction of evidence. In addition to external crime scenes, the missing person's home, and particularly his or her bedroom, should be secured.

17. Determine whether the person has access to an online computer, cellular telephone, pager or any other wireless communication device. Before making a decision that an adult is missing voluntarily or that a child has run away, an officer should determine if the person may have left to meet someone he or she encountered while online. Since predators are known to use the Internet to identify vulnerable persons, what appears at first to be a "runaway" case may in fact be an abduction/kidnapping by an online predator.

18. Officers shall make reasonable efforts to locate a person reported as a runaway/missing even if unusual circumstances don't exist. Reasonable efforts could include;

- a). attempting to locate the runaway at another residence or location where they are suspected to have gone now or in the past

- b). attempting to call known associates who might know where the person may have gone
- c). consider the possibility of contacting the school resource officer for the school that the runaway attends. They can be useful in determining known associates.

19. Determine if a runaway has been to Covenant House or another living facility before. Contact could be made with the facility to determine if the runaway is currently there or has been there recently. Officers are advised to speak with an on duty facility supervisor if difficulty is encountered after fully explaining the need for the information.

20. Check all hospitals, D.O.C. detention centers, MYC, etc. and document the results.

21. Officers are encouraged to provide the booklet, Anchorage Community Emergency and Advocacy Resources to the complainant. Resources are available in the booklet for parents of runaway children.

22. Prepare necessary reports and complete appropriate forms. Reports should be very detailed and not just cover those events that seem to have a direct bearing on the case.

23. All reports made about a missing/runaway juvenile should be referred to the Office of Children's Services for their review. This can be done by leaving a telephone message with the answering service (currently 269-4000) and providing them with the officer's name and DSN, the case number, and a brief description of the circumstances and the involved parties.

III. PATROL SUPERVISOR'S RESPONSIBILITIES

A. The patrol supervisor shall be responsible for obtaining a briefing from the first responder(s) at the scene of a missing person under unusual circumstances. This briefing allows the supervisor to determine the scope and complexity of the case and develop an appropriate response. The briefing should be conducted away from family, friends, or any other individuals who may be present. Doing so will allow officers to speak freely about the events that have transpired and pass along initial impressions and opinions that might be misconstrued by others.

B. Supervisors are advised to consider whether the report of a missing person has occurred on state property (e.g. Eklutna, Flat Top, and Chugach State Park). If it has, we will then act as support for the State Troopers or Parks Officers. Under AS 18.60.150, the state has the authority and responsibility to investigate.

C. Determine if additional personnel and resources are needed to assist in the investigation (e.g. Crime Scene Team, Detectives, APD Auxiliary Search Team, K-9, Public Information and Community Relations Unit, Federal Bureau

of Investigation). The supervisor is required to make contact with the Commander of the particular division if additional resources are needed

D. Supervisors shall contact the local FBI office if the child is of tender years or when a confirmed non-custodial abduction has taken place. The FBI is mandated by congress to investigate these types of incidents. There is no requirement for the child to have been transported across state lines or for a ransom demand to have been issued. The FBI has no elapsed time requirement before becoming involved in an investigation. The FBI has available Child Abduction Rapid Deployment Teams with special skills and training that can quickly augment the local FBI field office's resources (see FBI memo: FBI Response to Child Abductions, dated 12/1/2005).

1. FBI resources and investigative personnel shall be used in conjunction with the Incident Command Structure as defined in this policy.

E. If appropriate, consider activation of the Alaska Amber Alert system or other immediate community notification methods. If circumstances indicate the chances for the person's survival would be increased by immediate public awareness, a supervisor should contact a commander and request an activation.

F. If Patrol does not locate a child or an endangered adult missing under unusual circumstances within one to two hours of their initial response, consider establishing a basic Missing Person Incident Command System.

G. Establish a command post if needed. A command post is a field headquarters for scene management. It is used as a center for organizing personnel and directing investigative efforts as well as a focal point for inquiries, intelligence gathering, and media contacts. A command post should be established when the number of people at the scene exceeds the capability of the on-site supervisor's ability to exercise control. The command post should not be located in the home of the missing person.

H. Determine the Incident Commander position. Contact the Patrol Commander and determine who will be the most likely candidate to be the Incident Commander. The on scene supervisor will likely take the initial Incident Command position, however as the operation grows from a search and rescue operation to a search and investigate operation, the Incident Commander will move from being filled by patrol position to one held by an Investigation Supervisor or Commander. There shall always be a single Incident Commander and they shall remain at the command post at all times as the scene commander until relieved and duties transferred to the next Incident Commander.

I. Organize search and rescue efforts. The supervisor should appoint an Operations Manager who can oversee operation resources, including the search effort while the supervisor remains available to manage the entire search operation.

J. Organize Investigation efforts. Contact the Homicide Commander or the Homicide Supervisor should appoint at least two investigators (Homicide, Missing Persons Investigator, and/or CACU Detective) who can oversee the criminal investigation while the Incident Commander remains available to manage the entire incident.

K. Ensure that all required notifications have been made. Because dissemination of information is an integral part of the search for a missing person, the supervisor should ensure that all officers, other departments and agencies, and all investigative networks are supplied with accurate details.

L. Establish a liaison with the missing person's family. Families of a missing person will experience extreme stress. Supervisors should establish a liaison with the family who can explain what investigative actions are being employed and what they can do to assist in the search.

M. Supervise the situation. In addition to providing the necessary direction required in a missing person investigation, the supervisor also ensures that policies and procedures are adhered to.

N. Manage media relations. Many missing-person investigations, especially those involving large-scale efforts, are likely to draw media attention and may create added confusion for a supervisor at an already turbulent scene. The supervisor should request that the Public Information and Community Relations Unit (PICRU) send someone to be the media liaison.

O. If the investigation would be aided by the immediate broadcast of the person's description and photograph, a press conference held at the command post will be of value. Broadcast the Department's telephone number (786-8900) for use by individuals who have information on the case.

IV. DETECTIVE COMMANDER'S RESPONSIBILITIES

A. Upon receiving notification of a missing person or child under unusual circumstances, the Detective Commander shall:

1. Contact the Patrol Supervisor or the current Incident Commander for a situational briefing.

2. Based upon the information known at the time, the Commander will contact the appropriate supervisor and assure that at least two(2) Detectives are assigned from either/or:

- a). Homicide

- b). Crimes Against Children

- c). The Missing Person Investigator

3. One of the investigators shall be designated as the Case Officer.

4. If the situation warrants that a higher level of response or that the situation appears to be moving from a search and rescue to a search and investigate operation then:

a). Designate an Incident Commander from within the Detective Division to respond to the scene/Incident Command Post and take over the Incident Commander responsibilities. There shall always be a single Incident Commander and he or she shall remain at the command post at all times as the scene commander until relieved and duties transferred to the next Incident Commander.

V. DETECTIVE'S RESPONSIBILITIES

A. The responding detective(s) will report to the Incident Commander.

B. The case detective(s) is responsible for the investigative assessment and coordination of any criminal investigation. The Case Detective will work with the Incident Commander who is responsible for overseeing the search operations and resource management.

C. In addition, the Case Detective will be responsible for communicating investigative needs to the Incident Commander or a designated Operation Manager.

D. Debrief first responders. The detective(s) assigned to the report of a missing person under unusual circumstances shall be responsible for debriefing the first responders. This briefing should be conducted prior to interviews with family members of the missing person or witnesses identified during the initial stage of the investigation. Its objective is to assist the detective(s) in formulating effective interview and case strategies.

E. Interview witnesses. After interviewing family members, neighbors, witnesses, and other individuals, detectives should "compare notes" with the first responder(s), immediate supervisor, and other department personnel who have had contact with the persons interviewed. This collaborative evaluation will provide the investigative staff with a solid foundation upon which to structure future case direction.

F. Verify the accuracy of all descriptive information.

G. Conduct a neighborhood canvass. A thorough canvass of the neighborhood should be conducted without delay. The objective is to identify all persons within the abduction zone who may be able to provide information related to the incident. Investigators should use a standardized set of questions to ensure completeness and uniformity of information and facilitate establishment of a database to track leads. Consider making a video recording of the area to fully document the current conditions. The new video could be compared to older photos or videos to determine if changes are noted. Access should also be made as soon as practical to the Sex Offender Registration list to determine if sexual predators reside, work, or might otherwise be associated with the area. Access can be made to the registry through the State of Alaska web site at www.dps.state.ak.us.

H. Obtain a brief history of recent family dynamics from persons at the scene, and verify, to the extent possible, the accuracy of that information. Such information can offer valuable insights as to what may have happened to the

person and/or where the person may now be located. Neighbors, teachers, classmates, employers, coworkers, and witnesses can offer valuable insights into what may have happened. The Office of Children's Services (OCS) and any other relevant social service agencies should also be contacted and records obtained and evaluated.

I. Implement effective case management. An information-management system is an essential part of the overall investigative process. Depending on the resources available, information may either be computerized or incorporated in a simple card system. Both methods are used to record, index, cross-reference, and retrieve the facts amassed during an investigation. The method does not matter as long as the system works for the investigator in charge of solving the case. In a large, ongoing investigation, a single detective may be designated to be a case management officer, who is responsible for incoming information, leads and case management.

J. Evaluate the need for additional resources and specialized services. The complexity of many missing-person incidents may necessitate the use of resources and services both from within the Department and from other organizations as well. Investigators should be aware of the input that can be obtained from resources such as the FBI; NCIC; state missing children's clearinghouses; and National Center for Missing & Exploited Children (NCMEC), in particular Team Adam, which is a rapid-response team of experienced law-enforcement investigators available at no cost.

K. Update descriptive information. If it appears that the case will not be promptly resolved, investigators should ensure that the descriptive record, especially that entered into the NCIC Missing Person File is updated to include dental characteristics, scars, marks, tattoos, and fingerprints along with additional articles of clothing, jewelry, or unique possessions.

L. Monitor media relations. While information gained through effective media relations is often of significant value in a missing-child case, investigators should review all notices prior to release to ensure that investigative objectives are not unintentionally compromised.

VI. INCIDENT COMMANDER'S (IC) RESPONSIBILITIES

A. All incidents, regardless of size of complexity, will have an Incident Commander.

B. The command function is directed by the Incident Commander, who is the person in charge at the incident, and who must be fully qualified to manage the incident.

C. In small-scale incidents, all of the components may be managed by one person, the Incident Commander (IC). The Incident Commander can initially be any Supervisor, including a patrol Supervisor, who takes command.

D. As an incident grows, the IC shall delegate authority for performing certain activities, transfer of command, and establish the other command positions as needed.

E. As the incident moves from a Patrol based search and rescue to a Detective based search and investigation incident the Incident commander will likely be the Homicide Supervisor or may be designated by the Detective Commander or their designee.

F. In a 24-hour-a-day Incident Command Center, there will always be an Incident Commander present.

G. The priorities for the Incident Commander are:

1. Life Safety: The safety of the emergency responders and the public.
2. Incident Stability: to maximize the response effort while using resources efficiently.
3. Establishment of the Incident Command Post
 - a). Considerations of establishing an incident Command Post include:
 - i. Proximity to operation assignments
 - ii. Proximity to possible hazards
 - iii. Access Routes
 - iv. Space
 - v. Security
 - b). The incident command post should not be located in the home of the missing person.

H. In large-scale incidents usually require that each component, or section, is set up separately and each is run by a manager (Operations, Investigations, Logistics, Finance, and Planning)

1. Operations Manager

- a). Responsible for carrying out response activities based upon search and investigative requests
- b). Direct and Coordinate all operations
- c). Request resources through the Incident Commander
- d). Maintain operational information and communicate Operations Activities status to the IC and IC Staff
- e). Designate single Branch Managers to oversee resource groups such as
 - i. APD Search Team Coordinator
 - ii. Auxiliary Search Teams

iii. Tip Line Call takers

iv. Patrol

v. Detectives

vi. K9

vii. Helo/Air Search

2. Communicate with the Branch Managers and maintain a proper flow of information to the IC and the case detective.

a). Investigations

i. An investigation is the responsibility of the case detective.

ii. In lengthy investigations, there will need to be two primary investigators who can work in shifts.

iii. Investigations will work with the IC and Operations to coordinate operational needs of the investigation while still allowing search efforts to continue simultaneously.

3. Logistics Manager

a). Responsible for providing facilities, services, and materials including locating and locating and directing personnel resources to Operations Manger.

4. Finance Manager

a). In large scale and long term operations a person shall be designated to oversee the tracking of costs and accounting for reimbursements.

5. Planning Manager

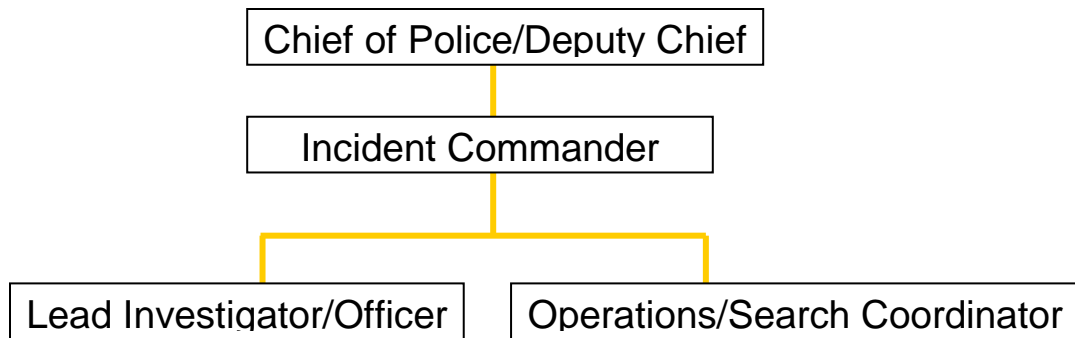
a). Responsible for collecting, evaluating, and dissemination of information regarding the incident and the status of resources.

b). Responsible for creating ongoing Incident Action Plans (IAP) and making the information available during shift handoffs and other briefings.

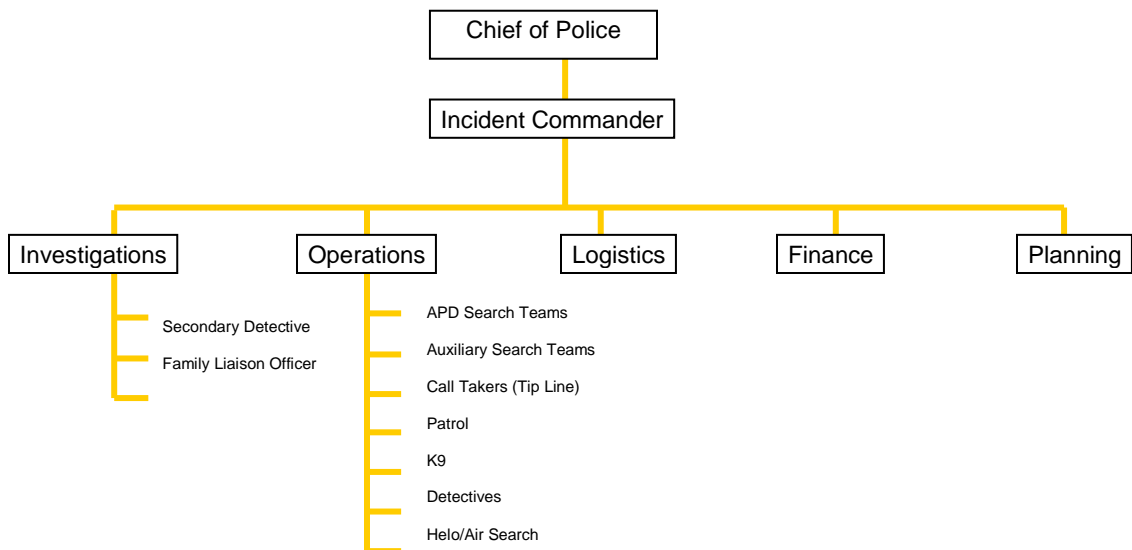
I. In addition, the Incident Commander may need to establish:

1. 24 hour/12 hours shifts and hand off procedures for the case detective(s), Incident Commander, and other critical positions such as Operations, Logistics, and Planning positions.

Sample of a small scale Missing Persons Incident Command Structure



Sample of a large scale Missing Persons Incident Command Structure



VII. RECOVERED MISSING PERSONS

A. Runaways. Should officers locate a runaway, the following steps should be followed:

1. As with a warrant service, ensure:
 - a). The individual suspected of runaway status is fully identified; and
 - b). that the minor is, in fact, on runaway status.
2. Officers are reminded that even protective custody allows for response to resistance, both for officer safety and to effect custody. See "Response to Resistance" (3.05.025)
3. Once the confirmed runaway is in protective custody, the officer must comply with Alaska Statute 47.10.141(b) (1) and any other applicable provisions of Title 47.

<http://touchngo.com/lglcntr/akstats/Statutes/Title47/Chapter10/Section141.htm>

4. Officers will occasionally encounter legal custodians who will refuse to accept custody of the minor, as well as minors who will refuse to be placed with the legal custodian or in a location designated by Health and Social Services. In those cases, the officer will:

- a). Advise the social worker of the situation and carry out the instructions given;
- b). Consider advising the minor that refusal to accept available care can subject him/her to Family Court jurisdiction, and that leaving court ordered placement may result in criminal contempt charges.

5. Officers are encouraged to investigate the circumstances surrounding the runaway and any events occurring while on runaway status. Runaway is often symptomatic of other problems, and officers may obtain leads on more substantial criminal activities.

6. A supplement to the original Missing Person/Runaway Report shall be completed and notification of an NCIC/APSIN operator is required to remove the subject from the computer. If a new case number is going to be drawn reference the contact with the Runaway, the officer still has to complete a Supplement to the original report.

7. A supplement to the original Missing Person/Runaway Report shall be completed and notification of an NCIC/APSIN operator is required to remove the subject from the computer. If a new case number is going to be drawn reference the contact with the Runaway, the officer still has to complete a Supplement to the original report.

a). Officers will ask juveniles the following questions when completing a runaway recovery supplement:

i.. When you ran away:

- (1). Where did you go?
- (2). Who were you with?
- (3). Did anyone do anything to hurt you?

ii. Can you tell me why you ran away?

iii. Is anyone where you are supposed to be living hurting you?

iv. Is anyone where you are supposed to be living touching you in ways that make you feel uncomfortable?

v. If you are returned to where you are supposed to be living will you run away again?

- (4). What would have to change to keep you from running away again?

b). If the answers yield information that requires an immediate response, officers will handle it as a new criminal case and take appropriate action.

7. All supplemental reports made about a missing/runaway juvenile should be referred to the Office of Children's Services for their review. This can be done by leaving a telephone message with the answering service (currently 269-4000) and providing them with the officer's name and DSN, the case number, and a brief description of the circumstances and the involved parties.

a). If the recovered runaway alleges to be a victim of a new crime, or is a recovered habitual runaway, the officer shall contact OCS and make a Protective Services Report.

B. Adults. Should officers locate an adult who is the subject of a Missing Person report, the officer shall:

1. Verify that the located person is, in fact, the reported missing person.
2. Inform the located person that he or she is the subject of a missing person investigation. Unless the officer has reason to believe that the located person is not a competent adult, the officer shall determine the person's willingness for the police to reveal his or her whereabouts. To the extent possible, a person's desire to remain hidden shall be honored.
3. Notify the initial reporting person(s) of the well-being and, if the located person consents, the physical whereabouts and contact information of the person who has been located.
4. A Supplement to the original Missing Person report shall be completed and notification of an NCIC/APSIN operator is required to remove the subject from the computer. If a new case number is going to be drawn reference the contact with the Missing Person, the officer still has to complete a Supplement to the original report.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.050	
Policy and Procedure Title Sexual Assault Response	Effective Date 8/10/2009	Page 1 of 7
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.050 Sexual Assault Response

PURPOSE

To instruct all sworn officers of the Anchorage Police Department on the procedures regarding the investigation of sexual assaults.

POLICY

That all reports of sexual assaults be investigated promptly and thoroughly to enhance the likelihood of prosecution, and in a manner so as to maintain the dignity of the victim.

DISCUSSION

Because of the extremely sensitive and personal nature of sexual assaults and the widely ranging sets of emotions exhibited by the victims of sexual assault, great care should be taken by investigating officers to avoid judging the validity of an assault report based on the victim's demeanor. Delays in reporting such an assault should not be deemed indicative of a false claim. A lack of emotion and delay in reporting a sexual assault are both symptoms of Rape Trauma Syndrome which are commonly mistaken as indicators of insincerity or false accusations. Officers taking the initial report should strive to remain neutral in their judgment while remaining supportive of the victim's emotional needs. A complete and thorough investigation of all known facts must be done before a determination of validity can be made.

In reviewing the statutes, one finds eleven distinct categories of sexual assault. Each has particular elements which must be present to constitute that form of sexual assault. A thorough understanding of the terms used and their definitions is essential to properly identifying and prosecuting any crime, especially sexual assault.

DEFINITIONS

Sexual Contact: The defendant's knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or knowingly causing the

victim to touch, directly or through clothing, the defendant's or victim's genitals, anus, or female breasts but does not include acts that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child, or acts performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promote the physical or mental health of a person being treated. [AS 11.81.900 (b)(58)].

Sexual Penetration: Genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion of an object or any part of a person's body into the genital or anal opening of another, but does not include acts performed to administer a recognized and lawful form of treatment reasonably adapted to promote the physical health of the person being treated. [AS 11.81.900 (b)(53)].

Serious Physical Injury: Physical injury caused by an act performed under circumstances that create a substantial risk of death, or physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy. [AS 11.81.900 (b)(50)].

Without Consent: When a person, with or without resisting, is coerced by the use of force against a person or property, or by the express or implied threat of death, kidnapping, or imminent physical injury to anyone, or is incapacitated as a result of an act by the defendant. [AS 11.41.470 (3)].

Attempt: With intent to commit a crime, engages in conduct which constitutes a substantial step towards commission of that crime. [AS 11.31.100(a)].

REFERENCES

A.S. 11.41.410 (a). Sexual assault in the first degree.

A.S. 11.41.420 (a). Sexual assault in the second degree.

A.S. 11.41.425 (a). Sexual assault in the third degree.

PROCEDURES

I. JURISDICTION

A. Anchorage Police Department's Responsibility. The Anchorage Police Department is responsible for:

1. Any sexual assault occurring within the Police Service Area; and
2. Any sexual assault occurring outside the Police Service Area but was precipitated by events occurring within the Police Service Area which caused the victim to be taken from the Service Area by means of deception or coercion for the purposes of sexually assaulting the victim.

B. Exceptions to Jurisdiction. Because of overlapping areas of responsibilities, there are exceptions to the jurisdictions cited above. Although these locations are within the Anchorage Police Service Area, the Department does not have primary responsibility for investigating sexual assaults that occur there. These locations include:

1. State Correctional Facilities.
2. Military Reservations except when civilians are involved.
3. Alaska State Courthouse (except that the parking lot is APD's jurisdiction).

II. OFFICERS' RESPONSIBILITIES--INITIAL

A. Medical Attention. As with any assault case, an officer's initial concern is the physical welfare of the victim. If medical attention is required or sought, officers shall ensure that victims are expeditiously transported to the medical facility of their choice.

B. Preliminary Interview. The preliminary interview is to establish the following:

1. Determine what occurred to compare the actual events to the elements necessary in establishing sexual assault as the crime; and
2. When it occurred; and
3. How force was applied; and
4. Where it occurred; and
5. Who the assailant was, including a physical description; and
6. Any suspect vehicle description; and
7. Any possible location of the assailant; and
8. The identity and/or location of any witnesses.

C. Taped Interviews of Victim. Officers shall obtain a taped interview with victims as soon as practical, keeping in mind their emotional state.

D. Operationally Sensitive/Not for Publication.

E. Broadcast of Information. If warranted, officers shall broadcast a locate for the assailant based on the information provided in the preliminary interview. Officers should consider not broadcasting a locate if the case will require supporting information through a "glass warrant" conversation with the victim.

III. OFFICERS' RESPONSIBILITIES--INVESTIGATION

A. Departmental Notifications. The general interview may reveal facts necessitating immediate notification(s) within the Department. Should any of the following conditions exist, notification is required as described:

1. If the victim is 16 years of age or older, notify the Supervisor of the Special Victim's Unit; or
2. If the victim is 15 years of age or younger, notify the Supervisor of Crimes against Children Unit. However,

3. If any Departmental notification is required but the appropriate Unit Supervisor is not available, then notify the Lieutenant commanding the Sexual Assault Units.

4. Officers may be required, at the direction of the Detective Unit Supervisor, to transport victims to the SART center.

B. Other Notifications. Officers may have other notifications to make as well. Depending on the circumstances, these could include:

1. "Standing Together Against Rape" (S.T.A.R). Note the following:

a). Advisement. Officers shall advise victims that the organization "S.T.A.R." is a free service available at all times.

b). Notification. If the services of "S.T.A.R." are requested, officers shall make or cause to make such notification.

2. Victim's requests. Should the victim request any other notifications be made, officers shall make all reasonable efforts to comply. They might suggest family, friends, or others who could provide emotional support.

C. Interviews. If Detectives do not respond, it is the Patrol Officer's responsibility to prepare the case. Central to this is taking statements. Officers shall record all statements made by witnesses, suspects and victims. Be especially mindful of the value of separating the interviewees:

1. Victims may be reluctant to discuss the event if someone they know is present (if, however, they are uncomfortable alone, it would be proper to allow the presence of a supporting friend or family member).

2. Witnesses must relate their independent observations, not the collective thoughts of a group interview.

3. Suspects must be given their full Constitutional protections if a custodial interview is conducted.

D. Information. In completing the field report, officers must include sufficient personal data on all persons to facilitate later contact and to identify unknown persons.

E. Operationally Sensitive/Not for Publication.

VI. PREPARATION OF EVIDENCE.

A. Sexual Assault Protocol Kit. The kit should not be accepted from the medical staff until properly sealed. It should contain whole blood, which requires that the entire, unopened kit be placed and logged into the APD evidence refrigerator as soon as possible.

Note: Supervisors have keys to enter that area after normal hours. The Protocol kit must not be allowed to freeze, nor be exposed to heat (such as being near the car's interior heater).

B. Clothing. Officers shall enter each piece of clothing into evidence under separate evidence tags. Wet clothes or other moist items must be properly dried in the evidence drying area before being submitted.

1. Damp items will not be placed in plastic bags. Use paper bags as provided (see Property and Evidence procedures).

C. Suspect evidence collection kit (if applicable). Every item specified in this kit, plus all other items seized as evidence, shall be individually bagged and tagged.

D. Blood-infused material shall be submitted to the Property Section in accordance with the provisions outlined in the "Hazardous Property" portion of the Property and Evidence procedures.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.055	
Policy and Procedure Title Anonymous Reporting of Sexual Assault	Effective Date 8/10/2009	Page 1 of 4
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.055 Anonymous Reporting of Sexual Assault

PURPOSE

To advise all employees of the procedures regarding the anonymous reporting of sexual assaults.

DISCUSSION

The intent of the US Violence Against Women Act (VAWA 2005), which mandated anonymous or restricted reporting policy, is to allow victims of sexual assault time to decide whether or not to pursue their cases and still allow for the collection of forensic evidence from the victim. Being an extremely traumatic event, some sexual assault victims are unable to decide immediately whether they want to cooperate with law enforcement. Because forensic evidence can be lost as time progresses, such victims should be encouraged to have the evidence collected by submitting to a Sexual Assault Forensic Medical Examination (SART Exam) as soon as possible without being forced to decide to initiate a report to police.

Anonymous reporting presents challenges to the SART program as well as to APD. Non-law enforcement SANE nurses will perform triage on cases which were previously triaged by Special Victims Unit personnel. The identity of the victim who chooses to report anonymously needs to be guarded. The evidence gained still needs to be retained by APD in compliance with strict chain of custody requirements. The victim needs to understand clearly that prosecution will be hindered greatly by significant delay in law enforcement's notification and investigation of the case.

In order to comply with VAWA and to fulfill our mandate to investigate and prosecute sexual assault, the following procedures will be followed for anonymous reporting cases:

DEFINITIONS

For the purposes of this policy the following terms are defined as:

Anonymous Reporting: (Synonymous with Restricted Reporting) Essentially, a report of sexual assault which is made enabling the victim to receive a Forensic Medical Exam at no cost to the victim and/or without requiring the victim to cooperate with police.

Forensic Medical Examination: "An examination provided to a sexual assault victim by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in a court of law."

The examination should include at a minimum:

1. Examination of physical trauma;
2. Determination of penetration or force;
3. Patient interview; and
4. Collection and evaluation of evidence.

The inclusion of additional procedures (e.g., testing for sexually transmitted diseases) to obtain evidence or provide treatment may be determined by the State in accordance with its current laws, policies, and practices." DOJ Office of Violence Against Women publication: *FREQUENTLY ASKED QUESTIONS ON STOP FORMULA GRANTS*; Updated November 21, 2007; p. 22.

PROCEDURE

I. CASE SCREENING

A. Anonymous report cases will be directly screened by the SART Clinical Supervisor* or her designee according to triage standards established by Providence Hospital in accordance with the PROV-SART-1 Grant Agreement.

1. The place in which the sexual assault took place shall be determined and SART personnel in turn shall comply with the policy of the responsible law enforcement agency which has jurisdiction in taking the anonymous report.
2. Military restricted reports will be handled by military investigators.

* APD SVU will assume the duties for triage in anonymous reporting cases if and when APD assumes responsibility for the grant administration or should APD become responsible for payment for SART exams.

B. If a victim reports to Anchorage Police Department and then, at any point during the investigation or the exam, decides to not cooperate with law enforcement these cases will not be considered anonymous cases. Cases previously triaged by APD will not be accepted for anonymous report forensic exam. (This will not prevent SART from medically evaluating the reporter for referral to other medical providers.)

C. The anonymous reporting option will not be offered to minors and vulnerable adults due to mandatory reporting requirements of Alaska Statutes.

1. Minor is defined by AS 47.17.290(1) as 17 years of age or younger or;

2. Vulnerable adult is defined by AS 47.24.900 (16).

II. DOCUMENTATION

A. When contacted by SART medical personnel with an anonymous report, Dispatch shall draw case numbers under the heading "RAPEAN." This APD case number will be communicated with the SANE for the purpose of cross reference.

B. The SART case number shall be used in place of the victim's name on the report. The report shall include only such general identifying information as to provide statistical data. The following data will be found on the exterior of the Sexual Assault Protocol Kit including:

1. Date and time of assault.
2. General location (street/intersection) of the assault.
3. Age of the victim.
4. Race of the victim.
5. Gender of the victim.

Note: No suspect information will be provided or noted at this point in time. The suspect's identity will be determined if known to the victim when the victim reports to Police.

C. The body of the report shall state the time and date that the report was taken, the name of the Sexual Assault Nurse Examiner from whom the report was taken and that the report is an anonymous report of sexual assault. (Sample Narrative: On 5-8-08 at 1800 hours I responded to the SART Center and was informed by SANE Susan Smith that she had conducted a forensic medical examination on a victim identified by SART Case # 08-23. I seized the evidence provided by SANE Smith and entered it into APD Evidence Section for storage,(End of Sample Narrative)) The case status shall be "Closed."

D. Detectives and patrol officers shall avoid contact with the victim unless the victim wishes to make a report to APD.

E. SANE nurses shall focus their questioning of the victim to medically relevant issues as health care providers. They shall not conduct a criminal investigation of any kind nor collect information regarding suspect identity (other than the name if known) or circumstances surrounding the sexual assault which do not have direct relevance to the health care issues of the victim or to the collection of evidence from the victim. (See US Supreme Court Crawford Decision)

III. EVIDENCE HANDLING

A. When the Forensic Medical Examination is completed, the SANE will contact the SVU Supervisor, who will have a detective receive and place the evidence into APD Evidence and complete the original report.

- B. The sealed Sexual Assault Protocol Kit containing the evidence, a CD of the photographic evidence, and a completed Alaska State Crime Lab sexual assault evidence form as well as the victim's clothing and any other relevant evidence shall be seized from the SANE by the officer or detective and entered into APD Evidence Section according to the standard evidence submittal procedures.
- C. The victim's name will not be placed on the evidence submission form or on the exterior of any evidence-containing package. Only the SART case number shall be used as a specific victim identifier.
- D. Anonymous reporting evidence shall not be opened, viewed or processed without the consent of the victim or by authority of Court order.
- E. APD Evidence Section will retain evidence from anonymous reports for 5 years after which the evidence will be transferred to Alaska State Troopers for retention.

IV. ANONYMOUS REPORT TO UNRESTRICTED REPORT

- A. SART, STAR (Standing Together Against Rape) or the victim themselves may contact Dispatch to make known the desire of the victim to cooperate with police and make a report of the sexual assault.
- B. If the call is made during duty hours, Dispatch will contact the Special Victims Unit supervisor to have a detective take the report; if not during duty hours a patrol officer will be dispatched. The case will be triaged like any other sexual assault case at that point. The fact that an anonymous report has been made will not affect the case triage. If the case warrants an immediate response by detectives, that decision will be made by the Special Victims Unit supervisor or his/her designee.
- C. The case will then be pursued as any other sexual assault case.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.060	
Policy and Procedure Title Stolen-Recovered Vehicles	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.060 Stolen- Recovered Vehicles

PURPOSE

To advise all personnel of the approved methods of both accepting reports of stolen vehicles and processing recovered stolen vehicles.

PROCEDURE

I. METHODS OF ACCEPTING REPOORTS OF STOLEN

A. Telephone Reports. Most commonly, reports of stolen vehicles are forwarded to the Records Section where they are opened. In these cases, the following applies:

1. Clerks taking the report shall check all available records to ensure that the vehicle was not impounded by the police or a private person, nor was the subject of a civil repossession.
2. Clerks receiving the call shall process the report as follows:
 - a). Complete the Police Report.
 - b). Enter, or cause to be entered, all required stolen vehicle information (including all telephone numbers where the complainant can be reached.) into the APSIN/NCIC and Police computer systems.
 - c). Forward a copy of the report to the appropriate follow-up section.

B. In-Person Reports. When a person appears at the Anchorage Police Station to report a vehicle as stolen, the same procedure as a telephoned report prevails.

C. Dispatched Reports. When officers take a report of a stolen vehicle in the field, the following applies:

1. Screen the complaint for veracity/foundation.
2. Complete the Police Report.

3. Notify the Dispatch Center to enter all required stolen vehicle information (including the complainant's home and work telephone numbers) into the APSIN/NCIC and Police computer systems.

4. If appropriate, have the Dispatch Center broadcast a locate for the vehicle(s).

5. Document the vehicle entry number and the DSN of the computer operator on the Police Report.

D. "Failure to Return" Vehicles. Complaints that are determined to be "failure to return" situations may be civil problems. For a full discussion, see the Civil Issues Policy.

II. DISPATCH CENTER'S RESPONSIBILITIES

A. Broadcast appropriate locates.

B. If there is a likelihood of recoverable evidence; Dispatch will send a unit to the scene.

C. Assign case numbers as required to officers.

D. Enter the stolen vehicle information into the state-wide computer system as soon as practical.

III. RECOVERY OF STOLEN VEHICLES

A. Methods of Recovery. Anchorage Police typically become involved in recovery of stolen vehicles through two sources--investigation/field discovery, or through an owner recovery. In either event, the following applies:

1. Police Recovery. When officers discover a stolen vehicle, they shall:

a). Describe all events and actions on a Supplemental Report using the original Police Report number. Include vehicle description, license number, and/or the vehicle identification number.

b). Make all reasonable attempts to contact the owner. In the event contact cannot be made, or if the owner cannot/will not respond, the vehicle shall be impounded for safekeeping. (See the Towing--Impounds Policy for details).

c). If additional crimes have been committed, and the investigating officer has reason to believe that these crimes are independent of the vehicle theft, new case numbers shall be drawn and a criminal case processed as normal, cross-referencing the two cases.

d). Processing for evidence will be accomplished in accordance with Department procedures, to include, but not limited to, recovery of items not belonging to the owner of the vehicle, swabbing for DNA, and attempting to lift latent prints.

e). The Dispatch Center shall be advised to remove the vehicle from stolen status. The DSN of the operator removing the vehicle from stolen status shall be documented in the recovery narrative.

2. Owner Recovery. When owners retrieve their own vehicle, an officer will conduct an investigation as described in "a." above.

B. Dispatch Center's Responsibilities. Regardless of the method of recovery, Dispatch Center shall:

1. Dispatch a unit to investigate unless some compelling reason exists precluding this requirement.
2. Cancel the stolen vehicle in accordance with current Unit procedures.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.065	
Policy and Procedure Title Bait Car Procedures	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

Operationally Sensitive/Not for Publication

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.070	
Policy and Procedure Title Resisting Arrest	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.070 Resisting Arrest

PURPOSE

To advise all personnel of the proper application of the State Statute and Municipal Ordinances governing resisting officers.

POLICY

That members of the Department apply the provisions of the resisting officer laws narrowly, avoiding arrests based solely on a subject's lack of cooperation, rudeness, failure to provide identification, or challenge to the officer's authority.

REFERENCES

AS 11.56.700. Resisting or interfering with arrest.

A person commits the crime of resisting or interfering with arrest if, knowing that a peace officer is making an arrest, the person resists personal arrest or interferes with the arrest of another by:

1. Force;
2. Committing any degree of criminal mischief; or
3. Any means that creates a substantial risk of physical injury to any person.

AMC 8.05.530 Resisting Officer.

A person commits the crime of resisting or interfering with a peace officer when

1. The person intentionally, recklessly, or knowingly delays or obstructs the person's own arrest by the use of force;
2. The person intentionally, recklessly, or knowingly delays or obstructs the arrest of another by the use of force;
3. The person intentionally, recklessly, or knowingly delays or obstructs the person's arrest by fleeing, hiding, engaging in a stand-off, or barricading himself;

4. The person intentionally, recklessly, or knowingly delays or obstructs a police officer's active investigation of a crime by fleeing after having been told to stop;
5. The person intentionally, recklessly or knowingly resists, obstructs or interferes with the lawful efforts of any firefighter or paramedic in the discharge or attempted discharge of an official duty;
6. The person intentionally, recklessly or knowingly disobeys the lawful orders of any public officer; or
7. The person intentionally or recklessly engages in conduct which delays or prevents a fire from being timely extinguished or emergency services from being provided.
8. It is unlawful for any person to intentionally injure, destroy, take or attempt to take personal property from the custody of any public officer or person which is possessed by process of law.

AMC 9.28.011 Failing to Stop or Attempting to Elude a Police Officer.

It is unlawful for the driver of any vehicle to willfully fail or refuse to bring the vehicle to a stop, or attempt to elude a pursuing police officer or police vehicle, when given visual or audible signal to bring the vehicle to a stop by a police officer. If the police officer is not in a vehicle, the signal given by such police officer shall be by hand or voice, and the police officer must be in uniform or otherwise be clearly identifiable as a police officer. If the police officer is in a vehicle, the visual signal shall be by flashing red or red and blue lights, and the audible signal shall be by emergency siren.

PROCEDURES

I. GENERAL

A. Establishing the Offense. The most critical aspect of charging resisting is to ensure that the amount and type of resisting done by the subject was substantial enough to warrant arrest. Once established, however, the investigation of any remaining elements constituting the crime are conventional.

B. Insufficient Resisting and Alternate Charges. Should officers determine that the person's conduct did not meet the level required for an arrest under the Municipal Ordinance of resisting officer; an alternate charge might be considered. Since "resisting an officer" is so general, officers would be wise to consider a more specific, descriptive charge. The following charges are typical of those acts committed to resist or interfere with officers which have their own particular section to charge under:

1. Assault (on a police officer)
2. Disorderly Conduct
3. Failure to Yield to an Emergency Vehicle (traffic citation)

C. Failing to Identify-Alternatives to Arrest. Officers not only have the authority, but in fact the duty to investigate suspicious circumstances. The primary element of that investigation is to fully identify the people involved. Since officers are not able to arrest solely for failing to identify one's self, other investigative techniques must be considered. The following is offered as an aid to officers confronted with such a situation:

1. Generally, people will identify themselves. The procedure "Custody--Field Interviews" discusses various methods of enhancing voluntary compliance.
2. If driving, the driver must furnish an operator's license for identification.
3. When standards are met, the officer may photograph the subject(s).

D. Blending Charges. As with any other charging situation, the blending of State and Municipal charges must be avoided.

II. OTHER PROVISIONS OF THE MUNICIPLE RESISTING ORDINANCE

AMC 8.30.010, paragraph B. This section defines "public officer."

AMC 9.28.011. This section of the Municipal traffic code addresses vehicle operators who elude the police. The ordinance requires willfully disregarding the visual or audible signal to stop. To charge:

If officers are not in a vehicle, then officers must be in uniform or otherwise clearly identifiable as a police officer;

-OR-

If officers are in a vehicle, the vehicle must display flashing red or red and blue lights, and produce audible signal by use of the emergency siren.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.01.075	
Policy and Procedure Title Civil Issues		Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.075 Civil Issues

PURPOSE

To advise all personnel of their responsibilities and limitations when requested to assist in civil matters.

POLICY

When confronted with civil problems employees will remain neutral in their attitudes and acts, but take all reasonable steps to preserve public tranquility, ensure safety, and assist the parties in the possible resolution of the conflict.

DEFINITIONS

Civil: In this procedure, the term "civil" refers to those matters affecting the private rights of individuals and businesses, and the processes which protect and adjudicate those issues. This can be contrasted with other bodies of law, most notably "criminal." Civil sanctions include fines and forfeiture of property, but specifically exclude the criminal sanctions of imprisonment and/or record(s) of conviction.

PROCEDURE

I. IDENTIFICATION OF CIVIL ISSUES

A. Criminal Statutes Prevail. The first test in establishing whether an issue is civil or criminal is to determine if the act(s) is/are covered by criminal law. If so, it shall be handled as a criminal matter.

B. Civil and Criminal Mixes. A complex scenario can include both civil and criminal issues. Officers must be alert to this possibility, and be careful in the assessment of what police action to take.

C. Escalation. Civil matters can escalate to criminal. Again, officers must be alert to this possibility and distinguish between the various and complex issues surrounding the event.

D. Civil Orders. Legitimate civil court documents specifying the Anchorage Police Department as the enforcement agency shall be enforced. The Judicial Services branch of the Alaska State Troopers enforces all other civil court documents, including those addressed "to any peace officer".

II. TYPES OF CIVIL ISSUES

A. Most Common Types of Civil Issues. Officers will routinely be faced with the following types of civil calls:

1. Domestic Violence Writs are a special restraining order authorized by the court. Securing such a Writ is done civilly, but breach of the provisions is considered criminal.

2. Civil Standbys are requested by people who have to conduct business with a person, and are concerned that control might be lost and criminal conduct (assault, vandalism, etc.) might occur if the police are not present. Civil standbys are the most common type of civil problem encountered, and the material discussed in this procedure should guide officers.

3. Property repossession by a creditor is a purely civil matter, and the role of officers is normally limited to that of a civil standby. Recall that civil documents are typically enforced by the Judicial Services branch of the Alaska State Troopers unless the document specifically addresses the Anchorage Police Department. Officers should honor legitimate court documents, which entitle a party to specified property or actions. Since police are rarely trained in recognizing and interpreting civil documents (other than a few specific ones, such as Domestic Violence Writs), it is often difficult to decide what action to take. When confronted with an unfamiliar or questionable civil document, a Supervisor should be called to assist in interpreting that document and investigating its veracity. If the document is valid, officers are obligated to take whatever action is appropriate to enforce the civil court order.

4. Impounds are civil in nature, including private person impounds, and require the police only to preserve the peace. More information on impounds can be found in the procedure "Towing--Impounds".

III. RESPONSIBILITIES IN CIVIL ISSUES

A. Preservation of Peace and Protection of Property. Officers shall take all reasonable steps to preserve the public peace and protect property.

B. Neutrality. Officers shall maintain a neutral position to the civil issues.

C. Use Least Intrusive Approach. In handling civil issues, officers should first consider the least intrusive approach.

1. "Freezing" the situation (i.e., preserving the status quo) obligates the parties involved to seek legal authority to take any further action, and is often the best course to take. This relieves officers from having to arbitrarily decide who gets what; however,

2. If there is clear evidence to show legal entitlement (based on the best information available to officers in the field), officers must honor the legal rights of the parties involved. This can mean not "freezing the situation" as recommended above, but instead taking affirmative action on behalf of the entitled party. However, civil standbys for the purpose of bill collection shall not be conducted, regardless of proof of entitlement.

D. Time of Day Considerations. Employees must weigh the urgency of the issue against the inconvenience imposed on the parties. Middle-of-the-night interruptions may not be warranted, for instance, if the objective is retrieval of non-essential items. In most cases, officers should defer any request for a civil standby between the hours of 10:00 p.m. and 7:00 a.m. to a supervisor for approval.

E. Duration of Call. Officers can incur substantial out-of-service time in resolving a civil problem if reasonable restraints and limits are not imposed. In general, if the call appears to require more than 30 minutes, a Supervisor should be advised.

F. Rendering Assistance to the Parties. A neutral position, and a position of minimum intrusion, does not preclude officers from assisting in the resolution of the conflict. Referral to appropriate agencies, explaining the processes involved, and offering information and suggestions does not necessarily compromise neutrality, and indeed is a service usually sought and expected by the public.

IV. "FAILURE TO RETURN" VEHICLES

A. A vehicle theft report will not be taken under the following circumstances:

1. The person who took the vehicle was given permission by the registered owner to use the vehicle; or
2. The person who took the vehicle is known to the complainant (e.g., an estranged or angry partner or intoxicated or irresponsible friend or other acquaintance) and that person regularly uses the vehicle; or
3. The person to whom the vehicle was loaned failed to return the vehicle.

B. A vehicle theft report may be filed under the following circumstances:

1. The vehicle was taken by a person unknown to the complainant; or
2. The vehicle was taken by a person known to the complainant, but who had no reasonable expectation to believe that permission was granted to use the vehicle; or
3. A vehicle has not been returned in violation of a written contract, and seven (7) days have elapsed since the specified return date of that vehicle; or
4. A vehicle that was lent to, borrowed, or otherwise taken by a person known to the complainant has not been returned, and seven (7) days have elapsed since the specified return date of that vehicle; or

5. A vehicle was taken on a test drive from an auto dealership or from a private party, and has not been returned by the end of the business day.
6. Whenever there is doubt as to the status of a vehicle that has not been returned to an owner and a reasonable determination cannot be made, the vehicle shall be classified as stolen.
7. Vehicles classified as "failure to return" shall not be broadcasted as "vehicle locates" for officers, except in those cases where the public may be endangered by the actions or condition of the drivers involved.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.01.080	
Policy and Procedure Title Littering	Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.01.080 Littering

PURPOSE

To advise all personnel of the various statutes and ordinances governing littering, and the proper method of enforcing those laws.

POLICY

That members respond to detected violations of the littering laws by charging the most descriptive ordinance/statute on the proper charging document.

DISCUSSION

The laws governing littering fall into three general categories:

- 1) Persons who litter,
- 2) Vehicular/traffic littering,
- 3) Illegal dumping/unauthorized use of dumpsters.

Depending on which violation is charged, the offense can be an infraction (written on a Uniform Summons and Complaint form, just as a traffic infraction would be charged), or as a misdemeanor, charged by arrest with appearance before the Magistrate, or by way of a Misdemeanor Citation, as the situation would suggest. Officers, therefore, must be acquainted with the various littering laws, and determine which one best describes the event. This procedure identifies the various laws, their application, and charging methods.

REFERENCES

The following laws are discussed in the procedures section below, and appear in the order shown here.

AS 46.06.080 (a). Infraction to litter (5 pounds or less).

AS 46.06.080 (b). Infraction to litter--unsecured load (same as AMC 9.46.060A.).

AMC 9.36.100 A. Infraction to throw dangerous litter on road.

AMC 9.36.100 B. Must remove harmful litter from road.

AMC 9.36.100 C. Person removing a wrecked vehicle must clean the roadway (tow truck operator or citizen).

AMC 9.46.060 A. Vehicle must be constructed or loaded to prevent accidental dropping of load.

AMC 9.46.060 B. Infraction to transport unsecured load, or have cover improperly secured.

AMC 8.75.050. Infraction to litter within Municipality.

AMC 15.20.020 B. (4). Misuse of Dumpster--Infraction

PROCEDURE

I. APPLICABLE LAWS

A. State Statutes. The applicable Alaska State Statute is AS 46.06.080. Subparagraph (a) makes it illegal for a person to throw, drop, discard, or otherwise dispose of litter from a vehicle or otherwise on public or private property not designated as a litter receptacle or sanitation facility. Subparagraph “(b)” of that same Statute makes it illegal to litter as a result of a vehicle’s load dropping, shifting, leaking, or otherwise escaping (i.e. a “reckless” or “negligent” littering. Subparagraph “(b)” is the equivalent to AMC 9.46.060 A.). Note that both “(a)” and “(b)” are infractions, if the aggregate amount is 5 pounds or less, but criminal if the aggregate amount is more than 5 pounds.

B. Municipal ordinances. All Municipal Ordinances regarding littering are infractions. The following is a list of associated Municipal Ordinances, with a brief synopsis of what they prohibit:

1. AMC 9.36.100 A. “No person may throw or deposit upon any street any glass bottle, glass, nails, tacks, wire, cans or any other substances likely to injure any person, animal or vehicle upon such street.” If charging this ordinance is contemplated, ensure that the act does not constitute the similar, but more serious charge of reckless endangerment.
2. AMC 9.36.100 B. “Any person who drops, or permits to be dropped or thrown upon any street any destructive or injurious material shall immediately remove the same or cause it to be removed.” This provision requires a person to immediately remove any harmful debris accidentally placed on a street.
3. AMC 9.36.100 C. “Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the highway from such vehicle.” This is the ordinance that requires the operator of a vehicle to clean the street after an accident, or for the wrecker operator to clean the street when removing a vehicle he/she is hired to tow.

4. AMC 9.46.060 A. "No vehicle may be driven or moved on any street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking, or otherwise escaping there from, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway." See AS 46.06.080 (b).

5. AMC 9.46.060 B. "No person may operate on any street any vehicle with any load unless the load and any covering thereon are securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the street." Notice that no littering has to occur to charge this infraction, and that it applies to the cover as well as the contents (i.e. just having a cover is not sufficient. The cover must be secure as well).

6. AMC 875.050. This ordinance states: "It is unlawful for any person to:

a). Litter in or on any property not his own on which he is not an invitee or licensee, or on any public building, park, recreation area, parking lot, street or highway; or

b). Deface without permission..." [this continues as a vandalism ordinance].

7. AMC 15.20.020 B. 4. "Disposal of refuse on another's property. No person may deposit or place garbage, rubbish, ashes or other refuse upon a street, alley or municipally owned property, or upon any property owned by another or in a refuse container owned by another except with the consent of the owner and for the purpose of collection." [emphasis added. Misuse of dumpster is a zero point, mandatory court appearance infraction.]

II. ILLEGAL USE OF DUMPSTERS

A. Description. Refuse removal service, whether commercial or Municipal is a purchased service. When a person who has not paid deposits refuse in a private-use dumpster, an unauthorized use of that service occurs. Further, the Anchorage Municipal Code regards misuse of a dumpster as depositing trash on another's property, and prohibits that in AMC 15.20.020 B. 4., cited in section "A." just above.

B. Officer Response. When called to such an event, officers shall regard the act as civil in nature, unless the violation is so great as to warrant investigation as a crime. Note the following:

1. Refuse placed outside the dumpster is littering, as described earlier in this procedure.

2. A gross violation would include filling a dumpster so as to preclude use by the actual clients.

III. CHARGING

A. Selecting the Proper Law to Charge. With all the various laws dealing with littering, the officer must choose which one(s) to charge. Generally, it should be the one that best describes the event. However, if the choice is between equivalent State or Municipal law, Municipal should be used unless "blending of charges" is being avoided (that is, if other State violations are being charged, do not "blend in" a Municipal code violation).

B. Charging Document and Method. If the violation is an infraction, it should be charged on a Uniform Summons and Complaint as any other infraction (for instance, a noncriminal traffic violation).

C. Evidence. The litter is to be picked up and discarded. It is not to be kept as evidence.

Chapter 2

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.000-3.02.005	
Policy and Procedure Title Arrest & Custody Investigations Arrests General	Effective Date 4/26/2013	Page 1 of 9
Replaces Prior Policy: 9/21/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.000 Arrest & Custody Investigations

3.02.005 Arrest-General

PURPOSE

To instruct and inform all personnel of the rules and procedures governing arrests made by members of the Anchorage Police Department.

POLICY

That arrests effected by members of the Department be legally and constitutionally acceptable, appropriate to the situation, using only an amount of force consistent with the attendant circumstances.

DISCUSSION

A common misconception is that an arrest is the conclusion to a police operation. In fact, it is only a step towards the true conclusion--adjudication in court. As a step, the arrest becomes a potential weak link in the chain of events leading towards a conviction.

Because an arrest is such a significant intrusion into the privacy of the citizen, there are many protections against abuse incorporated into law. This can make an otherwise simple act seem complex to officers. This procedure explores arrests of all types in detail, laying a foundation for a more complete understanding of the actual arrest methods explained in subsequent procedures in this chapter.

DEFINITIONS

Probable Cause: Reliable information in sufficient quantity and detail that would lead a reasonable person to believe that a crime has been committed or was attempted and that the suspect committed the crime.

PROCEDURE

I. ELEMENTS OF AN ARREST

A. Statutory Definition of an Arrest. AS 12.25.160 defines arrest as “...the taking of a person into custody in order that the person may be held to answer for the commission of a crime.” This statute exposes the three elements of an arrest, specifically: Custody of a Person to answer for a Crime

B. Comparison of Arrests to Other Violations. Not every type of violation of law can result in an arrest, and even within the body of “arrestable offenses” are subcategories. What creates the different categories of violations are the possible consequences of the act. An understanding of the different types of violations enables officers to correctly select the appropriate response, charging document, and Police Report form. The following list identifies the various categories:

1. Criminal Offenses--These are offenses so serious that the violator can receive imprisonment and/or a fine in excess of \$300 for committing that act. The subcategories of crimes are:

a). Felony Crimes--Which are the most serious crimes, punishable by imprisonment in excess of one year. The State of Alaska has adopted a crime classification system that further describes the seriousness of the offense, which is:

i. Unclassified Felony Offenses.

ii. Class A Felony Offenses.

iii. Class B Felony Offenses.

iv. Class C Felony Offenses.

b). Misdemeanor Crimes--Which are offenses still serious enough to warrant imprisonment as a possible sanction, but constitute the least serious criminal acts. Misdemeanor offenses cannot be punished with more than one year in jail. Alaska classifies misdemeanors as follows:

i. Class A Misdemeanor Offenses.

ii. Class B Misdemeanor Offenses.

2. Infractions--Infractions are still violations of law, but fall short of being crimes. Infractions are usually regulatory in nature (such as speed restrictions for motor vehicles, licensing requirements for hunting and fishing, how to properly turn a vehicle), but still regarded as important. How important they are can be measured by considering this: Although a “conviction” for an infraction will not expose the violator to punishment in jail, failing to respond to the charge can result in at least a warrant for that violator’s arrest, and/or, if the violator fails to provide officers with certain information required for the issuance of the charging document, the violator can be brought before a magistrate (through Title 12 of the Alaska Statutes). Additionally, there is a separate criminal charge for providing false information to officers needed for the issuance of the charging document. Officers should note that if a person is charged for an infraction (usually on a Uniform Summons and Complaint), that person

must appear in court to answer to the charge unless that infraction appears on the “bail forfeiture schedule” established by District Court Rule 8 (and approved by the Alaska Supreme Court). That bail schedule allows the violator to send in the bail amount in lieu of appearing in court. (This procedure is the one officers are most familiar with--the “traffic ticket”--that has points and bail assessed. The more serious infractions do not allow the violator to exercise this option, and officers recognize these offenses as the “mandatory court” infractions.)

3. Civil Violations--For officers, most commonly, parking and curfew violations. The most important distinction between civil code and an infraction or crime is that the civil violator:

- a). Does not get a record of violation established; and
- b). Cannot be imprisoned, even by warrant. Instead, “civil action/relief” is sought through fines and impoundment of property.

II. TYPES OF ARREST

A. Warrant Arrests, which only police officers can serve, comprising:

- 1. Felony warrants
- 2. Misdemeanor warrants
- 3. Traffic warrants
- 4. Juvenile Detention Orders
- 5. Ex-parte Orders (a court order affecting any citizen, and usually for mental commitments).

B. Warrantless Arrest, comprising:

- 1. Felony arrests, made by either:
 - a). Personal observation of the crime; or
 - b). Probable cause, established by investigation.

Note: The law allows a citizen to make a private person’s felony arrest, but Department policy prohibits it. Instead, officers will arrest based on probable cause supplied by that citizen.

- 2. Misdemeanor arrests, made by
 - a). officers, when either
 - i. The offense occurred in their presence (see the Definition Section of “Arrests--Misdemeanors” for full discussion), or
 - ii. Through probable cause, if the misdemeanor is the result of domestic violence or a traffic crime. See the specific procedure in this manual for details on these two sole exceptions.

All other misdemeanor warrantless arrests require commission in the officer's presence (to be arrested by that officer).

-OR-

b). by a private citizen, through personal observation only. Recall that Department policy allows this for misdemeanors only.

III. EFFECTING AN ARREST

A. Statutory Description. AS 12.25.050 states “An arrest is made by the actual restraint of a person or by a person’s submission to the custody of the person making the arrest.”

B. Significance. Knowing when an arrest has been legally made is significant to officers for several reasons, including:

1. Proper charging--for example, “resisting” can only occur prior to the arrest, while “escape” only after.
2. Legal searching--prior to arrest, “stop and frisk” is the only intrusion allowed by law, and that is solely for officer safety (so, very limited in scope). After the arrest, however, the exceptions to the search warrant requirement include the “search incidental to the arrest.”
3. “Starting the clock”--an arrest triggers several deadlines, including charging, going before the magistrate, and speedy trial.

C. Delaying Arrest. Officers must be aware that an immediate arrest is not always in the best prosecutorial interests. Refer to “Arrests--Felony” procedure.

IV. ARREST AUTHORITY

A. Background. The Constitutions of both the United States and of the State of Alaska guarantee freedom from unwarranted intrusion and unlawful detention, while statutory law and case law define and interpret what is “lawful” detention, and who can effect that detention. Elsewhere in this chapter the “reasonableness” of detention is discussed in detail. This procedure focuses on the police officer’s scope of authority.

B. Foundation of Authority. The police officer’s authority to arrest comes from two broad sources:

1. Specific Statute--AS 12.25.010 (Persons Authorized to Arrest) “An arrest may be made by a peace officer or a private person.” Thus, any competent person--not just a police officer--can make an arrest.
2. Tradition--As expressed in case law, common law, and expectations of the citizenry.

C. Expansion of Authority. Various social and legal factors have expanded the police authority and responsibility, making some distinction between police authority and private citizen authority possible. This includes:

1. Service of warrants and summons.
2. In some jurisdictions, service of certain subpoenas.

3. Conducting investigative stops (i.e. field interviews, based on “reasonable suspicion”).
4. Commit mentally ill people directly for evaluation.
5. Carry concealed weapons and certain contraband in the line of duty.
6. Take certain persons into protective custody.
7. Operate a motor vehicle against various traffic laws to discharge their duty.
8. Obtain and serve search warrants.

D. Police as a Recognized Profession. The law carefully guards the citizens' powers of arrest, to include the application of deadly force when necessary to stop a crime that they coincidentally observe. Police officers, however, are expected to actively and effectively seek out crime and arrest offenders. To facilitate this, carefully selected, highly trained citizens are entrusted with the additional authority (discussed in the previous paragraph), and they are called “police officers.” The courts routinely recognize the special talents and equipment of police, which operate to not only expand the authority, but heighten the responsibility as well. Police then, are professionals at “citizen arrests,” and have a duty to protect the citizens who hire and trust them.

E. On- and Off-Duty/Jurisdictional Boundaries. The law makes no distinction between being “on” or “off” duty. Once recognized as a police officer within the State, no time boundaries or political boundaries can divest officers of their knowledge, skills, training, or responsibilities. A police officer does not “forget” *Miranda* at the end of a tour, nor are skills at detecting suspicious activities when outside of one's jurisdiction lost. Realistically, though, it is impossible to perform all the time, in all places. Where, then, do the distinctions lie between on and off duty, and in and out of jurisdiction? Note the following:

1. “On-duty” officers are expected to seek out criminal activity, respond to calls for service, and take the risks necessary to discharge these duties. “Off-duty” officers, however, revert somewhat to the role of the private citizen, in that they are expected to take “appropriate” action to crimes which coincidentally occur in their presence.
2. The “appropriate action” mentioned above is greater than the action expected from a citizen. The citizen is not required to take any action at all. “Appropriate action” for officers is that action which is both:
 - a). Necessary--considering the totality of the circumstances. A vehicle registration two days into expiration represents no hazard or urgency. A reckless driver creates some degree of danger. The first can be ignored, while the second may require calling an on-duty unit, getting a license number and operator description, or giving first aid to a victim of the reckless driver.

-AND-

b). Within present ability--meaning a consideration of the off-duty officer's weapon status, radio or home car availability, alcohol consumption, etc.

F. Department Policy. The Anchorage Police Department has adopted the following guidelines for police action on and off duty, and within and outside of the Municipal boundaries:

1. On Duty--Primary focus is on area of assignment, actively seeking criminal activity and engaging in crime prevention. Officers are to respond to all calls for service, and to all on-view activities.
2. Off Duty--Take the appropriate action, as described in the above paragraph (E.2), for incidents detected by chance.
3. Home Car Responses--Take appropriate action as if off-duty, but expanded to include response to priority calls. Officers shall not, however, "jump" or "chase" calls, nor participate in unwarranted code runs or pursuits. Officers should always be aware of the limitations of a home car response (no portable radio, decreased effectiveness and identity out of uniform, etc.) and evaluate those factors when considering "present ability." Merely calling for an on-duty unit is often the most appropriate response.

V. "UNARRESTING" AN INDIVIDUAL

A. Justifiable Occasions. Despite precautions, and even with best intentions, officers may discover facts suggesting the wrong person was arrested, or that an arrest was inappropriate. In these cases, the following procedure applies:

1. If the charging document has not been submitted, the subject can be released with an explanation. A police report must sufficiently document the events leading to the arrest, and the subsequent events requiring reconsideration. Additionally, officers must notify their immediate supervisor of the incident and the circumstances surrounding prior to the release.
2. If the charging document has been submitted, officers cannot on their own authority "unarrest" the arrestee. Instead, the respective prosecuting authority must be contacted and advised, both verbally and through written report (supplement), of the facts leading to the arrest and the subsequent reconsideration. That prosecutor can initiate the appropriate action based on this new information.

VI. Bail Hearings--Release/Incarceration

A. Appearance Before a Magistrate.

1. When a person is arrested for a misdemeanor, the defendant may be cited and released, or the officer may use the Anchorage Misdemeanor Bail Schedule (with restrictions), or, as with all felony arrests, must be brought before a magistrate for a bail hearing. The following describes that hearing, and subsequent actions:

- a) During the defendant's appearance at the magistrate's office,
 - i. Officers should provide a brief criminal history of the subject. The Dispatch Center can generally provide this information to officers prior to arrival; and,
 - ii. Officers must briefly present the facts of the case to the magistrate; and,
 - iii. The magistrate will determine conditions of release for the defendant.

Note: Should an arrestee become violent or unruly, the magistrate can conduct a "curbside" bail hearing upon request.

- b). Several options are available to the magistrate:
 - i. The subject can be released "on his/her own recognizance" ("OR'd"), often with specific conditions of release. In that event, and if the defendant agrees to sign the documents, the person is free to leave. If the offense is a misdemeanor, the officer, in turn, has two options:
 - ii. The subject can leave, and the officer can later prepare a Complaint as the charging document; or
 - iii. The officer can complete a Uniform Summons and Complaint, issuing it directly to the defendant before release, using the court date set by the magistrate, and noting on the citation "COURT DATE ASSIGNED BY MAGISTRATE."

OR

- c). Whether a felony or a misdemeanor, the subject may be required to post bail, either
 - i. Cash only bail (the entire amount must be posted, in cash); or
 - ii. Cash or bond (surety), where a bond is substituted for bail, guaranteeing the balance of the bail will be paid by the bonding company if the defendant should fail to appear in court.

OR

- d). If a felony, the defendant may be remanded to jail custody without bail until arraignment.
- c). Transporting.
 - i. Should the magistrate impose bail upon the defendant, the officer must then transport the person to the appropriate facility.
 - ii. If "OR'd," officers have no legal obligation to transport released subjects, but may do so at their discretion.

VII. MEDICAL CONSIDERATIONS

A. Detention Facility Policies. All detention facilities have policies regarding the acceptance of prisoners who are in need of medical attention due to illness or injury. Most often, these prisoners will not be accepted without a medical clearance from a physician. Although officers generally know when medical treatment is needed, the requirements of each facility may differ. Therefore, a medical clearance will be obtained before booking whenever a detention facility demands such clearance.

B. Injured by Police Action. In all cases where an arrestee is injured as a result of police action, the involved officers will ensure that the subject receives appropriate and immediate medical attention, and will reflect in their reports the nature, extent and cause of that injury. Photographs will also be taken of any visible injuries.

1. In these cases, the officers' supervisors will review all the facts and circumstances surrounding the injury so as to:

- a). Ensure all facts are properly reported; and

- b). Review officers' actions for possible misuse of force.

C. Injury not from Police Action. In cases where the subject is injured, unconscious, or ill independent of police action, all effort should be made to attend to that medical aspect prior to arrest.

D. Hospital Admittance. Should an arrestee require actual admittance to a hospital, the following procedure should be followed:

1. Ensure medical attention is provided, as expressed above.

2. Notify a supervisor of the necessity to maintain a guard on the arrestee.

3. Arraignment at the hospital should be arranged with a magistrate.

4. After charging and arraignment, the Department of Corrections normally assumes responsibility for guarding the arrestee. Officers, through a supervisor, should contact the appropriate facility to make arrangements.

E. Refusing Medical Treatment. Should an arrestee refuse medical treatment, they can be processed without further consideration. However, should Department of Corrections personnel or the officer feel attention is required, the officer must have the attending physician provide a brief note verifying the subject's refusal.

F. Expenses. Officers should not obligate the Municipality to pay a medical bill. However:

1. If hospital staff indicates treatment will be denied if such authorization is not furnished, a field supervisor should be contacted.

2. Officers may authorize a billing if the medical attention is related to the collection of evidence, as in sexual assault protocol and drawing blood for OUI processing.

VIII. COMMUNICATIONS WITH ARRESTEES / DEFENDANTS. Once an arrestee or defendant has been incarcerated or released from custody, no officer shall, on his or her own, re-initiate contact with that person for any reason (except to re-arrest) without prior permission from a supervisor. Should permission be granted to recontact the person, the officer shall enter that information into the narrative of the report. Should an officer accidentally come into contact with the arrestee or defendant afterward, the officer shall immediately notify a supervisor and that supervisor shall document the incident in Blue Team.

Note: An obvious exception to this requirement would be contact at court proceedings.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.010	
Policy and Procedure Title Arrests Felony	Effective Date 9/21/09	Page 1 of 4
Replaces Prior Policy: Current	Approved by: Acting Chief Stephen J. Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.010 Arrest--Felony

PURPOSE

To advise all personnel of those issues unique to felony arrests.

POLICY

That felony arrests effected by members of this Department be in compliance with the laws and procedures which recognize the unique elements of an arrest for a felony offense.

DISCUSSION

There is very little that makes a felony arrest different from any other arrest. However, for officer safety and successful prosecution, these differences must be accommodated.

DEFINITIONS

Crime: An act or omission which can be punished by any imprisonment.

Felony: An act or omission which may be punished with imprisonment in excess of one year.

Arrest: The taking of custody of a person to answer to an allegation of criminal conduct.

PROCEDURE

I. ELEMENTS MAKING A FELONY ARREST UNIQUE

A. Timing of Arrest. Generally, it may not be necessary to make an immediate arrest of a non-violent felony offender. Coordination with the Detective Division and the District Attorney's Office for case preparation within the legal time frame is thereby enhanced.

B. Arrest Based on Probable Cause. A felony arrest can be made based on probable cause. Unlike a misdemeanor arrest, the offense does not have to be committed in the officer's presence. Additionally, the probable cause can

be developed by another officer. (See "Arrests--General" 3.02.005 for the definition of probable cause.)

C. Prosecuting Agency. The prosecuting agency shifts from the Municipal Prosecutor's Office for the Municipality of Anchorage to the District Attorney's Office for prosecution on the State's behalf. This results in two major procedural changes for the officer:

1. A charging document is not prepared by the officer. Instead, the State's "Criminal Case Intake and Disposition" form is completed and submitted with the police report, and the District Attorney's Office determines further prosecution or preparation of the case. Only on rare occasions, and only with prior approval from the District Attorney, would an officer prepare a formal charging document, and never would an officer issue a Uniform Summons and Complaint for a felony crime; and
2. A briefing with the Intake District Attorney should occur.

II. COORDINATION WITH FIELD SUPERVISORS

A. Notification of Supervisor. In cases that involve the following elements, a field supervisor shall be notified to assist the investigating officers with the coordination of the investigation:

1. Violent felony crimes with serious physical injury
2. Sex assault crimes where a crime scene is believed to exist
3. Complex or unusual crime scenes
4. Incidents that will require the assistance of detectives in the field
5. When multiple agencies will be required for the investigation
6. When there is injury to police personnel
7. Where Municipality property has been damaged
8. If police use of force has caused injury to suspects or citizens

III. COORDINATION WITH THE DETECTIVE DIVISION

A. Notification of Detective Division. Not every felony case requires the notification of the Detective Division. Each event should be evaluated on a case by case basis with an awareness of policy directives (see above paragraph II A). The officer should consider Detective Division notification (through their supervisor) if;

1. An arrest or a detention of a felony suspect has occurred and the offense involves one or more of the following crimes;
 - a). Homicide
 - b). Robbery/Assault
 - c). Sexual Assault/CACU

d). Any other Detective specialty related to the case where its complexity would warrant notification

2. When there is no arrest made:

a). If there is a reasonable possibility that a detective will be assigned to follow-up, a briefing should be conducted during normal business hours whenever possible.

IV. CRITERIA FOR WARRANTLESS FELONY ARREST

A. Timing of Arrest. Generally, it is not necessary to make an immediate arrest of a non-violent felony offender.

1. Officers should make a felony arrest if delaying the arrest would:

a). Create a physical hazard to another person; or

b). Allow flight of the suspect; or

c). Cause other significant problems.

2. Coordination with the Detective Division and the District Attorney's Office for case preparation facilitates compliance with the various time limits.

B. Factors to Consider in Deciding on Arrest. A detective, supervisor, or patrol officer faced with the decision to make a felony arrest should consider the following factors:

1. That all elements of the crime are satisfied (refer to the specific statute/ordinance and the Department procedure for the offense).

2. That there is sufficient probable cause that both the crime has been committed, and that the suspect is the one responsible.

3. That all evidence has been secured through proper search and seizure techniques.

4. Whether there is anything to be gained or jeopardized by delaying the arrest.

V. CRITERIA FOR FELONY WARRANT ARREST

A. Immediate Arrest Expected. Unless officer safety or another investigation would be compromised, it is expected that a felony warrant arrest be executed immediately if the subject can be located and properly identified.

VI. OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION

VII. CHARGING AFTER ARREST

A. The "Criminal Case Intake and Disposition" form. The arresting officer is obligated to prepare a State "Criminal Case Intake and Disposition" form and submit it with the police report. The District Attorney's Office requires this form for purposes of charging.

B. Preparation of Criminal Complaint Not Required. Unlike misdemeanors charged through the Municipal Prosecutor's Office where the officer prepares the charging document, the "Criminal Case Intake and Disposition" form is prepared to assist the District Attorney's Office in filing the appropriate charging document.

VIII. CUSTODY

See Arrests--General, 3.02.005.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.015	
Policy and Procedure Title Arrests Fugitive from Justice	Effective Date 8/10/09	Page 1 of 2
Replaces Prior Policy: Current	Approved by: Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.015 Arrest--Fugitive from Justice

PURPOSE

To provide guidance for processing out of state warrants commonly known as Fugitive from Justice Warrants.

POLICY

It is the policy of the Anchorage Police Department to investigate the presence of and serve all extraditable out of state warrants in an efficient manner and to comply with AS12.70.120 to ensure the subjects of the warrants are not inadvertently released.

PROCEDURES

I. GENERAL OPERATIONS

When contacting subjects with out of state warrants, officers will typically encounter one of three different situations:

A. The warrant exists but the originating state will not extradite from Alaska. Unless there are new charges pending, the following will occur:

1. Officers shall conduct a detailed field interview,
2. Forward the information to US Marshals for possible future extradition, and
3. Complete any reports as necessary as the result of a circumstance other than the Fugitive from Justice.

B. The warrant is extraditable from Alaska and the warrant is a new charge. The following will occur:

1. APD dispatch will confirm, via NLETS "YQ" Message and voice contact with the originating agency that they will extradite from Alaska.
2. The arresting officer must complete an Arrest Report and a Criminal Complaint for Fugitive from Justice. (AS 12.70.120)

a). A File-Maker Pro file titled APD FFJ Complaintv6.20.fp5 has been placed under the same Host as the APD Report Writing program. This form has a built-in "Help" file accessed by clicking on any of the field names. To use this complaint, select "New Record" and enter the required information. Officers may also use the File-Maker Pro complaint program on the MDC system. To use this system, select "New State Complaint", and then enter a charge of fugitive from justice and enter the required information.

b). No ATN is needed and the subject is not taken before the magistrate, unless you are adding local charges. Address only the local charges with the magistrate. Do not address the fugitive from justice charge.

c). The remand sheet shall include the originating agency and the NCIC number.

3. The arresting officer shall contact Alaska State Troopers and leave a message for Sgt Kozloff (264-0815) advising of the arrest and the APD case number.

C. The warrant is extraditable from Alaska and is for a probation or parole violation. The following will occur:

1. APD dispatch will confirm via voice contact with the originating agency that they will extradite from Alaska and will need to additionally confirm that a pre signed Extradition Waiver is on file. If no waiver is on file officers will then follow procedure for "The warrant is extraditable from Alaska and the warrant is a new charge".

2. If a pre-signed Extradition Waiver is on file, the following shall occur:

a). The subject shall be arrested and booked at jail. The subject is not taken before the magistrate.

b). The arrest report is completed listing the offense as a Parole/Probation Violation, the originating agency, the NCIC number, and bail set at "NO BAIL".

c). No ATN or Criminal Complaint is required.

d). Officers shall write "pre signed Extradition Waiver on File. Do Not Transport to Court" on the portion of the remand left with corrections personnel. Officers shall contact Alaska State Troopers and leave a message for Sgt Kozloff (264-0815) advising of the arrest and APD case number.

D. For an example of the completion procedure for a Fugitive from Justice Arrest Report, officers are encouraged to access the "How To" page of the APD Intranet.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.020	
Policy and Procedure Title Arrests Juvenile	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.020 Arrest--Juvenile

PURPOSE

To identify the ordinances commonly enforced by Anchorage Police Department members which, if violated by a juvenile, would result in that minor's arrest and treatment as an adult, and to instruct members on how to process such an arrest.

DISCUSSION

This procedure addresses only the actual arrests of juveniles for violating traffic laws which are criminal. For violations of other criminal laws, the procedure "Custody--Juvenile Delinquency," 3.02.055, must be consulted.

To fully appreciate the limited scope of this procedure, one is encouraged to review the terms defined in the following procedures: "Custody--General" (3.02.045), "Arrests--General" (3.02.005), "Juveniles--General" (3.02.020), and "Custody--Infractions and Civil Violations" (3.02.050). In those procedures it will be stressed that by definition, a juvenile cannot be arrested in the legal sense of the word for any criminal violation except those found in the traffic code (AMC Chapter 9, Alaska Statute Title 28, and 13 AAC provisions) or, less commonly, those in the Fish & Game and Parks & Recreation Codes. In those cases where a juvenile violates a criminal law or ordinance found outside of these codes, the minor is "taken into custody" as a "delinquent minor" instead of being "arrested" in the full, legal context. Such custodies are explained in the procedure "Custody--Juvenile Delinquency" (3.02.055).

An officer routinely deals with juveniles who violate traffic laws, but only rarely encounters Fish and Game or Parks and Recreation code violations. Consequently, it is common to hear an abbreviated instruction of "juveniles who violate traffic laws are handled as adults." Although this is technically incorrect (as it excludes the other two codes), it is accurate in a practical sense.

PROCEDURE

I. APPLICABILITY

A. Applicability of this Procedure. This procedure governs actions by Anchorage Police Department members when processing:

1. Violators who have not attained their 18th birthday; and
2. Violate the provisions of:
 - a). AMC 9.10.020 A.1. and A.2. (AS 28.35.050 a) Leaving the Scene of an Injury Accident; and/or
 - b). AMC 9.10.020 B. (AS 28.35.050 b and c) Leaving the Scene of a Property Damage Accident; and/or
 - c). AMC 9.10.020 C.1. and C.2.(AS 28.35.060 a and b) Duty to Give Information; and/or
 - d). AMC 9.10.080 (AS 28.35.110 and .130) False Report of an Accident; and/or
 - e). AMC 9.12.010 B (AS 28.15.291) Driving with a Suspended, Revoked, or Canceled License; and/or
 - f). AMC 9.12.050 A, B, C, and D (AS 28.15.281 a) various Unlawful Use(s) of License; and/or
 - g). AMC 9.28.010 A (13AAC 02.040) Reckless Driving; and/or
 - h). AMC 9.28.011 Eluding a Police Officer; and/or
 - i). AMC 9.28.020 A (AS 28.35.030) Driving While Intoxicated; and/or
 - j). AMC 9.28.022 (AS 28.35.032) Refusal to Submit to Chemical Tests; and/or
 - k). AMC 9.42.020 A5 (no equivalent State charge) Operating a Snowmachine While Under the Influence of Intoxicating Liquor or Drugs.

II. PROCESSING PROCEDURE

A. Processing Similarities. Juvenile offenders of the aforementioned laws are detected and arrested without special consideration for their age. Also, officers must prepare a complaint (or issue a Misdemeanor Citation, as appropriate) just as with an adult arrest.

B. Processing Differences. The following constitutes the only substantial processing differences officers must comply with in arresting a juvenile for any of the aforementioned violations:

1. Write boldly on the misdemeanor citations, or advise verbally when charging on a standard Court Complaint, that “Parents must appear in Court with minor.”
2. All juvenile bookings (of either sex), whether for traffic warrants or in processing any of the aforementioned violations, will take place at McLaughlin Youth Center.

C. Common Errors. Officers are reminded of the following:

1. Juvenile arrests for traffic violations do not require parental notification. However, officers may choose to make such notification, and if so, would not be in violation of law or policy.
2. Many infractions appear on the "Bail Forfeiture Schedule" allowing the defendant to mail in the bail and forfeit that money in lieu of appearance in court. Juveniles are entitled to that disposition as well. Consequently, when issuing a juvenile a Uniform Summons and Complaint for an infraction appearing on that schedule, do not mandate "court with parents." For example, if a validly licensed juvenile were to fail to stop for a red light, that citation would also read "4 points and \$50.00 bail," just as an adult driver's would. If the juvenile were to contest the ticket by choice, he/she would be advised by traffic court to have a parent attend court with him/her, and would set an appropriate appearance date.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.025	
Policy and Procedure Title Arrests Misdemeanor	Effective Date 9/21/09	Page 1 of 5
Replaces Prior Policy: Current	Approved by: Acting Chief Stephen J. Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.025 Arrest--Misdemeanor

PURPOSE

To advise all personnel of the methods for effecting arrests of misdemeanor violations.

POLICY

That members of the Anchorage Police Department conduct arrests that are legally sufficient and acceptable, are appropriate to the situation and minimize risk exposure, and flow smoothly into the court and correctional system.

DEFINITIONS

Crime: An act or omission which can be punished by any imprisonment.

Custody: A restraint of liberty; a stopping of movement.

Infraction: An act or omission which can be punished by a fine up to \$300, impoundment of property, or other minor sanctions, but not by imprisonment of any duration.

Misdemeanor: One type of crime which, if convicted, could subject the violator to a fine in excess of \$300.00, and/or a term of imprisonment of up to a year, and/or a license action (suspension or revocation) for that single act (Note: A traffic infraction does not elevate to a misdemeanor if that infraction happens to give the violator sufficient points for a license action. The one act must, standing alone, be sufficient to allow license action).

Arrest: The taking of a person into custody to answer to an allegation of a criminal offense. This excludes, by definition, violations or infractions.

Charging Document: That form which sets forth the particulars of a violation. These documents include:

- A. Criminal Complaint. The document which the arresting officer, or another may prepare for certain misdemeanor offenses.

B. Information. A charging document prepared by a prosecutor supported by affidavit. An officer will rarely have contact with this document.

C. Uniform Summons and Complaint. A field-issued complaint. If the complaint is for a traffic infraction, it is a "traffic citation." If for an eligible misdemeanor, the common name is "misdemeanor citation."

D. "Committed in One's Presence." For purposes of this procedure, "presence" requires the person to detect an act (or a sufficient portion of an act) with any of the five senses. That detection has to be of such quality as to conclude that only the person(s) accused could have committed the act(s) alleged.

PROCEDURE

I. MISDEMEANOR ARRESTS

A. Warrant Arrests. When the court issues an order compelling any peace officer to arrest and detain a specific individual for the violation of a misdemeanor law. That misdemeanor law can appear in State statute, Municipal ordinance, the various traffic codes, or in any other body of law. For more information, see the procedure "Warrants/Summons/Subpoenas."

B. Warrantless Arrests

1. Conducted by the officer.

- a). If any misdemeanor is committed in his/her presence; or
- b). On probable cause, developed by that officer or other officers, if and only if the subject misdemeanor is:
 - i. The DWI provisions; or
 - ii. The "Domestic Violation" provisions.

2. Conducted by a private person .

- a). If any misdemeanor is committed in that citizen's presence.

II. EXECUTING THE ARREST

A. Warrant Arrest

1. A warrant is a court order to arrest. Department policy allows officers to select the time and place for arrest, provided they are able to articulate why an arrest was not immediately made.

2. Anchorage police officers can serve any valid warrant. However, policy is to serve only the following:

- a). All Anchorage Police Department warrants.
- b). All Alaska State Trooper warrants, regardless of which post in the State originates the charge.
- c). Any other municipal warrants if that municipality agrees in advance to transport the subject. This advance notice is normally in the form of

announcements at briefings, flagging the computer entry, or other interagency means.

3. In executing an arrest warrant, the most critical elements are:
 - a). Establishing positive identity. This includes both the identity of the person named on the warrant, and the identity of the subject being considered for arrest.
 - b). Confirming the existence of the warrant through the Dispatch Center.
 - c). "Removing" the warrant from the computer, ensuring the Department Serial Number (DSN) of the operator is annotated in the report.
4. If both the aforementioned elements (3.a and 3.b) meet the officer's satisfaction and the officer elects to execute the warrant, the subject is arrested in the conventional manner (see "In-Custody Transports" procedure).
5. When processing a warrant arrest, ensure the following information appears on the Arrest Report:
 - a). The warrant number; and
 - b). The Arrest Tracking Number (ATN); and
 - c). The original offense. Neither "Failure to Appear" nor "Failure to Satisfy" is the violation. The warrant should charge, for instance, "Failure to Appear--Shoplift" as the complete offense; and
 - d). The bail amount or conditions of release, specifying whether that bail is "Cash Only" or "Third Party"; and
 - e). The agency of origin (Alaska State Trooper warrants require the Detachment, for instance, "AST, Soldotna"); and
 - f). The Department Serial Number (DSN) of the computer operator who cleared the warrant.

B. Warrantless Arrests

1. Misdemeanors committed in the presence of an officer.
 - a). All sworn members of the Anchorage Police Department, whether on or off duty, within the boundaries of the Municipality (including the "Hillside," all Federal property, and on military reservations), may effect an arrest as a police officer for any misdemeanor committed in their presence.
2. Misdemeanors not committed in the presence of an officer.
 - a). State law allows officers to arrest for only two types of misdemeanor crimes if the violations did not occur in their presence. They are:

- i. Driving While Intoxicated, if the arrest can be made within four (4) hours of the offense; and
- ii. Domestic Violence violations, which are designed to protect a “spousal relationship” partner from having to proffer charges against a family member. (See 3.01.025 Domestic Violence.)

3. Charging a misdemeanor without physical arrest.

a). The procedure “Misdemeanor Citations” discusses using Misdemeanor Citations at the conclusion of misdemeanor investigations. Although the misdemeanor was not committed in the officer’s presence, one is reminded that issuing a Misdemeanor Citation is not an arrest, but rather a charging procedure. Nothing prohibits officers from charging a misdemeanor offense which was not committed in their presence. However, officers are also reminded that:

i. In the absence of issuing a misdemeanor citation and releasing the defendant, the arrestee must be:

(1) brought before a magistrate for a bail hearing (See Arrests--General, 3.02.005VI for details on bail hearings.) or;

(2) the officer must use the current Bail Schedule for misdemeanor charges,

and

ii. Whenever a person is charged with a misdemeanor crime, whether a physical arrest has been made or not, officers must complete a Criminal Case Intake and Disposition form, and submit it with the Police Report.

b). A private person cannot make a “probable cause” misdemeanor arrest, including the DWI and Domestic Violence special provisions (for peace officers) described in the preceding paragraph. Consequently, officers must initiate the arrest based on the probable cause furnished by the victim or complaining witness.

4. Misdemeanor arrests by private persons. (See Arrest and Custody--Private Persons 3.02.030.)

5. State Misdemeanors. When a person is charged with a misdemeanor crime, officers should cite Municipal Ordinance whenever possible. However, there are two exceptions to this policy:

a). When multiple violations include both Municipal and State charges, then all charges should be referred to the District Attorney as State charges (when juveniles are arrested for misdemeanor violations, the officer would use State charges); and

b). When a State misdemeanor has no Municipal law equivalent, a State misdemeanor must be charged.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.025	
Policy and Procedure Title Arrests Private Person	Effective Date 8/10/09	Page 1 of 5
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.030 Arrest--Private Person

PURPOSE

To advise all personnel of the procedures applicable to private persons' arrests.

POLICY

That private persons' arrests processed by officers of this Department be conducted in compliance with the applicable rules and statutes governing such arrests.

PROCEDURE

I. AUTHORITY

A. AS 12.25.010 Persons Authorized to Make Arrest. "An arrest may be made by a peace officer or private person."

B. AS 12.25.030 A Private Person or Peace Officer Without a Warrant May Arrest a Person:

1. "For a crime committed or attempted in the presence of the person making the arrest;
2. When the person has committed a felony, although not in the presence of the person making the arrest;
3. When a felony has in fact been committed, and the person making the arrest has reasonable cause for believing the person to have committed it."

Note: It is legally permissible for a private person to make a felony arrest, but it is Department policy to have officers make the arrest based on the probable cause supplied by the complainant or upon the officer's investigation.

II. OFFICERS' RESPONSIBILITIES

A. Assisting Citizen. A private person has the same authority to arrest as peace officers, receiving that authority from the same statute. But officers

have training and experience in this specialized field that typical citizens do not. Consequently, a private person needs the technical assistance of the police whenever the arrest privileges provided for in AS 12.25.010 are invoked. Therefore, in calls involving a citizen's arrest, officers assume two general responsibilities:

1. Guide citizens by answering questions, explaining the process, ensuring that all appropriate evidence is seized, and similar acts; and
2. Process cases subsequent to citizens' arrests by taking custody of defendants, completing forms, and preparing cases for prosecution.

B. Manner of Assistance. Another aspect of officers' responsibilities is to deliver these services in a patient, helpful, and understanding fashion. Citizens are involving themselves in a very complex process, and look to officers for expert advice.

III. ASSESSING THE CASE

A. Case Assessment. To satisfy the duties of assisting and processing, officers must review and assess the case. At the heart of this assessment is the consideration of two issues, namely:

1. The legal competency of the complainant/arrestor; and
2. The legal sufficiency of the case, to ensure that a law has, in fact, been violated, and that there is adequate evidence to support a charge.

B. Legal Competency. Does the person know and appreciate what he/she is doing? Can he/she differentiate between being a witnessing complainant and being an arresting complainant? And, can that private person fully appreciate the significance and responsibility of arresting another person? In assessing the competency, note the following:

1. There is no specific age limit, maximum or minimum, on which to determine competency.
2. Sobriety is an issue, but consumption of alcohol does not automatically negate one's authority to arrest.
3. Being in custody does not necessarily suspend one's authority to arrest. Officers are the first examiner of competency. If there is doubt, a supervisor should be consulted. If that doubt continues, the arrest should not be accepted. Instead, the police report should express the issues, allowing follow-up investigation with a possible charging and/or warrant arrest at a later date.

C. Legal Sufficiency. This aspect is indistinguishable from an arrest made by an officer, in that all elements of that crime must be proven. Sufficient physical and/or testimonial evidence must be secured, requiring the officer to assist in, and ultimately evaluate the case. A case with any deficiency will not conclude with an Officer accepting the arrest. Instead, the field report should

state the facts, facilitating follow-up with possible charging and/or warrant arrest at a later date.

IV. PROCESSING THE ARREST.

Should officers determine that a complainant is competent and the case has sufficient legal merit, they are obligated to assist in the arrest and processing. As with any call, there can be many variables. This section sets out the most common scenarios and the accepted methods of case disposition.

A. Arrest at the Scene (Adult)

1. Defendant in Physical Custody

a). Officer may issue a misdemeanor citation if citation criteria are met (See "Misdemeanor Citations");

-OR-

b). If criteria for citing are not met, or if an officer elects not to cite, then transport the subject to the magistrate for a bail hearing. At the end of the hearing, the defendant will either:

i. Be released on his/her own recognizance, in which case the officer may either:

(1). Issue a Misdemeanor Citation for any misdemeanor. Use the date set by the magistrate, writing on the face, "COURT DATE SET BY MAGISTRATE"; or

(2). Allow the defendant to leave, and prepare a complaint. The officer should sign the complaint, and the complaint shall include in the probable cause statement the basis for the private person having made the arrest.

-OR-

2. Be remanded to the proper facility with restrictions.

a). Suspect not in physical custody, but on scene.

i. The citizen is not expected to overpower a suspect as a condition of arrest. The officer, if satisfied with the legitimacy of the arrest, can apply whatever force is necessary to effect the arrest.

ii. Once the suspect is in custody, refer to paragraph "a." of this section.

B. No Arrest at Scene (Adult)

1. Frequently an arrest is not made at the scene, as further investigation might be appropriate, or another investigation jeopardized, or the defendant may not be present. These occasions are in two broad categories:

a). Further investigation is required: Officers will either conduct further field investigation or forward the report to the appropriate Detective

Section. Officers may personally brief the follow-up detective, or submit the report, indicating routing to detectives for follow-up. At the conclusion of the investigation, the officer who investigates may:

- i. Have an inconclusive investigation with no charge(s); or
- ii. Establish criminality and charge that person by issuing a misdemeanor citation or preparing and signing a complaint; or
- iii. Establish criminality and seek a warrant. See "Warrants/Summons/Subpoenas" (3.02.075).

-OR-

2. No further investigation is required, but the defendant is not present for arrest. In this event, the officer may prepare a complaint and seek a summons or warrant, as described in "Warrants/Summons/Subpoenas" (3.02.075).

V. MISCELLANEOUS PROCESSING ISSUES--ADULTS

A. Private Persons' Arrest Form. In all cases, the private person will provide the officer with a signed statement, normally by way of a completed "Private Persons' Arrest" form. This will become a part of the original Police Report.

B. Multiple Counts. If officers observe criminal action and make an arrest coincidentally with the citizen's arrest, both (all) counts can be on one Complaint. If the private person makes arrests for multiple offenses, all counts can appear on one complaint also.

C. Use of Judge or Notary. Any complaint can be signed in front of a judge or magistrate, but complaints not involving a warrant or summons may be signed before a notary instead. It is policy to sign in front of a notary when able.

D. Never instruct a private person to contact the Municipal Prosecutor's Office to bring charges. The officer is responsible for preparation of a charging document and completion of a field report, as instructed above.

VI. JUVENILES "ARRESTED" BY PRIVATE PERSONS

A. Nothing precludes juveniles from being "arrested" by a citizen. In assessing the case, however, the officer should be alert to the intent aspect essential to the commission of any crime. A child has to be old enough to form malicious, criminal intent to be held responsible for committing an act of delinquency.

B. Processing of any juvenile arrest can be found in the "Arrests--Juveniles" and the "Custody--Juvenile Delinquency" sections of this chapter. Note that there are no substantial differences between a call for an adult arrested by a citizen and a juvenile arrested by a citizen. Even the signed statement (usually in the form of the "Private Persons' Arrest" form) from the arresting citizen remains a requirement. The disposition of the case is where the differences surface.

C. As both the "Arrest" and "Juvenile" Procedures state, a juvenile is not issued a misdemeanor citation for anything other than criminal violations of the Traffic Codes (AS 28, 13AAC, or AMC 9).

VII. FIELD REPORT FEATURES

A. Special Report Emphasis. The Report Writing Manual should be consulted for details on when and how to complete the various field reports. However, note the following two special considerations when documenting a Private Person's Arrest:

1. Accurate telephone numbers and addresses are particularly important.
2. A legible, comprehensive "Private Persons' Arrest" form can substitute for a lengthy "Interview with Complainant" section.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.035	
Policy and Procedure Title Clandestine Laboratory Enforcement	Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.035 Clandestine Laboratory Enforcement

PURPOSE

To establish a procedure that will afford the best degree of safety to both law enforcement officers and other persons involved in the discovery, investigation and dismantling of a clandestine drug laboratory.

POLICY

The policy of the Anchorage Police Department is to ensure public safety, minimize employee exposure incidents, reduce the spread of chemical contamination, assure maximum prosecution of perpetrators, and compliance with Occupational Safety and Health Administration (OSHA) regulations relating to the investigation, seizure and dismantling of clandestine drug laboratories.

DISCUSSION

Clandestine drug laboratories pose a significant risk of injury and death to the public as well as officers not prepared and/or equipped to enter such environments. These risks include fire and explosion, inhalation hazards, chemical burns, long term health effects, and the spread of contamination to department and personally owned property.

Clandestine drug laboratories are regulated by OSHA once discovered by law enforcement personnel. The Anchorage Police Department will insure that OSHA requirements are understood and complied with by those members of the department who intentionally or knowingly enter clandestine drug laboratory environments.

DEFINITIONS

Clandestine Laboratory: An illegal operation consisting of a sufficient combination of apparatus and chemicals that either is being, has been, or could be used in the manufacture or synthesis of controlled substances, precursors, or necessary chemicals for the manufacture of controlled substances.

Clandestine Laboratory Specialist: A member of the department who has attended an OSHA approved 40-hour clandestine laboratory safety certification class, 24-hours of documented on the job training with the Drug Enforcement Unit clandestine lab team, and is currently clandestine laboratory certified by attending an 8-hour refresher course within the past 12 months. Members must also comply with the required ongoing medical monitoring.

Contamination: Occurs anytime a person inhales airborne substances, is injected, skin penetration occurs, or a person ingests by mouth from eating, smoking or chewing prior to being completely decontaminated. Contamination is also skin contact where a splash or any contact with a substance to exposed skin occurs or where the substance passes through protective clothes or gloves. Contamination may occur to either persons or property.

Exigent Situation: For the purpose of this policy is defined as but not limited to the following: any situation that could result in death, serious injury, contamination to the environment, or a lab that if left unattended could result in explosion.

PROCEDURE

OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.040	
Policy and Procedure Title Custody-Field Interviews	Effective Date 8/10/09	Page 1 of 6
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

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3.02.040 Custody--Field Interviews

PURPOSE

To provide all sworn personnel with guidelines on how to most effectively recognize suspicious situations, confront the object(s) of those suspicions, and record the information obtained in the filed interview.

POLICY

It is the policy of the Anchorage Police Department to effectively investigate and collect information on suspicious activities while maintaining officer safety and reducing undue embarrassment or delays to the innocent citizen.

DISCUSSION

During the course of police duties, officers are routinely alerted to a variety of suspicious circumstances. Although they may not be witnessing a recognizable crime, there is still the authority, indeed the obligation, to investigate those circumstances. If an officer's suspicions are not allayed, it is appropriate to document the identification of the participants and the attendant circumstances. This is done in the "Interview Module" in Packet Writer. What follows are guidelines on how to recognize suspicious activities, and how to approach the subjects, collect information, and record that information in a fashion most usable by the Department.

PROCEDURE

I. OBJECTIVES

A. Purpose of the Interview Module (formally field interview cards). The Interview Module can serve the following purposes:

1. Link persons with crime.
2. Establish background information on certain people.
3. Gain information on locates.
4. Link criminals with their companions and vehicles.

5. Recover evidence and stolen goods.
6. Deter crime by police presence.
7. Provide data on recidivists and dangerous people.
8. Provide a data base for modus operandi.

II. WHAT CONSTITUTES “SUSPICIOUS CIRCUMSTANCES”?

A. Elements of Suspicion. Recognizing “something suspicious” while others pay no attention is a talent most officers’ prize. If one analyzes what actually arouses suspicions, four ingredients are discovered, namely:

1. Time.
2. Location.
3. Appearance.
4. Activity.

B. Reasonableness of Suspicion. If just one of these elements is “out of place,” a sense of curiosity—a feeling of suspicion—can be experienced. Of the four ingredients, legal standards are especially interested in the persons’ activities. Truly suspicious activities not only give the officer the authority to investigate further, but impose the duty to do so. Courts consistently uphold the validity of stops wherein officers can explain how any reasonable and similarly trained officer would have been suspicious given the same set of circumstances (Terry v. Ohio 392 U.S. 1). What courts do not uphold are stops based on other grounds, such as:

1. Revenge.
2. Idle curiosity.
3. Racial/ethnic disdain.
4. Securing information for personal use (telephone number, etc).

III. APPROACHING THE SUBJECT

A. Be Courteous. Two valuable goals are achieved when subjects are politely informed of why they are being questioned:

1. If the inquiry reveals no cause for alarm, good public relations are promoted.
2. If the investigation has disrupted any improper behavior, experience has repeatedly shown that, if officers can minimize the sense of alarm, persons will often try to explain their activities/appearance instead of becoming argumentative or defensive. Officers, therefore, stand to promote the investigation by using this approach.

B. Avoid Filling Out Forms at Scene. Transferring mental notes onto the Field Interview card after the interview seems to lessen the negative impact of an

officer “filling out an official police report even though we didn’t do anything wrong.”

IV. AUTHORITY TO “STOP” VERSUS “ARREST”

A. Introduction. In the procedure “Custody—General,” the concept of custody is explained as any restraint of liberty. Commonly, we regard custody as an arrest, and become familiar with the statutes granting both private citizens and peace officers the power of arrest. But arrest is only one form of custody, and when police officers take people into other forms of custody, the confidence in their authority tends to wane. This procedure deals with authority and limitations for custodial activities other than an arrest, and is designed to give officers a formal grasp of this aspect of their responsibilities.

V. RANGES OF CUSTODY

A. Amount of Restraint. “Restraint of Liberty” can range from a full arrest, including the application of deadly force, down to the temporary “detention” needed for the issuance of a traffic ticket. This degree of restraint generates profound legal issues, because it calls for the balancing of two demands made by our citizens: First, for the government to protect citizens from criminality, and second, to protect the citizens from unnecessary intrusion into their private lives. The Constitution was explicit in providing the second safeguard, but it was up to later case law and statute to decide how that protection was to be delivered in a “Constitutionally acceptable” fashion.

VI. “REASONABLENESS” OF RESTRAINT

A. Balancing Police Powers. Balancing the need for protection from crime with protection from unwarranted intrusion came under much scrutiny. Eventually, a consensus began to surface. In order for the police to balance their duty to protect with their obligation not to abuse their power to intrude, a concept emerged—that of reasonableness. That single concept—reasonableness—is at the heart of the police powers allowing custody to be assumed.

VII. AUTHORITY TO DETAIN IS BASED ON REASONABLENESS OF RESTRAINT

A. Purpose of the Detention. If officers are alerted to circumstances that would arouse suspicion with any reasonably trained officer, they are duty-bound to investigate, and vested with the authority to require the involved subject(s) to submit to a reasonable investigation to either:

1. Allay the suspicions; or
2. Establish criminality; or
3. Secure enough information to recontact the parties should a later investigation require it.

B. Elements of “Reasonableness.” Such an investigation requires a restraint of liberty, so is, in fact, a form of custody. Officers gain authority to take this

custody based on “reasonableness”. The ‘reasonableness,’ in turn, is gauged by two considerations:

1. The reasonableness of the suspicion. That is, would any similarly trained officer have become suspicious given the circumstances confronting the officer?
2. The reasonableness of the “depth of the probe.” That is, to investigate the suspicious circumstances, officers must be reasonable in:
 - a). The length of time spent in the probe.
 - b). The degree and topics of questioning used in the inquiry.
 - c). The depth and appropriateness of any searches.
 - d). Other considerations.

C. Force and pat-Down Allowed. (See Section “IX.” later in this procedure). If officers operate in good faith and have made a reasonable stop, they are allowed to use legal amounts of force to gain and retain custody of the subject(s).

1. As with any police action, the “proper” amount of force is a reasonable amount of force required to discharge a legal duty. See the procedure on “Response to Resistance” for full discussion.
2. Even though the custody for a field interview is not an arrest, the law allows a “stop and frisk” pat down for weapons if circumstances would lead a “reasonable person” to believe weapons might be involved.

Note: This is not a true search for criminal evidence, but a weapons pat-down for officer safety only. Should a weapon-like object be seized which later proves to be evidence of a crime, however, that evidence may be valid if discovered accidentally (Caution: Courts view this type of evidence seizure with suspicion. Officers must convincingly articulate that the discovery of the evidence was, indeed, purely accidental based on the belief that the object was a weapon.)

D. Subjects Not Required to Cooperate. Authority and duty to stop and question does not imply a person has a legal duty to cooperate. In fact, it is not a crime to refuse to furnish any identification. This one area exposes officers to the greatest civil and disciplinary risk, and calls for the highest degree of professionalism to resolve. To aid officers, the following comments are provided:

1. Failing to identify, trying to leave, refusing to disclose one’s residence address, and similar acts can operate to enhance officer’s suspicions, allowing a deeper probe. Being uncooperative does not always elevate officer’s suspicions, but it may do so. The totality of the situation must be considered, and officers are warned that any field interview initiated or continued out of revenge or idle curiosity is illegal.

2. A good investigation can often reveal the information sought without the subject's participation. An interview with associates or a surveillance of reasonable limits is two possible alternatives.

3. Photographs may be taken of the subject.

4. A supervisor may be called to the scene to assist. In addition to providing supervision, such assistance can include a new personality that might inspire more cooperation, the possibility of recognizing the subject(s) involved, and/or a witness to the officer's activities to deter allegations of misconduct,

E. Summary of this Section. Officers who can articulate the reasonableness of the suspicion(s) and the appropriateness of the depth of their probe are generally within their authority. Resistance to reasonable inquiry can operate to reinforce officers' suspicions, and crime(s) committed and force used as a result of that escalating resistance stand on their own merit. As an example, if a person assaults an officer to avoid a reasonable detention, that subject can be arrested for that assault even if a plausible, noncriminal explanation for the original suspicion is later established.

VIII. POLICE RESPONSIBILITY

A. Criteria for Stop and Interview. To exercise the authority to take the custody described, certain standards must be met, and the burden of proof remains with the government. These standards include:

1. Any stop must stand the test of reasonableness. This test is to ensure that such unacceptable motivations as harassment, revenge, and sexual impropriety do not enter into police/governmental activities. Note that other protections afforded the citizens can include criminal and civil relief.
2. The citizen must clearly recognize the person stopping him/her as being a police officer. This holds true for conducting field interviews as well.
3. Officers must clearly express the demand for temporary detention.

IX. USE OF FORCE DURING FIELD INTERVIEWS

A. Issues on Use of Force. An important aspect of police authority in such a stop is the amount of force officers can use to enforce this "temporary detention." Each situation is judged on its merits (of reasonableness), but some clues exist to aid officers in answering this question.

1. If the stop is unreasonable, no amount of force can be applied to enforce the detention.
2. If officers are not obviously a police officer, the subject is not obligated to stop.
3. On a reasonable inquiry by a fully identified officer, flight or resistance adds to the degree of suspicion, but might not elevate the issue to a crime (mere flight or failing to identify oneself is not a crime). If a law is violated during this resistance (traffic infractions, assault, trespass), then officers

are fully empowered to base all subsequent acts on offense(s) committed in their presence.

B. Procedure Not All-inclusive. No procedure can cover all scenarios, so questionable areas remain, and the courts exist to adjudicate those issues. Most people experienced in these matters agree—if officers operate in good faith, the “reasonable person” test will usually be met.

C. Review of Steps. Officers, therefore, must:

1. Recognize the event as suspicious or illegal; and
2. Be able to tell why any reasonable person would have drawn the same or functionally similar conclusions/suspensions; and
3. Make reasonable limits to the depth of the probe (time, force, expectations of the subject, etc.).

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.045	
Policy and Procedure Title Custody-General	Effective Date 8/10/09	Page 1 of 2
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

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3.02.045 Custody--General

PURPOSE

To instruct and inform all employees of the laws and definitions associated with taking custody of citizens by sworn personnel.

DEFINITIONS

Custody: A restraint of liberty. This term varies its meaning depending on its uses within juvenile law, corrections, and other areas. In this procedure, it is the broadest term used to describe a stopping of movement, a submission to an officer. Custody alone is not necessarily an arrest, even though force may be used to gain or maintain custody.

Arrest: "...the taking of a person into custody in order that the person may be held to answer for the commission of a crime" (AS 12.25.160). Notice there are three elements to this definition:

1. Custody (the restraint of liberty);
2. of a Person;
3. to answer to a Criminal Offense.

Arrest is merely one form of custody, the purpose of which is to answer to a criminal allegation. Recall that there are many violations with which a person may be charged which are not criminal allegations. See the following definitions for clarification.

Crime: The commission or omission of an act which can be punished by imprisonment or a fine exceeding \$300.00. In this jurisdiction, it also includes violations which could result in license action. There are two basic categories of crimes, namely:

1. Misdemeanors, or Minor Crimes. Conviction of a misdemeanor offense punishable by a fine over \$300.00, and/or by imprisonment up to one year, and/or by license suspension or revocation.

2. Felonies, or Major Crimes. Conviction of a felony can result in a large fine, and/or imprisonment exceeding one year.

Infractions: The commission or omission of an act which is in violation of law, but not punishable by any imprisonment or by any fine exceeding \$300.00. Instead sanctions include small fines and impoundment of property.

Note that most "traffic violations" are infractions, but some are criminal. A law appearing in the traffic code is not automatically an infraction. What determines if an act is an infraction, misdemeanor, or felony is the possible consequences for the violation. Examples of traffic violations which are criminal include DWI, DWLS/DWLR, and Reckless Driving.

Charging Document: That document which identifies a violator and specifies the time, date, and location of a crime or infraction, as well as identifying the violation itself. The most common charging documents include:

Court Complaint

Information, a complaint, supported by affidavit, initiated by a prosecutor.

Uniform Summons and Complaint, used for both

Traffic violations (and certain other infractions); and

Misdemeanor citation

Parking Citation, to allege a violation of a parking law.

Taxicab Violation Citation, to allege a violation of a taxicab ordinance.

Civil Citation, used for Municipal Code violations, including Curfew, and allowing appearance before an Administrative Hearing Officer.

PROCEDURE

I. CATEGORIES OF CUSTODY

A. Protective Custodies, including:

1. Juvenile runaway, curfew, and abuse/neglect provisions.
2. Non-Criminal Commitment, for both adults and juveniles.
3. Mentally ill provisions.

B. Infractions

C. Arrests, both misdemeanor and felony.

D. Miscellaneous, especially investigative stops and juvenile detentions.

II. MISCELLANEOUS

A. Use of Force is Authorized. Officers may use whatever reasonable force is necessary to effect any lawful custody, and/or seizure--even if that custody is not an arrest. See "Response to Resistance" procedure, 3.05.025.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.050	
Policy and Procedure Title Custody-Infractions/Civil Violations	Effective Date 8/10/09	Page 1 of 7
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3.02.050 Custody--Infractions/Civil Violations

PURPOSE

To instruct all personnel of the procedures governing the processing of infractions and civil violations.

DEFINITIONS

Infraction: A violation of a law that can subject the violator to a fine less than \$300.00 and/or impoundment of property, or other such minor sanctions. An infraction is distinguished from a crime in that a violation of an infraction cannot subject the violator to any term of imprisonment or community service or to any large fine.

Charging Document: That document which specifies the particulars of the violation (the who, what, where and when of the violation). These documents include:

Court Complaint: A form that specifies the particulars of a criminal violation, usually submitted by an officer or other complainant.

Information: A complaint submitted by a prosecutor, supported by affidavit. The officer will have little exposure to this form of charging.

Uniform Summons and Complaint: A form used for both:

Charging most infractions (such as traffic); and

Charging some misdemeanor offenses. When used for this application, the form is commonly called a "misdemeanor citation."

Civil Citation: A form that may be used to charge infractions set forth in the fine schedule contained in Anchorage Municipal Code, Title 14. Hearings on such charges are conducted by the municipality's Administrative Hearings Officer instead of in District Court.

Taxicab Violation Citation: A form used to charge a violation of any of the laws governing taxicab operation. If a taxicab operator violates a general

traffic law, however, the Uniform Summons and Complaint (i.e. "Traffic Citation") is used.

Parking Citation: A form used to charge parking violations.

PROCEDURE

I. BACKGROUND

A. Types of Violations. Modern society is governed by volumes of laws. Of all these laws, however, only a fraction are deemed so serious as to require arrest if violated. Most are more regulatory in nature so, if violated, subject the violator to a lesser punishment than jail time. It is the possible consequences of violating a certain law that determines its category. As described in the general arrest procedure, these categories of offenses are:

B. Criminal offenses. A crime is a violation so serious that to be convicted of such an act could result in a term of imprisonment, and/or imposition of a term of community service, and/or a fine exceeding \$300.00. Since the word "arrest" is defined as the taking into custody of a person to answer to an allegation of a criminal act, it becomes obvious that a person can only be arrested for violating a law falling in the category of "criminal." Consequently, if a person is stopped for an infraction such as running a red light, that person is taken into temporary custody (to allow issuing of the citation), but is not arrested for the noncriminal act of running a red light. Of the possible criminal acts, there are subcategories:

1. Felony crimes--which are the most serious crimes, punishable by imprisonment in excess of one year; and
2. Misdemeanor crimes--which are the least serious criminal offenses, but still serious enough to deserve jail time (up to a year) if committed.

B. Infractions. Infractions, like crimes, are violations of law, but differ from crimes in that the possible consequences do not include either imprisonment or community service as punishment. Being less than a crime, however, does not imply infractions are not taken seriously. Consider the following:

1. If a violator refuses to give the necessary information to the officer to complete an accurate charging document (normally the Uniform Summons and Complaint or the Civil Citation, issued in the field), that person can be brought before a magistrate, who can hold that person in jail until the information is provided (AK ST 12.25.180.(b)).
2. If a violator purposely provides false information to the officer for the completion of the charging document, that person can be arrested for a criminal offense.
3. Infractions are presumed to require court appearance. District Court Rule 8, however, recognized a large body of infractions that seemed appropriate for non-judicial review, and so authorized the "bail forfeiture schedule." Officers who have issued a conventional "traffic ticket" that specifies the points and bail assessed have used this bail forfeiture

provision. This gives the violator the option of mailing the bail, checking the no-contest plea box, and dispensing with a physical appearance in court. Many infractions however, are not assigned a bail on this schedule, and are the "mandatory appearance" citations (within 5 working days), which officers should readily recall.

C. Civil violations. For the officer, the most commonly thought of civil violation is the parking violation. However, Anchorage Municipal Code Section 14.20.020(B) grants to the municipality's Administrative Hearings Officer jurisdiction "concurrent with that of the Alaska State Courts" over civil violations set forth in the fine schedule contained in AMC 14.60.030. The Administrative Hearings Officer may assess civil penalties (fines) and costs but may not assess attorney's fees, impose community service, provide injunctive relief, or suspend licenses. Civil violations are distinct in that:

1. No criminal record is established on the offender.
2. No imprisonment, even by warrant, is possible. Instead, "civil relief" is sought through fines, impoundments, and civil collections proceedings.

II. APPLICABILITY OF INFRACTIONS TO JUVENILES

A. Juveniles Charged as Adults. Because of the regulatory (versus criminal) nature of most infractions, juveniles may be charged in state court as adults for all infractions found in the traffic code, those having to do with tobacco or alcohol violations, Fish and Wildlife regulations, and Parks and Recreation rules.

The Municipality has several infractions that fall in the criminal code (AMC 8 series), but they are outside of the categories listed above. Charging juveniles with one or more of these infractions must be done through the Administrative Hearings process via use of a Civil Citation.

B. Avoid Confusion with Criminal Violations. Just like several infractions appear in the criminal code, some criminal violations appear randomly in codes that are almost exclusively infractions. For instance, the "hit and run" ordinances and the "DWI" provisions are criminal, but appear in the digest of traffic infractions known as Anchorage Municipal Code Title 9. Therefore:

1. If a juvenile violates such a criminal law within that code (i.e. a traffic crime), he/she is arrested as detailed in the procedure "Arrests--Juveniles".
2. If the juvenile violates infractions contained in the fine schedule listed in municipal code 14.60.030, he/she must be cited into the Administrative Hearings process by use of a Civil Citation form.
3. If the juvenile violates any other criminal code, including most of AMC Title 8 (i.e. non-traffic criminal), that minor is handled as a delinquent, as discussed in the procedure entitled "Custody--Juvenile Delinquency".

III. CHARGING DOCUMENT

A. Proper Completion of Form. No field report is required when charging an infraction, if evidence was not seized, as the citation serves as the report. Instead, field notes and/or notes on the back of the citation are adequate.

B. Proper Use of Forms. The following forms are to be used when charging the respective violations:

1. Parking citation. Used to charge any violation of a Municipal parking ordinance (AMC 9.30 series, 9.32 series, and 9.34 series in their entirety). This document is used on commercial and private vehicles with no distinction.

2. Taxicab violation citation. Used to charge any taxicab operator with violation(s) of any of the specific taxicab ordinances (the entire AMC 11.10, 11.20, and 11.30 series). Note that these laws apply to taxicabs only, and have their specific charging form.

3. Civil citation. Used to charge infractions set forth in the fine schedule contained in AMC 14.60.030. All violations charged through use of this form will be heard by the municipality's Administrative Hearings Officer instead of in state court.

4. Uniform summons and complaint. Used to charge the following infractions:

a). Violations of any of the noncriminal traffic ordinances committed by either an adult or a juvenile. These include both Municipal and State traffic infractions, as found in AMC 9 series, the State 13AAC series, and State Title 28 provisions. Recall that the criminal traffic offenses can also be charged on the Uniform Summons and Complaint, but when they are that form is no longer a "traffic ticket" charging a traffic infraction, but a "misdemeanor citation" charging a criminal act, and is processed differently.

b). Violations of various infractions, such as Parks and Recreation ordinances or Fish and Wildlife laws. Anchorage Police Officers have very limited contact with these offenses, but can make charges of such infractions on the Uniform Summons and Complaint.

c). Violations of various infractions committed by juveniles that fall within the categories of Alcohol related ordinances or statutes, Parks and Recreation ordinances, or Fish and Wildlife laws.

IV. TRAFFIC

A. Traffic Represents Most Infractions. For the Anchorage Police Department member, traffic represents the vast majority of infractions charged. To provide more specific procedural information to the officer, this section is included. It would be wise to remember, however, that infractions appear in many other codes besides traffic (Parks and Recreation, Fish and Wildlife, health codes).

B. Bail Forfeiture Schedule. All infractions were originally presumed to require court appearance. However, practice soon showed that not each case could be adequately heard, and the majority of offenses were not contested. It became apparent that not each offender had to appear in court, so the court system developed a list of infractions that could be handled by mail. District Court Rule 8 authorized the "Bail Forfeiture Schedule," which was the list of eligible infractions, their bail amount, and the associated points assessment developed administratively by the Division of Motor Vehicles (not the court system). This allowed:

1. Officers to issue a charging document (the Uniformed Summons and Complaint for the infraction, and put the pre-decided bail amount on the ticket without having to appear before a magistrate for a bail hearing).
2. The defendant to exercise the option of never appearing in court, but forfeit the bail and have the points assessed against his or her license in an assumed guilty/no contest plea.
3. The defendant to retain the right to contest the citation by posting that bail amount (assigned in the field), and establishing a court date for testimony.

C. Infractions that Do Not Appear on the Bail Forfeiture Schedule. All infractions that do not appear on the Bail Forfeiture Schedule require court appearance. In issuing the Uniform Summons and Complaint, officers annotate "MANDATORY COURT--WITHIN 5 WORKING DAYS," allowing the defendant to appear in court anytime during normal working hours.

D. Correctable Infractions. Some equipment violations give the defendant one additional method of resolution--to correct the deficiency, have it inspected for verification and adequacy, and thereby void the citation and possible penalties. These are known as "correctable" violations. When issuing a citation alleging a correctable violation, officers shall mark the box indicating:

1. Correctable: This citation will be dismissed if you correct the defect and present the vehicle for inspection within 7 days at:
 - a). Anchorage Police Department, 4501 Elmore
 - b). Environmental Service Division, 825 L. St. (for excessive exhaust noise violations (AMC 9.44.330 B-E).

V. OTHER CIVIL INFRACTIONS--THE ADMINISTRATIVE HEARINGS PROCESS

A. Civil infractions are contained in several chapters of the Anchorage Municipal Code. For the purpose of enforcement, those infractions have been listed in the fine schedule contained in AMC 14.60.030. Enforcement of any of these ordinances may be done by any code enforcement officer of the municipality including, but not limited to, Anchorage Police Officers,

Anchorage Fire Department Officers, Building Safety Officers, Zoning Enforcement Officers, or Health Inspection Officers.

For the Anchorage Police Department member, civil violations represent a distinct minority of infractions charged. However, to provide more specific procedural information to officers, this section is included.

B. Civil Fine Schedule (AMC 14.60.030). Anchorage Municipal Code 14.20.020 authorizes the Administrative Hearings Officer to have jurisdiction over infractions for which a civil penalty is set forth in the fine schedule in AMC 14.60.030. This jurisdiction is to be "concurrent with that of state court." In plain language, this means that, if the violation appears in the Title 14 fine schedule, an Anchorage Police Officer may elect to charge a violator through either the Administrative Hearings process (Civil Citation) or the state court (Uniformed Summons and Complaint), whichever is appropriate. The notable exceptions here are violations committed by juveniles which are explored in detail in section B. of this chapter.

In uncontested cases and those in which, through the hearings process, the Administrative Hearings Officer decides that the person committed the offense, the only "sentence" possible is the imposition of the requested fine. Use of other actions by the Administrative Hearings Officer, such as suspensions of fines, terms of jail, probation or community service, or the awarding of attorney's fees, is not allowed.

C. Benefits of Using the Administrative Hearings Process. Some of the same benefits accrue to officers and defendants using the Administrative Hearings process as in the use of the bail schedule for traffic violations. Some significant differences do exist, primarily:

1. Officers must issue a different charging document (the Civil Citation) for the infraction, and write the pre-decided bail amount as listed in the Title 14 fine schedule on the ticket.
2. The defendant may exercise the option of sending in the fine amount indicated or requesting an administrative hearing. In either case, no points can be assessed against any license held by the defendant.
3. The defendant retains the right to contest the citation by posting that fine amount (assigned in the field) and establishing a date for an administrative hearing. If the defendant ignores the citation completely or fails to appear for a scheduled administrative hearing without posting the fine, a default judgment will be entered against him/her and collection proceedings could be initiated. If the defendant posts the fine amount and requests an administrative hearing but fails to appear, the Administrative Hearings Officer would enter a default judgment against him/her and close the case.

D. Writing a Civil Citation for an Infraction Appearing on the Title 14 Fine Schedule. Since the rights of defendants and the requirements for processing differ from those in criminal or traffic cases, the standard Uniform

Summons and Complaint form cannot be used to charge violators. The proper charging document is the Civil Citation.

1. Though the Civil Citation appears substantially similar to the Uniform Summons and Complaint, there are differences in both structure and processing.
 - a). Only civil violations listed in the civil fine schedule set forth in Title 14 of the Municipal Code may be charged on a Civil Citation form.
 - b). The "Description of Violation" block must contain a brief charging statement noting sufficient information to establish a prima facie case, or the citation may be dismissed. The reverse of the pink copy may be used to add additional officer notes.
 - c). The officer must enter the amount of the fine in the space provided. Some violations show a range of possible fines but, for our purposes, the standard amount assessed will be the lower figure unless there are aggravating circumstances justifying an increased fine. If so, these circumstances must be articulated on the reverse of the officer's (pink) copy, or in a police report.
 - d). The violator is not required to sign the citation and the officer certifies service by checking the appropriate block.
 - e). The violator receives the last two (white) copies of citation, the Statement of Rights sheet, and a pre-addressed envelope. The reverse of the violator's copies contain instructions for the defendant on how the citation may be handled.
2. Issuance of a civil citation does not require a police report unless the circumstances are such that the situation cannot be fully explained on the ticket form, or if the citation is part of a larger investigation involving the possibility of criminal charges. In those cases, the case number must be entered in the marked spaces along the right margin.
3. Violations of civil infractions do not require court appearances by either adults or minors. However, if a hearing is requested by the defendant, such hearing will be held before the Municipal Administrative Hearings Officer.

If a juvenile requests an administrative hearing, a parent or guardian must appear at any hearing so requested by the juvenile.

VI. SUMMARY

Infractions are minor offenses that, like crimes, are still violations of law, but do not carry with them the possibility of jail time. Most are charged on specific forms which are rather self-explanatory. Juvenile offenders are charged just as an adult would be for all but the AMC Title 8 infractions previously noted that must be handled through the administrative hearings process. For those infractions which require court appearance, the officer must write on the charging document that the parent must appear in court with the juvenile.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.055	
Policy and Procedure Title Custody-Juvenile Delinquency	Effective Date 8/10/09	Page 1 of 8
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.055 Custody--Juvenile Delinquency

PURPOSE

To advise all personnel of the procedure for taking minors into custody for the commission of delinquent acts.

DISCUSSION

The Concept of Juvenile Delinquency

Minors are processed through the Juvenile Justice System as per Alaska Statute 47.12.020. The only exception to this occurs when a minor is arrested for a violation of a traffic law, in which case, the Minor is processed as an adult with the detention facility being McLaughlin Youth Center. (There are Fish & Game and Parks & Recreation crimes where the juvenile is also treated as an adult, however, these are rare and would need further guidance.)

The procedure "Juveniles—General" has a section "Understanding the Juvenile Justice System" which gives a more complete discussion of this topic.

DEFINITIONS

Delinquent Act: An act or omission by a minor that could result in institutionalization.

Adjudication: The classification of the juvenile matter. There are two adjudications the court system deals with:

Delinquency: That category of juvenile matters wherein the minor commits delinquent acts (acts that would be criminal if committed by an adult). If a minor is found responsible for such act(s) in Family Court (another name for Juvenile Court), the court can officially "adjudicate" (i.e. label) the juvenile "a delinquent minor." That adjudication permits the court to enter an order of institutionalization.

Child in Need of Aid ("CINA"): That category of juvenile matters wherein the minor is the subject of abuse or neglect, or is in need of special care not

provided by the legal guardians. A child in need of aid cannot be institutionalized by the courts.

Waiver: The placing of what would normally be a juvenile matter into the adult criminal court system. There are two ways in which this can occur:

Court Determination: A process by which the Family Court is petitioned to remove a juvenile delinquency proceeding from that jurisdiction and place it into the adult criminal court system.

Automatic Waiver: A legal provision that mandates any juvenile, age 16 or over, who commits an Unclassified felony, a Class A felony, or Arson, be automatically waived to adult status. No family Court Waiver Hearing is required.

Disposition: The general equivalent of sentencing in adult court. With minors, five dispositions are possible if a minor is found responsible for a delinquent act:

Adjudication Held in Abeyance.

Restitution. In some cases, the juvenile will be required by the court to fulfill restitution by either paying a fine or completing community service. Often time's restitution is required with other forms of dispositions, however, it can also be a disposition in and of itself.

Probation. Defined identically to that of adult probation, in that a period of supervised behavior is imposed in lieu of institutionalization. The supervision is provided by Juvenile Probation.

Foster Care. The Family Court may determine that the delinquent behavior is generated by a deficient family situation, and order the minor placed in either group or individual family foster care.

Institutionalization. The Family Court may believe that the behavior of a minor is such that full treatment in a secure setting is in the juvenile's and society's best interests, and order custody of the minor remanded to the Commissioner of Health and Social Services for further placement into an institution for two years, or until the minor's nineteenth birthday. Since the placement is for treatment rather than punishment, no specific period of institutionalization is imposed. The institution, through regular reports, determines when the juvenile has been rehabilitated.

Custody: In this procedure, two possible definitions occur:

Any Restraint of Liberty. See "Custody—General" (3.02.005) for full discussion.

Specific for Juveniles—"Custody" means responsibility TO and FOR the minor, and does not imply restraint of any sort. An officer taking custody of a minor limits that child's freedom, while a "custodian" who takes legal custody of a minor cares for that child and discharges all responsibilities of a guardian.

Status Offense: A type of offense that can only be committed by people of a certain "status." In juvenile law, it is the term identifying the laws that pertain

exclusively to minors, and includes truancy, runaway, curfew, alcohol violations, and others.

Some status offenses, most notably the alcohol violations found in Alaska Statute 04, define a minor differently than those being under 18 years old.

REFERENCES

Harris v. State (1984). 678 P.2d 397

J.R.N. v. State (1994). 884 P.2d 175

Stephen v. State (1985). 711 P.2d 1156

PROCEDURE

I. TYPES OF “ARRESTS”

A. Warrant Arrests.

1. Detention Order. A Detention order is the juvenile equivalent to an adult arrest warrant. The most significant difference, other than appearance of the form, is that bail is not set on such an order, so that any juvenile so arrested is transported directly to McLaughlin Youth Center and booked without bail. Detention Order's are obtained from Juvenile Probations.

2. Misdemeanor or Felony Warrants. Technically Misdemeanor and Felony Warrants only apply to adults, however, in the rare cases where the Anchorage Police Department will apply for the detention of a juvenile, the request can be made on the adult warrant paperwork.

3. Misdemeanor Crimes. Typically Detention Order's are applied for by Juvenile Probations and not the Anchorage Police Department, unless the crime is involving Domestic Violence (see Domestic Violence Response and Investigation).

4. Felony Crimes. Anchorage Police Officer's are not to apply for Felony arrest warrants for juveniles unless the crime is involving Domestic Violence or they have been directed to do so by a field supervisor or detective in the respective area of the crime.

5. When a juvenile arrest warrant is applied for from the Magistrate, the applying officer shall respectfully remind the issuing Magistrate that the warrant is for a juvenile, requiring juvenile case numbers, and should be no bail.

B. Warrantless Arrests—Misdemeanors.

1. Arrest by officers for:

- a). Misdemeanor offense(s) committed in their presence; or

- b). Based on probable cause, developed by themselves or by other officers through investigation, if, and only if the subject misdemeanor is:

- i. A Driving Under the Influence violation occurring within the preceding 4 hours (see Driving Under the Influence); or
- ii. A violation of the Domestic Violence provisions, which specifically entitle officers to arrest on probable cause (see Domestic Violence Response and Investigation, for details).

2. Private Person's Arrest. A private person is empowered to arrest anyone who commits an offense in their presence, whether that person is a juvenile or adult. (see "Arrests—Private Persons'," for details).

C. Warrantless Arrests—Felony.

1. By officers for an offense committed in their presence.
2. By officers, based on probable cause, and normally established by an investigation conducted by any officer.
3. Private Person Arrest. Though allowed by law, it is not Department policy to accept a Private person arrest of a felon. Instead, the complainant is interviewed to establish probable cause, and if sufficient, officers make the arrest.

II. EXECUTING THE "ARREST"

Note: Since many juvenile matters (e.g. traffic arrests, felony arrests, waivers) overlap with the adult process, confusion can arise as to where and how to book a juvenile. One simple rule can guide officers: Unless some legal authority specifically and clearly directs otherwise, all persons under the age of 18 years will be booked into the McLaughlin Youth Center.

A. Warrant Arrests

1. Detention order
 - a). In executing any "warrant" type arrest, the two most critical elements for officers are:
 - i. Establishing positive identity of the person named on the document; and
 - ii. Ensuring the validity of the document.
 - b). If both elements meet the officer's satisfaction, the subject is arrested in the conventional manner (consult "In-Custody Transports" procedure, for expansion on the topics of restraint, search, and transport subsequent to arrest).
 - c). No appearance before a magistrate is required prior to booking, as the function of the magistrate has been previously satisfied by the issuing judicial officer. On booking at McLaughlin Youth Center, the juvenile Intake system is triggered to arrange subsequent hearings and/or release.

d). The Detention Order is a judicial order compelling a peace officer to take the named subject into custody. Officers may, however, select the time and location for executing the order.

e). Since all Detention Orders issue from the State Superior Court, any Detention Order can be executed by an Anchorage Police Department officer.

B. Warrantless Arrests—Misdemeanor

1. By officers, in their presence.

a). All sworn members of the Anchorage Police Department, whether on or off duty, within the boundaries of the Municipality (including all Federal Property, and on military reservations), may effect an arrest as a police officer for any misdemeanor committed in their presence.

b). Arrest techniques are conventional (see “In-Custody Transports”, which describes restraint, search, and transport procedure and policy).

c). A substantial effort will be made to notify the juvenile’s legal custodian(s) of the arrest. These efforts will be explicitly documented in the Police Report.

d). Juveniles will not be transported with adults unless that adult is related to the minor.

e). Officer’s shall consult MYC prior to releasing a juvenile directly to his/her legal custodian. If MYC will accept the juvenile, the juvenile shall be transported to MYC, if not; the juvenile can be released to a guardian.

The only misdemeanor arrests that MYC cannot refuse to take are D.V. arrest and warrant/detention order arrest. In these cases, a call to MYC is still warranted.

2. By officers—based on probable cause.

a). As discussed earlier, there are two misdemeanor offenses for which officers can arrest based on probable cause, established by their own observations or by citizen’s observations. They are:

i. Driving Under the Influence if that offense occurred within the preceding 4 hours; and

ii. Violation of the Domestic Violence Provisions.

b). Should officers arrest a juvenile for Driving Under the Influence, the minor would be handled as an adult, including appearance before a magistrate. The two issues unique to juvenile DUI arrests are:

i. All reasonable attempts should be made to notify the juvenile’s parents of the arrest, although their presence is not required; and

ii. If remanded by the magistrate, the minor would be processed into McLaughlin Youth Center.

c). Should officers arrest a juvenile for violation of a Domestic Violence provision, the case should be processed as a juvenile misdemeanor offense, as described above.

d). In assuming responsibility for a citizen's arrest, officers should conduct the process as described in sections "I.B.1.b" and "B.1." of this procedure. A review of the steps would be:

- i. Take custody of the arrested minor.
- ii. Make or cause notification of the minor's legal custodian(s).
- iii. Transport the minor as outlined in the procedure "In-Custody Transports". Destinations could include:

- (1). To the minor's home for release; or
- (2). To Covenant House for release if a custodian cannot be reached.
- (3). To the station for further processing, investigation, staging point for contact with custodians or detectives, etc.; or
- (4). To McLaughlin Youth Center for booking if a Detention Order is in existence and/or if MYC will accept the juvenile.

e). Complete and submit the Police Report, a copy of which is forwarded by Record Division to juvenile Intake Office for consideration of possible prosecution or informal resolution.

C. Warrantless Arrests—Felony

1. Any felony arrest can be made if the offense is committed either in the officer's presence, or by probable cause established by any officer.

a). Officers should coordinate their activities with the Detective Section as well. See Section C. of 'Arrests—Felony'.

b). Officers must closely consider the appropriateness of the arrest. Guidelines on making that determination can be found in "Arrests—Felony" Section D.

III. INTERVIEWING JUVENILES

A. An interview of a juvenile suspect is conducted as an adult interview would be, with the following additional considerations:

1. The juvenile's legal custodian(s) must be notified of the arrest and, if applicable, the intent to interview their ward. Although Alaska Statute 47.12.245 requires that this be done within 12 hours of detaining the juvenile, this shall be done as soon as practical. Every reasonable effort will be afforded that custodian to attend the interview if only after being advised of this right, the juvenile wants a parent, guardian, and/or an attorney to attend. There is no legal mandate to have a parent or attorney present while the juvenile is being interrogated so long as the juvenile has been advised of his/her Miranda Rights as well as the right to have a

parent present and have waived that right. If the detained juvenile requests to speak with a parent, that request must be met the same as if the juvenile was requesting to speak to their attorney.

2. Juvenile suspects must be advised of their Constitutional Rights (Miranda) if custodial interrogation is to be conducted. Any suspect may waive those rights, but that waiver must be done:

- a). Knowingly—meaning no trickery or deceit; and
- b). Voluntarily—meaning no force or coercion, and
- c). Intelligently—meaning the full significance of what is being waived must be appreciated.

3. In addition to the “typical” *Miranda* advisement, juveniles must be asked two additional questions:

- a). “You have the right to have your parent notified of your arrest before you talk to me.”
- b). “You have the right to have your parent present while you talk to me.”

4. The government has the burden of proving the three standards listed above are met. With juveniles, the standards are identical, but the burden of proof is more strict. Courts and juries are inclined to see juveniles as easily intimidated, easily tricked, and not always aware of the significance of what they do. As such, officers must go to extra lengths to insure statements are acceptable. Toward that end, the following is offered:

- a). Custodial interviews, including *Miranda*, will be audio recorded in their entirety.
- b). The most significant feature to consider is the minor’s maturity and experience with the law enforcement system, often referred to in legal circles as the minor’s “sophistication”. The more sophisticated the minor, the more closely he or she approaches the adult procedure. However, an unsophisticated minor demands substantial effort on the officer’s part to correctly conduct an interview and investigation. The officer is encouraged to:
 - i. Explain in detail the process(es) to which the minor may be subject.
 - ii. Make and document substantial effort to contact guardian(s).
 - iii. Fully explain the rights advised under *Miranda* when appropriate to give any such advisement.

IV. RELEASE AFTER ARREST

A. Directive to Contact Juvenile Intake. Whenever a juvenile is released to a parent/guardian after arrest for a Municipal or State criminal law violation, both the juvenile and the parent/guardian must be issued a “Directive to

Contact Juvenile Intake” form. This order provides immediate notification that Juvenile intake must be contacted the next business day to schedule an interview regarding the arrest. The following procedures will be used to complete, issue, and distribute the form:

1. Place the name and date of birth of the juvenile in the “In The Matter Of:” box at the top left of the form.
2. Write the date of issue and the Police Report number at the top right of the form.
3. Obtain the signatures of the juvenile and the parent/guardian in the appropriate blocks.
4. Ensure that the parent is aware of the Intake phone number, noted on the form.
5. Distribute as follows:
 - a). Original—attached to the Police Report.
 - b). Yellow—Juvenile Intake.
 - c. Pink—Juvenile
 - d. Goldenrod--Parent

NOTE: This form should not be used if the juvenile is detained at the McLaughlin Youth Center, or when cited for curfew, alcohol, tobacco, traffic, or Fish and Game violations.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.060	
Policy and Procedure Title In Custody-Transports	Effective Date 06-22-2012	Page 1 of 6
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.060 In Custody Transports

PURPOSE

To describe procedures which ensure the security of prisoners and the physical protection of all parties, while minimizing allegations of officer misconduct.

POLICY

Recognizing that the time of arrest and transport is an extraordinarily dangerous phase of police operation (both physically and civilly), it is the Department's policy to employ procedures that defeat opportunity for escape, injury, or accusations of misconduct.

PROCEDURES

I. RESTRAINTS

A. Department approved restraints include, but are not limited to, the following:

1. Standard chain handcuffs.
2. "Flex-Cuffs," provided tool(s) for removal are carried by officers.
3. Patrol car with prisoner screen and locking rear doors.
4. Soft restraints (usually provided by the Anchorage Fire Department), including:
 - a). Padded cuffs
 - b). Straight jackets
5. Belly chains (see Warrants Section unit procedure).
6. Leg Restraints and Total Leg Restraints

B. When restraints are to be used

1. All persons placed in any form of custody shall be searched prior to transport. Officers have discretion in how much restraint to use providing:

- a). As a general rule, all people being transported who are in custody will be handcuffed.
- b). Age, gender, and physical or mental condition of a person can be used in conjunction with the surrounding circumstances to determine whether a person is to be handcuffed.
- c). Officers shall use sufficient restraint to maintain control of any person in custody.
- d). Any person placed in custody under circumstances suggesting violence or escape risk shall always be restrained with traditional metal handcuffs.

C. Proper use of restraints

1. Any restraint must be applied humanely.

2. Handcuffs

- a). Handcuffs are the primary restraining device.
- b). All handcuffing shall be applied consistent with APD training and with the handcuffs double locked.
- c). Officers should note in their reports that the handcuffs were checked for fit and double locked. This can be noted in the report as CF/DL, or "checked fit/ double locked."
- d). When handcuffing two people together, cuff the right hand of one subject to the left hand of the other ("cross-cuff").
- e). The only immovable object that a subject may be handcuffed to is an apparatus specifically designated as a restraint device. Handcuffing to any vehicle is prohibited.
- f). Should a subject complain of any pain associated with the handcuffs, officers shall inspect and ensure that the handcuffs are not causing injury as soon as practical. This check and any corrective actions should be noted in the officer's report.

3. Flex-cuffs.

- a). Flex-cuffs are regarded as secondary restraining devices and should only be used under special circumstances or when traditional metal handcuffs are not available.
- b). The use of Department-approved flex-cuffs is authorized, providing tools for removal are readily available to the officer using them.
- c). Should a subject complain of any pain associated with the handcuffs, officers shall inspect and ensure that the cuffs are not causing injury as soon as practical. This check and any corrective actions should be noted in the officer's report.

4. Police vehicles with prisoner screen and locking rear doors.

a). Providing the standards for required restraint are met (see I. B. a. of this procedure), officers may elect to place the searched subject, not handcuffed, in the right rear seat of the vehicle, screen up and doors locked.

5. Soft restraints (padded cuffs and straight jackets).

a). The Anchorage Fire Department can provide soft restraints to enhance safety and humane treatment in the transport of mentally ill subjects.

6. Leg restraints

a). Certain situations may require further restraint of a subject who continues to be combative after being handcuffed. If total leg restraints are used and attached behind the person's back in any manner, the subject shall be monitored at all times. A supervisor will be notified immediately and a second officer must ride in the police vehicle and monitor the subject. The use of leg restraints will be documented in the police report.

b). Any use of leg restraints will be in accordance with current Defensive Tactics training guidelines.

II. PROTECTIVE SEARCHES

A. Purpose: Protective searches are conducted to find any dangerous item(s) prior to transporting. This is to ensure:

1. Officers' safety; and
2. The safety of transported subjects (from self-inflicted harm and injuries from struggles to disarm); and
3. The safety of the public (from escape and escalation of events).

B. Importance: The public depends on officers to ensure their safety. In nearly all instances, the person being transported does not want to be in custody, and officers should eliminate opportunities for damage to property or injury to the person being transported or the public at large. This is best accomplished by:

1. Proper restraint; and
2. Proper searching.

C. Description of Protective Searches: A protective search has to be distinguished from a search for evidence of a crime. The intent of a protective search is to find weapons, so the scope is limited. If evidence happens to be found, it may still be admissible only if the item found was believed to be a weapon. Protective search cannot be used as a ruse for a quest for evidence.

D. Description of "In-Custody": It is reiterated that this procedure addresses any person brought into custody for any reason, and does not limit itself to

arrested individuals only. "In-custody" includes runaway juveniles being transported home, and other forms of protective custody.

E. Searching Standards:

1. The extent of the search will be governed by the circumstances of the custody and the gender of the person being searched, but not by age.

Specifically:

a). Juveniles shall be searched.

b). Females should be searched by female officers. If impractical, the search shall be conducted in the presence of another available officer, or, in front of a police vehicle equipped with a police video camera, or, in front of a credible citizen witness (e.g. an AFD employee, police chaplain, etc.). The search will be documented in a police report or in CAD. The witness officer's name or the witness citizen's name and contact information will also be included. Female officers searching a male are exempt from this section.

c). Limit all searches of the opposite gender to the minimum necessary.

d). Should a female who is under arrest or otherwise detained by a male officer ask for a female officer, the male officer shall contact Dispatch and make that request. It is Department policy that, if a female officer is available, every reasonable effort must be made to dispatch the female officer to the scene. The female officer shall remain with the detained subject until the conclusion of the call. The same policy applies when a male under arrest or being detained by a female officer asks that a male officer be present.

e). Should it be necessary in an emergency situation to search a person of the opposite gender without another officer present, a supervisor will be notified immediately and the action will be electronically recorded and documented in the police report.

2. Dangerous objects, bags, purses, backpacks, apparel, jewelry and similar articles that pose a potential threat to self or others fall under standard search conditions and will be separated from the individual during transport.

3. Vehicles used for transport shall be searched both before and after an in-custody transport.

III. TRANSPORTING--GENERAL POLICIES

A. Conversation

General conversation should be limited. Issues regarding questioning in the vehicle, taping conversations and other investigative matters should be researched in the procedure "Investigations--Interviews". Certain

conversations initiated by the person in custody can be used as evidence, even without prior *Miranda* warnings.

B. Responding to Other Calls: Do not respond to other calls with a person in custody in the vehicle. Occasionally, while transporting, officers will view an incident requiring police attention. In those events, response is appropriate, but should be minimized.

1. In no event will officers participate in a "code run" with an in-custody on board.
2. Any such "on-view" police action should not expose the in-custody subject to danger.

C. Reducing the Potential for Allegations of Misconduct: To avoid potential allegations of misconduct during transport, the following guidelines should be observed:

1. Drive well-traveled, well-illuminated routes.
2. When transporting juveniles or persons of the opposite gender, advise Dispatch of your location, starting/ending mileage, and destination.
- 3). Should it be necessary to stop at a substation or make any other unscheduled stop while transporting a person of the opposite gender, supervisor notification will be necessary and two officers will be present at all times. The event will be documented in the police report to include the supervisor and witnessing officers' names.
4. Avoid verbal confrontations.
5. Whenever a female is transported by a male officer, the transport itself shall be audio-recorded from beginning to end, downloaded into DIMS, and attached to a case number or incident number *before* the end of that officer's tour of duty during which the transport occurred.
6. Should the subject's conversation suggest bribes, threats, retribution, sexual acts, or other matters of concern, officers shall:
 - a). Notify a supervisor immediately; and
 - b). Document the conversation in a police report.
7. Do not delay en route.

D. Communications Security

1. When transporting a person in custody, take the radio off of the "scan" mode and monitor the main channel. This is to prevent the transported subject from hearing sensitive radio traffic.
2. The MDC screen should be positioned to avoid viewing by subjects.
3. Use of Seatbelts: Whenever practical, seatbelts should worn by persons in custody while being transported. Use the prisoner restraint system if the vehicle is so equipped.

IV. TRANSPORTING

A. General: Transports shall not occur until after the person and the police vehicle are searched.

B. Guidelines on Positioning In-Custody Persons in the Vehicle. The following guidelines shall be followed when positioning a person who is in custody in a police vehicle:

1. Officers should avoid transporting prisoners who are not handcuffed. If the situation cannot be avoided, the prisoner may be transported in the rear seat, but only if the protective screen is up.
2. If two officers are using a car without a protective screen, one officer will ride in the rear seat with the prisoner.
3. Without a screen or a second officer, do not transport two people in custody in one car.

V. TRANSPORTING--SPECIAL CIRCUMSTANCES

A. Juveniles

1. Do not transport juveniles with adults not related to that minor.
2. Transporting juveniles is indistinguishable from transporting an adult, including searches.

B. Mentally Ill

1. Soft restraints can be used if necessary.
2. No standards are to be relaxed when transporting mentally ill subjects. Searches and restraints are appropriate.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.065	
Policy and Procedure Title Investigations-Interviews	Effective Date 8/10/09	Page 1 of 6
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This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.065 Investigation- Interviews

PURPOSE

To advise all sworn personnel of the interviewing standards and techniques acceptable to the Department.

POLICY

It is Department policy to conduct interviews in a professional, efficient manner, while complying with prevailing legal standards.

DISCUSSION

When a crime is committed, the public looks to the police to find who is responsible for the act, and to bring that person to prosecution. Both steps rely on various police skills, the most fundamental of which are finding and seizing both physical and testimonial evidence.

This procedure is about interviewing--the "seizing of testimonial evidence." Effective interviewing is a combination of personal technique and compliance with all legal standards--even the best style of interviewing is useless if legal standards are not met. This procedure highlights those standards, allowing officers to employ their preferred style in a legally acceptable manner.

DEFINITIONS

Interview: For purposes of this procedure, a probative inquiry of any person.

Miranda: A term referring to the case law requirements set out in the *Miranda vs. Arizona* decision. "*Miranda*" imposes a duty on the police to advise any suspect being questioned while "in custody" of certain Constitutional protections, specifically:

You have the right to remain silent.

Anything you say can and will be used against you in a court of law.

You have the right to talk to a lawyer and have him present with you while you are being questioned.

If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.

You can decide at any time to exercise these rights and not answer any questions or make any statements."

After the warning and in order to secure a waiver, the officer shall insure that the suspect in custody both understands the rights explained to him/her, and is, in fact, willing to talk with the interviewer.

Custodial Questioning: The interviewing of a suspect by a police officer any time that suspect is "in custody." The significance of this condition is that it invokes the requirements of *Miranda*--that is, whenever custodial questioning is to occur, suspects must first be advised of their Constitutional rights as specified in *Miranda* (see the definition of *Miranda* above). It is essential that officers make a distinction between "custody" as it applies to "custodial questioning," and as it is used in the Arrest and Custody chapter of this Regulations and Procedures Manual:

"Custody," when used alone, is the restraint of anyone's liberty by anyone else (See 3.02.045).

The type of custody referred to in "Custodial Questioning" is more specific. It is the state of mind of the suspect, and is whenever a reasonable person, in the suspect's position and in light of the totality of the circumstances, could reasonably feel that their liberty is restrained in some significant way. Therefore, for custodial questioning to occur, the following elements must be present:

1. The police must be conducting
2. an interview of
3. a crime suspect
4. while that suspect is "in custody," with "custody" being specifically defined in case law as a significant restraint of liberty as viewed by a reasonable person.

If all elements are met, the suspect must be warned of the Constitutional rights against self incrimination as required in the *Miranda* decision.

Harris vs. State of Alaska. The "Harris" decision requires that police officers electronically record, in their entirety, all interviews of suspects "in custody in a place of detention." The concept of custody is explained in the preceding definition. "Place of detention" is normally construed as a jail or police station, and includes patrol vehicles if custodial questioning occurs there.

PROCEDURE

OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.070	
Policy and Procedure Title Investigations-Use of Informants	Effective Date 8/10/09	Page 1 of 5
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.070 Investigations--Use of Informants

PURPOSE

To advise all personnel of the Anchorage Police Department's standards and methodology for the recruitment, tracking, and use of informants, and the management of the information they provide.

POLICY

That responsible use of informants for the furtherance of the police mission is authorized, but only if such use, and the management of information gained, is conducted in a safe and legal fashion.

DISCUSSION

The proper use of informants is recognized as a legitimate law enforcement tool, but is difficult to manage, subject to abuse, and can be hazardous to officers. Consequently, clear and firm guidelines must be established to control the use of informants, and manage the information they provide. This procedure sets out to do just that, but with a caveat--this procedure is not a training manual on informants. It presumes officers are competent in such techniques as methods of recruitment, legal standards of informant reliability, fundamental investigative techniques, and related topics.

DEFINITIONS

Information: For purposes of this procedure, "information" is any material discovered by or provided to any member of a law enforcement agency that pertains to the overall police mission.

Informant: For purposes of this procedure, an informant is any non-law enforcement person who, by reason of his/her familiarity or close association with criminals, supplies regular or constant information about criminal activities to a police officer. An informant is distinguished from routine sources of information (witnesses, complainants, interviewees) in that an informant requires procedures

and techniques beyond those of a more typical source. Within this procedure, four types of informants are recognized:

A. Occasional Informant. A person who sometimes provides investigative leads when contacted, but will not participate in any regular pattern of reporting information. There is usually no sworn testimony or appearance in court. Certain anonymous callers can fit in this category.

B. Arrested Informant. A person who provides information about criminal associates in order to minimize their own prosecution. This "negotiated" information is typically on a one-time basis, and testimony in court is not unusual. Negotiation is conducted under the auspices of the prosecuting authority, not solely by the police.

C. Regular/Constant Informant. A person who, typically, is a member of a criminal group or a close associate of criminals, and routinely supplies information to the police. Motivations vary, but can include information for payment.

D. Special Informant. A person who participates in (a) police operation(s) beyond the mere supplying of information. This person might actively assist an undercover agent in the penetration of a criminal organization, and/or sets up buys. This type of informant may ultimately require police protection/relocation assistance, as court testimony is normal in these instances. This application of informant requires close attention to procedure, as it is most subject to that informant becoming an "agent of the police," thereby triggering different legal standards.

PROCEDURE

OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.075	
Policy and Procedure Title Investigations- Warrants/Summons/Subpoenas	Effective Date 8/10/09	Page 1 of 7
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.075 Investigations-Warrants/Summons/Subpoenas

PURPOSE

To advise all employees of the processes affecting arrest and search warrants, and the various summons/subpoenas encountered in law enforcement.

DISCUSSION

The Constitution provides for a variety of "checks and balances" to ensure that no one branch of government becomes too strong, nor that the government in general intrude unnecessarily into the private lives of its citizens. One such balancing process is the presumption that the police shall get authority from the courts for any search and/or arrest. This is done by applying for a "warrant," and it is only in specifically and narrowly defined situations that an officer can make an arrest or conduct a search without a warrant.

In practice, however, warrantless searches and arrests seem to be the rule instead of the exception--that is, on a day-to-day basis, officers operate often and routinely in the "specific and narrowly defined situations" which allow exclusion from the warrant requirements. The end result is that some officers come to regard petitioning for warrants as an infrequently used process that is applied only in the most complex cases. This procedure will assist officers in determining when and how to petition for those documents.

DEFINITIONS

Warrant: For purposes of this procedure, a judicial authorization to do something. In law enforcement, the most common types of warrants are:

Arrest Warrants: Which authorize the government (usually represented by the police) to seize person(s); and

Search Warrants: Which authorize the government (usually represented by the police) to search a person or place and seize certain property.

Probable Cause--Arrest Warrants: That level of proof which exists if the facts and circumstances known to the officer would warrant a prudent man in believing that an offense had been or was being committed, and that the person to be arrested is responsible.

Probable Cause--Search Warrants: The sufficiency of information required to permit the conclusion that criminal activity or evidence of crime will be found at the place to be searched.

Summons: For purposes of this procedure, a command to appear in court for arraignment.

Subpoena: For purposes of this procedure, a command, under penalty, for either a person to appear in court, and/or a person to appear in court with documents or other material.

PROCEDURE

I. ARREST WARRANTS AND SUMMONS

A. Types of Arrest Warrants.

1. Arrest Warrants.

- a). Misdemeanor Arrest Warrants.
- b). Felony Arrest Warrants.
- c). Traffic Arrest Warrants (actually a misdemeanor warrant for "failure to appear" or other deficiency).
- d). Juvenile Detention Orders.
- e). Ex-Parte Orders (normally for mental commitments).

B. Sources of Arrest Warrants. Warrants originate from two broad sources:

- 1. Warrants which result from an investigation, where application is made to the courts for authority to arrest or search; or
- 2. Warrants issued by the court itself, known as "Bench Warrants." These warrants are normally issued as a result of a defendant's failure to perform some required act, so are almost always arrest warrants. Commonly, these are:

- a). Failure to Appear (FA).
- b). Contempt of Court (COC).
- c). Failure to Satisfy (FTS).
- d). Failure to Comply (FTC).
- e). Violation of Conditions of Release (VCR).
- f). Probation/Parole Revocation.

C. Warrant and Summons Application--Misdemeanors.

1. General Processing. Any peace officer can apply for a warrant or, as mentioned, a court may issue a warrant on its own initiative. Once issued, a warrant may be immediately served by a police officer (a private person cannot serve a warrant). Officers need only to know a warrant exists, either through personal knowledge or, more typically, through "police information" (usually a computer information system).

2. Application procedure for misdemeanor warrants or summons through the judicial system. When officers apply for a misdemeanor warrant or summons, the following procedure shall apply. Note that paragraph "3" of this section identifies the Misdemeanor Citation as an officer-issued summons, as contrasted with this judicially -issued document.

a). Municipal misdemeanor warrant/summons application (see II. B, for State misdemeanor warrant/summons applications):

- i. Ensure the investigation is complete.
- ii. Prepare a Complaint as normal. Be alert to the following:
 - (1). Supply ample "probable cause" in the designated area of the Complaint.
 - (2). The reverse side of the Complaint is the application for either a Summons (which does not allow an arrest, but serves to advise the defendant of the court date and charges) or a Warrant (which does require/allow an arrest to ensure the defendant will appear).
- iii. The Municipal Prosecutor's Office will be furnished with the full Police Report and Complaint for review of accuracy, clarity, and legal sufficiency.
- iv. After the Municipal Prosecutor reviews, approves, and initials the package, officers will proceed to the State Court Building to contact a judge or magistrate.
 - (1). The Complaint will be signed and sworn to before that judicial officer; and
 - (2). There will be a determination made of whether a summons or warrant shall issue; and
 - (3). The judicial officer will fill out the back of the Complaint as appropriate to a summons or warrant.

Note: If a warrant is issued, bail will be set and entered on the document, but no court date will be specified as the defendant is not yet in custody.

However,

If a summons is issued, a hearing date is set, but bail is not an issue. Recall that a summons is used when there is no reason to believe the defendant should be arrested--the person is merely advised of the court date and is

expected to appear. A summons specifies the court date, and is served on the defendant to ensure he or she is in receipt of both the charges and the date to appear in court.

- v. Officers will deliver or cause to be delivered the finalized documents to the Clerk of Courts, where they will be processed.

- vii. After filing with the Clerk of Courts, officers may deliver the appropriate documents to the Warrants Section to expedite entry of the warrant into the computer or, in the case of a summons, to ensure expedient service.

- b). State misdemeanor warrant application (See I.A, above for Municipal application, and section D. for State felony application). The application for summons or warrant for a State violation is nearly identical to that of a Municipal application.

- i. Ensure the investigation is complete.

- ii. Contact the intake District Attorney. The case will be reviewed with that person and, if a summons or warrant is appropriate, that office will prepare the document.

- iii. The applying officer will then take the material to the State Court Building for signing before a judicial officer and subsequent handling, as described above under the Municipal procedure.

3. Officer-issued summons. Recall that officers may issue a summons for certain violators to appear in court on certain misdemeanors. This occurs when officers issue a Misdemeanor Citation. That process is fully discussed in the procedure of that same title, and is included here for reiteration.

D. Felony Warrant or Summons Application Procedure. Applying for felony warrants/summons differs from its misdemeanor counterpart only because the prosecuting agency changes to the District Attorney's Office. The principle remains the same, however, and the following guidelines apply:

- 1. Ensure the case is complete.

- 2. Arrange to meet with a District Attorney to discuss the case. The report will be reviewed for clarity, accuracy, and completeness, and the case will be reviewed for both legal sufficiency and foundation for warrant/summons issuance.

- 3. If approved, the District Attorney will prepare:

- a). An affidavit setting out the probable cause; and

- b). A Summons/Warrant form similar to what appears on the reverse side of the Complaint in misdemeanor cases.

- 4. Officers will then take the package to an available judge or magistrate, where the affidavit will be sworn to, and the case considered.

5. That judicial officer will ascertain if a warrant or summons is appropriate, and:

- a). If a warrant, establish a bail amount, but no court date.
- b). If a summons, establish a court date only, as bail is inappropriate.

6. Officers will then take the finalized package to the Clerk of Courts, where the documents will be certified and processed.

7. Officers may deliver the appropriate documents to the Judicial Services (JS) Section of the Alaska State Troopers to allow a more expeditious entry of the warrant into the computer or, in the rare case of a summons, ensure more expedient service.

E. Summons Application Procedure--Infraction. Officers will normally issue a Uniform Summons and Complaint for an infraction in the field at the time of the incident. However, there are situations which lead to charging an infraction at a later time, such as at the conclusion of a traffic accident investigation, or an investigation of Misconduct Involving a Controlled Substance in the seventh degree. Notice there is a difference between this process and officer-initiated issuance of a misdemeanor summons by way of a Misdemeanor Citation. Should officers need to summon a person for an infraction, the following guidelines shall apply:

1. Properly complete the Uniform Summons and Complaint form.

Note:

- a). As the name implies, that form acts as both the charging document and the formal summons to appear in court.

- b). The date to appear in court shall be in compliance with the "points and bail forfeiture schedule" furnished the officer.

- i. Normally this would be "Within five working days" for infractions (technically, there is one exception to this--"Within 15 days" for charging the *infraction* of littering under AS 46.06.080. Charging under this statute, if ever appropriate, would only be when the amount of litter is under 5 pounds. See "Calls for Service--Littering", 3.01.080, for details); or

- ii. "Inspectable within seven days at 4501 Elmore" for most inspectable equipment violations. The exceptions within this section (AMC 9.44) are:

- (1). Excessive exhaust smoke, which is inspectable by contacting the Inspection Referee Facility at 561-3111 within 10 days of receiving the citation to make an appointment for inspection; and

- (2). Excessive exhaust noise, which is inspectable within 10 days at the Department of Environmental Quality, 825 L Street, during normal business hours.

2. Take the Uniform Summons and Complaint to the Traffic division of the Court system. A clerk will take the citation and arrange for service. Since the complaint is for an infraction, no judicial review is required, and the citation itself acts as a summons.

II. SEARCH WARRANTS

A. General. Search warrants are judicial authorizations to search persons or property, and to seize certain property as a result of that search. Note that, in Alaska, there is a special requirement for seizing conversation, as described in the *Glass* decision. Warrants for such seizures are known as "*Glass Warrants*."

B. Sources of Search Warrants. Search warrants are normally the result of police application only, and not on the initiative of the "bench" (judiciary) as commonly found in arrest warrants.

C. Application for Search Warrants.

1. Method. Officers will normally seek a search warrant by:

a). Telephone. This is appropriate for emergency authorization to search; or

b). Appearing in person to swear to the affidavit. Most cases lack the urgency necessitating a telephonic search warrant, and personal application is appropriate.'

2. Application. When applying for a search warrant, officers should coordinate with the appropriate prosecuting agency. Although misdemeanor search warrants are possible (most notably with Driving While Intoxicated cases), most search warrants are for felony offenses, and will be coordinated with the District Attorney's Office. Officers should abide by the advice and instructions of that agency.

D. Confidentiality and Reporting. Alaska Rule of Criminal Procedure 37 provides that:

1. The record of all search warrant proceedings, and all documents related to those hearings, will be kept sealed unless the court orders otherwise for good cause shown; and

2. Once charges are filed, however, those materials will be open to the public unless the court orders otherwise; and

3. The State must list, by search warrant number, the search warrants that were executed during the course of the investigation. To comply with this requirement, officers shall:

a). Record the search warrant number(s) in the text of the Police Report; and

b). Make available the search warrant number(s) to the screening prosecutor to facilitate the inclusion of those numbers in the probable cause statement of the charging document.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.080	
Policy and Procedure Title Juveniles-General	Effective Date 8/10/09	Page 1 of 5
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3.02.080 Juveniles--General

PURPOSE

To instruct all personnel in the procedural issues unique to juveniles.

POLICY

That all contacts with juveniles by employees of the Anchorage Police Department be accomplished in compliance with those provisions established for the protection of our State's minors.

DEFINITIONS

Minor/Child/Juvenile: These terms are interchangeable and are often used synonymously. They refer to any person who has not attained their 18th birthday. However, several cautions are in order when using this definition:

Modifications of Status. A minor can legally be construed as an adult at the conclusion of either of two types of court action, or one legal provision:

For criminal action, the court can "waive" a juvenile to adult status for the purpose of prosecuting (a) specific criminal act(s).

For civil purposes, the court can "emancipate" a juvenile, thereby allowing that person to engage in various civil actions, including marriage and living outside of guardianship.

For criminal purposes, State statute mandates any juvenile, age 16 or over, who commits an Unclassified felony, a Class A felony, or Arson, be automatically waived to adult status. No Family Court Waiver Hearing is required.

Other Definitions of "Minor." In the Alaska Statutes (Title 04 - Alcohol Violations), certain provisions address minors-- "Minor Consuming Alcohol," "Minor on the Premises," "Minor in Possession of an Alcoholic Beverage," and "Furnishing Alcohol to a Minor," to name the most common. It is essential to note that "minor," in these cases, refers to anyone under the age of 21 years.

However, any person under 21 years of age can be charged (as an adult) with "Minor Consuming Alcohol," or one of the other provisions as appropriate.

Family Court: The court that hears all juvenile matters. In Alaska, the Superior Court assumes responsibility and sits as Family Court, also known as Juvenile Court. To assist the Superior Court, "Masters" are appointed to hear certain matters, subject to review by a Superior Court Judge.

Custodian: For purposes of this procedure, a general term for the person(s) responsible for a minor. A custodian is most commonly the natural parent(s) of the child, but can also be the legal guardian or other court-appointed authority. Note, however:

"Custody" has Two Meanings. The term "custody" can have two meanings in juvenile law. A child can be "brought into custody" in the usual sense of the word (restraint of liberty), or a person can "have custody of a minor," meaning he or she has responsibility to the minor and for the minor. The term "custodian" is used to identify that person who has legal jurisdiction--that is, legal custody--of the child.

REFERENCES

Most information regarding juveniles can be found in Alaska Statute Title 47 and the Supreme Court's Rules of Court--Children's Rules.

PROCEDURES

I. UNDERSTANDING THE JUVENILE JUSTICE SYSTEM

A. Different Terms for Similar Actions. The first step in understanding the juvenile justice system and appreciating its close parallel to the adult system is to recognize that the vocabulary used in the system is different. For example:

1. Adults are "arrested," then "jailed" or "imprisoned," while children are "detained" and "institutionalized."
2. Adults commit "crimes," while juveniles commit "offenses" that would be a crime if committed by an adult."
3. Adults are "found guilty of a crime," while a minor is "found responsible for a delinquent act."
4. Adults appear in "District" or "Superior Court" before a "judge" or "magistrate," while a child appears in "Family Court" before a judge or "master."
5. An adult can be imprisoned for "rehabilitation" and/or "punishment." In the juvenile system, a child cannot, by law, be punished, but is instead "treated." If the child is not amenable to treatment within the juvenile correctional system, a judge can "waive" a minor to adult status to allow rehabilitation and/or punishment within the adult correctional system (there is no adult equivalent to a juvenile waiver).

B. Purpose of Term Differences. Examples of term differences such as those cited above continue, but the purpose remains constant--to get distance between the adult criminal system and preserve the unique nature of juvenile processing. However, while there is effort to get this distance, case law has furnished the minor with all the protections given an adult in a true criminal case. That distance sought then erodes, and what is left are a few special provisions for juveniles in addition to the same process given adults, but using different names.

C. The Concept of "Juvenile Arrest." Nowhere in the juvenile justice system is there more confusion than in the concept of what a "juvenile arrest" is. Clarifying that single issue does more to dispel frustrations and confusion than any other act. Towards that clarification, a review and expansion of several terms is included below:

1. Custody. The general term indicating any restraint of liberty. The mere act of an officer telling a subject "I need to talk to you" implies the subject is to stop, and liberty is therefore restrained. There are, consequently, many types of custody:

a). Protective custody. Situations where officers restrain the liberty of a person to accomplish some form of protection of the individual stopped. These occasions include:

i. Non-criminal commitments of intoxicated persons (adult or juvenile).

ii. Custody of mentally ill for evaluation (adult or juvenile).

iii. Custody of runaways (juveniles only).

iv. Custody of curfew violators (juveniles only).

v. Custody of abused or neglected children (juveniles only).

b). Investigative Stops. The investigative stop and field interview, which is a brief restraint of liberty based on a police officer's "reasonable suspicion that criminality is afoot."

c). Infractions. When a subject violates a law minor enough to have as its maximum punishment, if convicted, a fine under \$300.00, impoundment, or other minor sanction excluding any jail term, an officer may take that person into custody only long enough to process the violation and charge it on a citation.

d). Juvenile custody for delinquent acts. Because this is the exact equivalent to an adult arrest, common language erroneously calls this a "juvenile arrest." This is the taking into custody of a minor for a violation of a law that would be a crime if committed by an adult.

2. Arrests. For juveniles, applies only to violations of crimes found in the Traffic code, Fish and Game code, or Parks and Recreation ordinances.

Key Issue: By definition, an arrest is taking a person into custody to answer to an allegation of criminal conduct. Since criminal conduct is behavior which could result in imprisonment, and since statute and Rules of Court specifically prohibit punishment or imprisonment of juveniles, it is technically impossible to "arrest" a juvenile. There is, however, an exception, and that exception is when the conduct is a crime found in the Traffic code, Fish and Game code, or Parks and Recreation code (that is, violations of the provisions of AS Title 28, 13 AAC, or AMC Chapter 9). Alaska Statute Title 47 (that portion that governs purview of Children's Court) specifically states that Children's Court does not have jurisdiction when the violation is found in those codes. Consequently, juvenile offenders of those provisions are handled as adults, including offenders of criminal acts found in those codes. The two elements that make juvenile arrests different from adults' are:

- a). A legal guardian must appear in court with the minor (though not necessarily at bail setting); and
- b). All institutional time would be spent at a juvenile institution. The two primary occasions for this are:
 - i. If bail is required at the initial bail hearing, the juvenile would be remanded to McLaughlin Youth Center until bail is posted or other conditions are met.
 - ii. If convicted and sentenced, the juvenile would serve the time at a juvenile institution.

II. ENTRY INTO THE JUDICIAL SYSTEM

A. Two Systems Can be Entered. A juvenile, therefore, can be subject to two systems within the judiciary, namely:

- 1. The adult court system, for violations of:
 - a). Any law, whether criminal or infraction, if that law falls in the Traffic, Fish and Game, or Parks and Recreation codes (City or State version); or
 - b). Any criminal law if waived to adult status by Family Court, or the crime falls under the provisions for automatic waiver to adult status. This waiving occurs after police custody, so does not impact officers in their field duties, but would impact where court testimony would occur.
- 2. The Family Court System, for any of the following reasons:
 - a). Being the victim of certain acts (Child in Need of Aid, or CINA), including (AS 47.10.011):
 - i. Being habitually absent from home, where the child's conduct places the child at substantial risk of physical or mental injury.

- ii. Refusing to accept available care (the minor is considered to be the victim of his or her own act).
- iii. Guardians unwilling or unable to care for the minor, including abandonment.
- iv. Guardians unwilling or unable to furnish special medical or psychological care.
- v. Guardians commit or omit act(s) which cause substantial physical harm or its potential.
- vi. Sexual abuse has been or will be committed due to guardians (their acts, lack of supervision, or other deficiency).
- vii. Guardians promote delinquency.
- viii. Physical abuse or neglect has been suffered due to the guardians.

-OR-

b). Being the perpetrator of criminal acts or infractional acts (i.e. "delinquent" acts), providing those violations do not fall within the Traffic, Fish and Game, or Parks and Recreation Code, or under the provisions of the automatic waiver statute (If they do, the adult system is entered, as described earlier).

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Policy and Procedure Title Misdemeanor Citations	Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.085 Misdemeanor Citations

PURPOSE

To inform all personnel of when and how to issue a Uniform Summons and Complaint to charge certain misdemeanor offenders as an alternative to processing that person before a Magistrate.

POLICY

That members of the Anchorage Police Department properly use the Uniform Summons and Complaint to charge appropriate misdemeanor offenses in lieu of a physical appearance before a committing Magistrate when deemed appropriate by the arresting officer and permitted by policy.

DISCUSSION

When a person is stopped or contacted by a peace officer for the commission of a misdemeanor or the violation of a municipal ordinance, the person may, in the discretion of the contacting peace officer, be issued a citation instead of being taken before a judge or magistrate under AS 12.25.150. This procedure addresses that option, and refers to it as "issuing a misdemeanor citation."

As such, this procedure begins after the arrest has been affected and/or the misdemeanor investigation concluded. For information on making a misdemeanor arrest, consult the procedure entitled "Arrest and Custody--Misdemeanors" (3.02.025).

DEFINITIONS

Uniform Summons and Complaint: A form used in the field to charge most infractions and some misdemeanors. When used to charge traffic infractions, it is referred to as a "traffic citation." When used to charge certain misdemeanors, it is called a "misdemeanor citation" or a "summons".

PROCEDURE

II. PURPOSE OF THE MISDEMEANOR CITATION

A. Charge in the Field. The misdemeanor citation allows officers to complete the charging document in the field. This serves to:

1. Expedite officers processing of that call.
2. Relieve the Magistrate of conducting a bail hearing.
3. Relieve Corrections personnel of having to remand a subject.
4. Spare violators the time, expense and embarrassment of appearing before a committing judicial officer, yet compelling them to take responsibility for the violation.

B. Do Not Charge Unnecessarily. Simplification of the processing was not intended to encourage arrests/charging in situations which would not otherwise terminate in an arrest or charging.

II. CRITERIA FOR ISSUING A MISDEMEANOR CITATION

A. Standards. In order for officers to issue a Misdemeanor Citation, certain conditions must be met. These are:

1. The offense must be a State or Municipal misdemeanor.
2. The arrestee must be an adult, or a juvenile arrested for a crime found in the traffic code (i.e. crimes found in Alaska Statute Title 28, 13 AAC, or Municipal Code Chapter 9), Fish and Game code, or Parks and Recreation code.
3. Identification must be positive, either through pictures, identification, personal knowledge, or other absolute method.
4. Officers must have reasonable belief that arrestees are not a danger to themselves or others.
5. The arrestee does not insist on seeing a judge or magistrate.
6. The arrestee agrees to sign the citation guaranteeing appearance in court.
7. Force was not used to effect the arrest.
8. A citation shall not be issued if the peace officer has probable cause to believe the person committed a crime involving domestic violence; in this paragraph, "crime involving domestic violence" has the meaning given in AS 18.66.990.
9. There is no evidence to suggest the arrestee would not appear in court. This can be established by investigating the arrestee's:
 - a). Marital status and family ties;
 - b). Residence history;
 - c). Employment history.

B. No Requirement to Issue. Issuing a misdemeanor citation is an option for officers. Although issuing a misdemeanor citation in eligible misdemeanor cases is encouraged, it is not required and a physical arrest can be effected.

III. APPLICATION OF THE MISDEMEANOR CITATION

A. Issuing Occasions. There are two occasions when officers can issue a misdemeanor citation, assuming the above conditions are satisfied. They are:

1. When officers elect to conclude a qualifying misdemeanor investigation with the issuance of the citation. This applies to misdemeanor arrests made by officers for an offense committed in their presence, misdemeanor arrests made by a private person, or as the final act of a misdemeanor investigation. Notice that the misdemeanor investigation involves no arrest, per se, but only filing a charge using the misdemeanor citation as a charging document.
2. If officers take any misdemeanor offender before a magistrate, and that magistrate elects to release that person on his own recognizance, officers can either:
 - a). Let the defendant leave, and prepare a conventional complaint; or
 - b). Complete the Uniform Summons and Complaint using the date and time set by the magistrate. If so, officers should write/type boldly on the citation "COURT DATE SET BY MAGISTRATE," and issue the citation to the defendant prior to release.

IV. PROCESSING THE MISDEMEANOR CITATION

A. Form Completion. Details on how to properly complete the Uniform Summons and a complaint as a misdemeanor citation can be found in the Report Writing Manual.

B. Distribution.

1. Once completed, the arrestee is given a legible white copy, specifying a court date of either:
 - a). A date which is either provided by dispatch or it can be obtained from the officers MDC. Court dates are set no less than 30 days out from the date of issuance and is dependent on the defendant's first initial of their last name.

-OR-

- b). If issued subsequent to a judicial officer's release on the defendant's own recognizance, the date and time specified by that judicial officer should be shown, with the bold written notation on the citation "COURT DATE ASSIGNED BY THE MAGISTRATE" as previously discussed.

2. The second copy and the envelope normally issued with citations do not apply and can be disregarded (these are used for mail-in resolution to various traffic infractions).

C. Time of Appearance. The time for appearance is 9:00 a.m., unless the magistrate sets a time-certain during the bail hearing. This is pre-printed on all citations issued by Packetwriter and on all standard APD handwritten criminal citations

D. Disposition. At the time of issuance, the Uniform Summons and Complaint is signed by the officer's, including officers DSN. At the end of the shift, the form is submitted to the records section either electronically or in paper form. The citation is ultimately forwarded to the Municipal Prosecutor or Traffic Court as a charging document.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.090	
Policy and Procedure Title Protective Custody-Juvenile Abuse/Neglect	Effective Date 12/08/09	Page 1 of 3
Replaces Prior Policy: 8/10/09	Approved by: Acting Chief Stephen Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.090 Protective Custody- Juvenile Abuse/Neglect

PURPOSE

To advise all employees of the procedures regarding juvenile abuse and neglect incidents.

POLICY

Recognizing that nowhere else in police work is there a more direct impact on the preservation of life, abatement of pain, and eventual crime prevention than in the enforcement of the child abuse and neglect laws, the Department is dedicated to aggressive enforcement of the State and Municipal child protective custody laws.

DEFINITIONS

Child Abuse or Neglect: As defined in AS 47.17.290(2)," means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened thereby."

Neglect: As defined in AS 47.17.290 (10) means "the failure by a person responsible for the child's welfare to provide necessary food, care, clothing, shelter, or medical attention for a child."

Sexual Exploitation: As defined in AS 47.17.290 (16) "includes (A) allowing, permitting, or encouraging a child to engage in prostitution prohibited by AS 11.66.100 - 11.66.150, by a person responsible for the child's welfare; (B) allowing, permitting, encouraging, or engaging in activity prohibited by AS 11.41.455(a), [i.e. unlawful exploitation of a minor], by a person responsible for the child's welfare.

REFERENCE

This procedure is founded on the provisions of Title 47 of the Alaska Statutes (the 47.10 series). Of particular note is: AS 47.10.142 Emergency custody and temporary placement hearing. The Department of Health and Social Services

may take emergency custody of a minor upon discovering any of the following circumstances:

The minor has been abandoned;

The minor has been grossly neglected by the minor's parents or guardian as "neglect" is defined in AS 47.10.014, and the department determines that immediate removal from the minor's surroundings is necessary to protect the minor's life or provide immediate necessary medical attention;

The minor has been subjected to child abuse or neglect by a person responsible for the minor's welfare, as "child abuse or neglect" is defined in AS 47.10.014, and the department determines that immediate removal from the minor's surroundings is necessary to protect the minor's life or that immediate medical attention is necessary; or

A child or sibling has been sexually abused under circumstances listed in AS 47.10.011(7).

PROCEDURE

I. POLICE ROLE IN JUVENILE ABUSE AND/OR NEGLECT CASES

A. Purposes of the Officer's Investigation. An officer's investigation of an abuse/neglect case is to satisfy two purposes, namely:

1. Secure evidence to possibly substantiate child abuse/neglect to assist Division of Health and Social Services in their effort to obtain and maintain custody of the child; and
2. Secure evidence for possible criminal prosecution of the people responsible for the abuse/neglect.

B. Police Have a Modified Role. Close examination of Title 47 reveals that the responsibility and authority to take emergency custody of an abused/neglected child is vested in the Division of Health and Social Services, and not with the police. Consequently, the officer's role in an abuse/neglect situation is at least slightly different than that of mentally ill cases, runaways, or other protective custody calls. Officers, therefore, can be confronted with a controversial situation over which they have little primary authority. The following guide should be used when investigating abuse or neglect cases:

1. Secure the scene and investigate potential allegations of abuse, neglect, and/or assault.
2. Arrests:
 - a). If the result of an investigation is an arrest, either physical arrest or by warrant, notify the Office of Children's Service (OCS) for placement of the juvenile(s).
 - b). Assist OCS in placing the juvenile(s) (primarily this will be in the form of transportation).

c). Leave a Child in Need of Aid Form with the guardian or at the residence of the guardian from where the juvenile is being taken.

3. Non-Arrests:

a). In cases where an arrest is not made but there is concern regarding the living conditions of the juvenile(s), the officer shall complete a report, and

b). contact OCS as they may want the juvenile(s) placed based on prior, or ongoing neglect/abuse cases, and

c). forward a copy of the report to OCS

4. In cases of abuse/neglect where the situation is so serious where serious harm has occurred, or death might occur, the Crimes Against Children Unit shall be notified prior to taking any enforcement action.

C. Detection of Abuse/Neglect Cases. Officers may get dispatched to a scene to investigate an allegation of child abuse/neglect like any other call. However, unrelated calls and routine patrol can provide evidence of child abuse and neglect which is in "plain" or "open view." Such evidence accidentally discovered by officers is valid evidence, as with any criminal case, and it is Department policy (as well as required by law AS 47.17.020) for members to be alert for and respond to any such evidence.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.095	
Policy and Procedure Title Protective Custody-Juvenile Curfew	Effective Date 12/08/2009	Page 1 of 6
Replaces Prior Policy: 8/10/09	Approved by: Acting Chief Stephen Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.095 Protective Custody- Juvenile Curfew

PURPOSE

To advise all personnel of the policies and procedures regarding curfew violations.

POLICY

That members of the Department limit their enforcement of the curfew ordinance to situations requiring protection of the minor(s) from harm or the commission of delinquent acts.

DEFINITIONS

Curfew Hours:

September through May

11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 5:00 a.m. of the following day; and

1:00 a.m. on any Saturday and Sunday until 5:00 a.m. of the same day.

June through August:

1:00 a.m. on any day until 5:00 a.m. of the same day.

Emergency: An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment: Any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian:

A person who, under court order, is the guardian of the minor; or

A public or private agency with whom a minor has been placed by a court.

Knowingly: With respect to conduct or to a circumstance described by a provision of law defining an offense, that a person is aware that his or her conduct is of that nature or that the circumstance exists; when knowledge of the existence of a particular fact is an element of an offense, that knowledge is established if a person is aware of a substantial probability of its existence, unless the person actually believes it does not exist.

Minor: Any person under the age of 17 years of age.

Operator: Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent:

A natural parent, adoptive parent, or step-parent of another person; or

At least eighteen (18) years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public Place: Any place to which the public or a substantial group of the public has access, and includes but is not limited to streets, highways, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain:

Linger or stay; or

Fail to leave the premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

Serious Bodily Injury: Bodily Injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

REFERENCE

This procedure addresses enforcement of Anchorage Municipal Code 8.75.060.B, which states:

A minor commits an offense if he/she, without the consent of his/her parental (parent) or guardian, remains in any public place or on the premise of any establishment within the municipality during curfew hours.

The owner, operator, or any employee of an establishment commits an offense if he or she knowingly allows a minor to remain upon the premise of the establishment during curfew hours without the consent of the minor's parent or guardian.

EXCEPTIONS

The ordinance provides the following specific exceptions to enforcement. Officers contacting minors during curfew hours must ascertain the reason that the minor is out and if the reason fits within one of the exception categories.

A. It is an exception to prosecution under subsections B.1. and B.2. if the minor was:

Accompanied by his or her parent or guardian;

Involved in an emergency;

Engaged in an employment activity, or going to or returning from an employment activity, without detour or stop;

On the public right-of-way immediately abutting the minor's residence or immediately abutting the residence of a next-door neighbor, if the neighbor did not complain to the police department about the minor's presence;

Attending, or going to or from any lawful activity with the consent of the minor's parent or guardian;

Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

Married or had disabilities of minority removed in accordance with AS 9.55.590.

B. It is an exception to prosecution under subsection B.2. that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

PROCEDURE

I. INTRODUCTION

A. Background. Curfew laws have historically suffered periodic abuse by governments, so have received much attention by appellate courts. Properly framed and enforced, however, such ordinances can operate to:

1. Protect the minor from a variety of physical and emotional hazards.
2. Reduce crime.
3. Alert authorities to minors who are grossly unsupervised.

II. Enforcement method

A. Detection. Detection of curfew violations and approach of the subject(s) is indistinguishable from the detection of suspicious circumstances and approaching suspicious subjects found in the procedure "Custody--Field Interviews". If an officer has reasonable suspicion that a particular person is under age, and the time and location meet the legal requirements for curfew violation, that officer is well within his/her authority and duty to approach and question that subject.

B. Resolution. The following are guidelines for the officer in resolving possible curfew violations. Experience has shown that an officer is most likely to encounter one of several situations, each of which is discussed below.

1. Age in question.

a). An essential element of curfew is that the subject is under 17 years of age. Often, a minor will appear young, but claim to be 17 or older. Juveniles do not routinely carry identification, so it is up to the officer to investigate. In these situations, consider the following:

i. The minor's identity is the most important fact to establish, as age can be determined later. There are no "victims" to curfew, so the urgency of the investigation is diminished.

ii. Parental contact will usually resolve questions of age and identity.

2. Curfew violation established, but no parent available.

a). Ultimate parental notification is mandatory in a curfew violation, but immediate contact cannot always be made. In such an event, the officer's investigation can conclude in one of 3 possible ways, namely:

i. The minor has no parents immediately available, but still has access to housing and reasonable care. If so, the minor can be released on his/her own, with parental notification made through follow-up investigation with a parent. If appropriate, the officer may issue the juvenile a civil citation at the time of release, advising the parent of the citation at a later time.

ii. The minor has no parents immediately available, but other responsible adults are available to care for the juvenile. If so, the minor can be released to such an adult with parental notification established through the same third-party. If appropriate, the officer may issue the juvenile a civil citation at the time of release, advising the third party of the citation.

iii. The minor has no parents immediately available, and no place to stay or responsible adult to assume custody. The juvenile can be transported to the Covenant House Assessment Center who will assume custody of the juvenile and will contact the parent or guardian of the juvenile. The officer may issue the juvenile a civil citation at the time of transfer. Covenant House will advise the parent of the citation is one was issued.

Note: It is important to remember that our policy is to detain juveniles only in cases where there is a need to protect them from harm or the commission of delinquent acts. Detaining a juvenile should be viewed as a last resort and must fall within these criteria.

C. Parental Notification. Parents are notified for several reasons, including:

1. To inform them that their child has had police contact, and the nature and extent of that contact.
2. To establish if there was parental permission for the juvenile to be out, which is an exception to curfew ordinance.
3. To answer any questions the parent(s) might have, including resources available in the community for family help, or clarification of the curfew laws.

D. Establishments. An owner, operator, or employee of an establishment may be charged under section B.2. of the curfew ordinance for allowing a minor to remain on the establishment's premises during curfew hours. In determining whether to charge under this section, the officer should consider the totality of the circumstances, including but not limited to:

1. Any aggravating circumstances which may have raised the seriousness of the violation or placed the minor in an unsafe situation; and
2. The establishment's employee's knowledge that a curfew law was in effect at the time; and
3. The steps that the establishment had taken to determine its clientele were 17 years of age or older; and
4. The efforts that the establishment's employees made to get the minor to leave, and their compliance with section B.2.'s requirement to call police if a curfew violator was on their premises and refusing to leave.

E. Charging Documents. Since the rights of defendants and the requirements for processing differ from those in criminal cases, the standard Uniform Summons and Complaint cannot be used to charge violators. The proper charging document is the Civil Citation.

1. Though the Civil Citation form appears substantially similar to the Uniform Summons and Complaint, there are some minor differences in both structure and processing. See the Custody – Civil Violations/Infractions Policy for further on this document.
 - a). Violations of curfew restrictions are civil infractions carrying a fine ranging from \$75 to a maximum of \$300 and do not require an appearance unless a hearing is requested by the defendant. For uniform enforcement purposes, officers will assess a standard fine of \$75 for curfew violations, unless either of the following aggravating circumstances exists:
 - i. The juvenile has been cited for curfew violation at least once prior, and the previous violation(s) can be documented by the officer; or
 - ii. The juvenile has committed a crime while in violation of the curfew.

In the cases cited above, officers should assess the maximum fine of \$300. Although the law provides for officer discretion, finer other than \$75 or \$300 should not be assessed. It is incumbent upon officers to thoroughly articulate the reason(s) *why* a juvenile was fined the maximum amount on the reverse side of the officer's copy of the citation, or on a Police Report. Officers are encouraged to aggressively enforce the curfew law as a deterrent, especially in conjunction with arrests for "Minor Consuming Alcohol."

2. Issuance of a civil citation for a curfew violation does not require a police report unless the circumstances are such that the situation cannot be fully explained on the ticket form, or if the citation is part of a larger investigation involving the possibility of criminal charges, such as child abuse or neglect. In those cases, the case number must be entered in the marked spaces along the right margin.
3. Violations of civil infractions do not require court appearances by either adults or minors. However, if a hearing is requested by the defendant, such hearing will be held before the Municipal Administrative Hearings Officer.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.100	
Policy and Procedure Title Protective Custody-Non-Criminal Commitment	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.100 Protective Custody--Non-Criminal Commitment

PURPOSE

To advise all personnel of the laws and procedures affecting non-criminal commitments of all age groups.

POLICY

It is the policy of the Anchorage Police Department to employ any legal resource to protect its citizenry, including the non-criminal commitment of persons so debilitated by alcohol that they cannot care for themselves.

REFERENCES

The foundation for non-criminal commitments appears in Alaska Statute 47.37.170, which reads:

"Treatment and services for intoxicated persons and persons incapacitated by alcohol.

(a). An intoxicated person may come voluntarily to an approved public treatment facility for emergency treatment. A person who appears to be intoxicated in a public place and to be in need of help or a person who appears to be intoxicated in or upon a licensed premise where intoxicating liquors are sold or consumed who refuses to leave upon being requested to leave by the owner, an employee or a peace officer (sic) may be taken into protective custody and assisted by a peace officer or member of the emergency service patrol to the person's home, an approved public treatment facility, an approved private treatment facility, or another appropriate health facility. If all of the preceding facilities, including the person's home, are determined to be unavailable, a person taken into protective custody and assisted under this subsection may be taken to a state or municipal detention facility in the area.

(b). A person who appears to be incapacitated by alcohol in a public place shall be taken into protective custody by a peace officer or a member of the

emergency service patrol and immediately brought to an approved public treatment facility, an approved private treatment facility, or another appropriate health facility of service for emergency medical treatment. If no treatment facility or emergency medical service is available, a person who appears to be incapacitated by alcohol in a public place shall be taken to a state or municipal detention facility in the area, if that appears necessary for the protection of the person's health or safety.

(d). A person who, after medical attention at an appropriate health facility, is found to be incapacitated by alcohol or drugs at the time of admission or to have become incapacitated by alcohol or drugs at any time after admission, may not be detained at a facility after the person is no longer incapacitated by alcohol. A person may not be detained at a facility if the person remains incapacitated by alcohol for more than 48 hours after admission as a patient, unless the person is committed under AS 47.37.180"

PROCEDURES

I. TAKING PROTECTIVE CUSTODY

A. Conditions Required to Take Custody. AS 47.37.170 provides that anyone meeting one of the following conditions can be subject to protective custody, even if against that person's will:

1. Appears intoxicated in a public place and in need of help; or
2. Appears intoxicated in/upon a premise licensed for sale or consumption of alcohol and refuses to leave when so instructed by the owner or employee, or by a peace officer; or
3. Appears incapacitated by alcohol or drugs in a public place (not just intoxicated).

B. Age and Gender Sex Applicability. No distinction is made as to age or sex. Consequently, juveniles and adults, of either sex, are subject to the provisions of this law. The only difference is with regard to age: juveniles in emergency protective custody shall not be placed in a jail or secured facility.

C. Establishing Incapacitation. As the statute states, one condition allowing protective custody to be effected is when a person is "incapacitated" in a public place. To establish incapacitation, the officer must consider such elements as:

1. Location--Is help and/or shelter close by? Is a unique danger present (railroad activity; vehicular traffic; open water)?
2. Weather--Recall the cause and symptoms of hypothermia. (See also "Cold Alert").
3. Company--Is a competent friend/relative with the person to help?

D. Taking Protective Custody. If officers determine that protective custody is appropriate, they shall adhere to policies and procedures for effecting and maintaining custody. Although not an arrest, protective searches, restraint

considerations, transport procedures, and other such issues should be made. A review of the procedures addressing in-custody transports could assist officers.

E. Disposition. AS 47.37.170 mandates a prioritized order of destinations for a person taken into protective custody. That order is:

1. Home, if officers can determine where that is.
2. Approved public treatment facility, which can include a hospital for immediate medical attention.
3. Approved private treatment facility or health care facility, such as a facility on contract with the State, or a private facility at which the subject is a patient, if that information can be determined.
4. State or Municipal detention facility if none of the previously mentioned facilities are available.

F. Field Report. Division of Corrections maintains a special Non-criminal Commitment Remand Form which officers must complete at the booking facility. Officers may simply fill out the non-criminal remand form and turn it in with all other reports at the end of shift. The event needs no further documentation in the form of a Police Report unless extenuating circumstances, such as force being used by the officer to overcome resistance at a soft empty hand control level or higher, dictate the need for a more detailed explanation.

II. JUVENILES

A. Special Considerations. Juveniles are also afforded the protection given in a non-criminal commitment, but two items must be adhered to by officers:

1. Prior to commitment, a juvenile must get a medical clearance. Therefore, officers must transport, or cause such transport of the juvenile, to a hospital.
2. If the juvenile is cooperative and no guardian, family member, or responsible adult can be located, the juvenile shall be transported to Covenant House Intake where they will be cared for.
3. Juveniles are processed into McLaughlin Youth Center if actually committed into detention.

III. MEDICAL CONSIDERATIONS

Incurring Medical Expenses. When medical attention is required prior to a non-criminal commitment, that attention shall be at the victim's expense. The officer shall not obligate the Department or Municipality for any medical expenses other than for the collection of evidence.

IV. SHARED RESPONSIBILITIES

Community Services Patrol. Note that many of the protective services discussed can be furnished by "Community Services Patrol" as well.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.02.105	
Policy and Procedure Title Protective Custody-Persons with Mental Illness	Effective Date 8/10/09	Page 1 of 7
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.02.105 Protective Custody--Persons with a Mental Illness

PURPOSE

To inform all personnel of the laws, rules, and policies governing the handling of a call for service that involves a person with a mental illness.

POLICY

Actions taken by Department members during encounters with a person with a mental illness must be guided by a balance between protecting that person, safeguarding the community, and avoiding personal injury.

DISCUSSION

Nearly any call can involve a person with a mental illness, but officers often recognize that the degree of mental illness is mild enough to warrant handling the case conventionally--even including arresting that person despite the illness. The officer might conclude, however, that a particular subject is so disturbed as to necessitate taking protective custody, in lieu of criminal custody, because of the illness. How that is done is the subject of this procedure.

DEFINITIONS

Designated Mental Health Professional includes a psychiatrist or physician who is licensed to practice in this state or employed by the federal government or a clinical psychologist licensed by the state Board of Psychologist and Psychologist Associate Examiners.

Gravely Disabled means a condition in which a person as a result of mental illness:

- (A) is in danger of physical harm arising from such complete neglect of basic needs for food, clothing, shelter, or personal safety as to render serious accident, illness, or death highly probable if care by another is not taken; or
- (B) will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with

significant impairment of judgment, reason, or behavior causing a substantial deterioration of the person's previous ability to function independently.

Likely to Cause Serious Harm means a person who:

- (A) Poses a substantial risk of bodily harm to that person's self, as manifested by recent behavior causing, attempting, or threatening that harm;
- (B) Poses a substantial risk of harm to others as manifested by recent behavior causing, attempting, or threatening harm, and is likely in the near future to cause physical injury, physical abuse, or substantial property damage to another person; or
- (C) Manifests a current intent to carry out plans of serious harm to that person's self or another.

Mental Illness means an organic, mental, or emotional impairment that has substantial adverse effects on an individual's ability to exercise conscious control of the individual's actions or ability to perceive reality or to reason or understand; mental retardation, epilepsy, drug addiction, and alcoholism do not per se constitute mental illness, although persons suffering from these conditions may also be suffering from mental illness.

Peace Officer includes an officer of the state troopers, a member of the police force of a municipality, a village public safety officer, a regional public safety officer, a United States marshal or deputy marshal, and an officer whose duty it is to enforce and preserve the public peace.

REFERENCES

Alaska Statute Title 47 (specifically Sections 47.30.705 and 47.30.915)

PROCEDURE

I. PERSONS AUTHORIZED TO TAKE CUSTODY

Alaska State Law (AS 47.30.705) allows certain professionals to take a person with a mental illness into custody so as to deliver the individual to the nearest evaluation facility. The peace officer or mental health professional shall complete an application for examination of the person in custody and be interviewed by a mental health professional at the facility (e.g. Providence Hospital Psychiatric Emergency Room herein referred to as P.P.E.R.). Those designated professionals include a psychiatrist or physician who is licensed to practice in this state or employed by the federal government, or a clinical psychologist licensed by the state Board of Psychologist and Psychological Associate Examiners, and peace officers who have probable cause to believe that a person is gravely disabled or is suffering from mental illness and is likely to cause serious harm to self or others of such immediate nature that such considerations of safety do not allow initiation of involuntary commitment procedures set out in AS 47.30.700.

II. STANDARDS TO BE MET TO TAKE CUSTODY

A. Voluntary Admissions

1. If an adult (18 years or older), the Department will provide courtesy transportation only. At a minimum, the transporting officer shall contact the facility intake staff to provide background information on the subject.
2. If a juvenile (0 to 17 years old), a parent/guardian is required to consent to the juvenile's admission, so it is advisable to have the custodian accompany, follow, or meet you at Providence Hospital (either Admissions or P.P.E.R.) or North Star Hospital, whichever is the parent's preference. The parent/guardian can assist in expediting the process by calling ahead to the hospital and then arriving at the hospital as soon as possible. Until the parent/guardian arrives at North Star Hospital, the officer must remain with the juvenile. It is the consent of the parent/guardian that is key, not the consent (or lack of consent) by the juvenile. Children aged 12 or younger are not usually admitted to Providence Hospital for mental health treatment because the hospital does not have a children's inpatient unit.

If the parent/guardian is not willing to voluntarily admit the child to North Star or Providence Hospital and the officer has probable cause to take protective custody of the juvenile based on Title 47 standards, see Final Destinations for guidance.

B. Involuntary admissions are possible if peace officers (or designated professionals) have probable cause to believe the person is either:

1. Gravely disabled (see definition).

-OR-

2. If suffering from mental illness and is likely to cause serious harm to self or others (see definition) of such immediate nature that considerations of safety do not allow initiation of involuntary commitment procedures set out in AS 47.30.700" (i.e. an "Ex-parte/Judicial Commitment Order" would be too slow under the circumstances).

C. Ex-parte Orders. On rare occasions, officers will be furnished with a written ex-parte commitment order from a judge, and are thereby obligated to take the named subject (age 13 and older) into custody and transport him/her, involuntarily, to API for a mental health evaluation. API refers to these as "Evaluation and Screening Orders."

Usually the Judicial Services division of the Alaska State Troopers handles the service of these orders. However, in the unlikely event an officer with the Department is requested to serve an ex-parte order, be aware that if the subject is in need of medical attention or is under the influence of drugs, other substances, or alcohol (more than .100 BAC per API policy), the subject will need a medical clearance before A.P.I will accept them (see Medical Clearances for guidance).

D. A Licensed Physician, Clinical Psychologist, or Psychiatrist can also admit a person to a treatment facility. They do so by completing the "Peace Officer/Mental Health Professional Application for Examination," also know as

the P.O.A. Officers will on occasion, also be requested to complete a P.O.A. when delivering a person to a treatment facility.

III. TRANSPORT CONSIDERATIONS

A. Medications. If the individual is taking medications, the officer should transport the medications with the subject in order to transfer the medications to the facility staff at the final destination.

B. Officer Safety. Officer safety dictates that there is no distinction between transporting the person with a mental illness for commitment and transporting a prisoner to a jail or correctional facility. (See In-Custody Transport procedure 3.02.060)

C. Soft Restraints. In restraining a person with a mental illness, the Anchorage Fire Department and/or Trans-Care (which is dispatched through the AFD) can provide assistance with soft restraints (e.g. padded cuffs) and strapping the person to a gurney, if necessary for transport. Both may also assist with subjects who are wheelchair-bound.

D. Inter-Agency Transports. Occasionally, officers will be called to transport a person with a mental illness from one agency to another. It is not policy to routinely provide this service. However, if the patient is violent, or if other circumstances exist that require police services, officers may assist or provide such transport. Trans-Care is typically the agency used to transport non-violent persons between treatment facilities.

IV. COMMUNICATIONS

Officers shall advise dispatch of their custody/transport status, thereby allowing dispatch to contact the treatment facility of your incoming admission and any special instructions you may wish to convey (e.g. need for a wheelchair, combative subject, injuries to subject, need for security staff assistance, etc.).

V. MEDICAL CLEARANCES

Officers should be alert to any injuries or medical problems the subject might have, and ensure those problems are addressed prior to any commitment activities. Medical clearances are occasionally done by the AFD paramedics at the scene, but actual attention in a hospital setting is more frequently the appropriate choice of action. If the subject is in need of medical attention or is under the influence of drugs, other substances, or alcohol (.100 BAC per API policy and .150 BAC per Providence Hospital policy), they will need to be medically cleared.

Providence Hospital is the ideal location for individuals to be medically cleared because they have a locked facility with a 23 hour hold capability. Entry into the medical emergency room is made through the ambulance bay on the north side of the building. There are two exceptions an officer should be aware of:

A. Persons (of any age) who are eligible for treatment at the Alaska Native Medical Center (herein referred to as A.N.M.C.) can choose whether they receive mental and/or medical health services at A.N.M.C., Providence

Hospital, or Alaska Regional emergency rooms. At A.N.M.C., eligible patients will receive free care but will be billed for any services rendered at another facility. Ask the person where they choose to be medically cleared and then transport them there.

B. If any adult is demanding treatment at a particular appropriate facility, transport the person to that facility.

In the event the individual will need to remain at the medical emergency room for an extended period of time, hospital security staff may be requested to assist so the officer may return to other duties (see Final Destinations for continued guidance).

VI. FINAL DESTINATIONS

A. Treatment Facilities

1. All adult persons (18 years or older) with a mental illness taken into protective custody for an evaluation (involuntary admissions) ultimately go to the Providence Psychiatric Emergency Room. An officer that has taken protective custody of an adult will transport them to P.P.E.R. and complete the "Providence Psychiatric Emergency Department - Anchorage Police Department/Alaska State Troopers Patient Information Log" and deliver it to staff. This is a request for the psychiatric evaluation of the person by a designated professional. Determining the level of psychiatric intervention a person will receive is in the discretion of the evaluating P.P.E.R. staff. If requested to do so by P.P.E.R. staff, the officer shall also complete the "Peace Officer/Mental Health Professional Application for Examination." There are two exceptions regarding when an officer will not bring the person to P.P.E.R. for treatment.

a). Persons (of any age) who are eligible for treatment at the Alaska Native Medical Center can choose whether they receive mental and/or medical health services at A.N.M.C., Providence Hospital, or Alaska Regional emergency rooms. At A.N.M.C., eligible persons receive free counseling and medical treatment but will be billed for any services rendered at another facility. Ask the person where they choose to be treated and then transport the person to that facility. Inform the facility staff of your observations, concerns, and any background information surrounding your contact with the person by completing the "Patient Information Log" and leaving it with the facility staff. A phone call by the officer to the P.P.E.R. staff (261-2800) is appropriate so as to make sure the subject is mentally evaluated prior to release.

b). If any adult is demanding treatment at a particular appropriate facility, transport the person to that facility and inform the facility staff of your observations, concerns, and any background information surrounding your contact with the person by completing the "Patient Information Log" and leaving it with the medical emergency room staff. A phone call by the officer to the P.P.E.R. staff (261-2800) is

appropriate so as to make sure the subject is mentally evaluated prior to release. This will be a rare circumstance where an individual is only willing to receive the necessary mental health care at a facility other than P.P.E.R.

2. An officer who has taken involuntary protective custody of a juvenile (0 to 17 years old) under Title 47 requirements has to take into consideration some special circumstances that will affect the final destination of the juvenile.

a). Officers are encouraged to gain consent from the parent / guardian of the juvenile. If consent is given, then proceed with the procedures for voluntary admissions.

b). If the parent / guardian of the juvenile refuses to give consent or the officer is unable to locate them and the officer has probable cause under Title 47 requirements to take protective custody of the juvenile, transport him or her to P.P.E.R. for an evaluation. P.P.E.R. staff will involve Office of Children's Services regarding further care of the juvenile.

If you have any questions as to where to transport an individual, you can contact North Star, A.P.I., Providence Hospital, A.N.M.C, or Alaska Regional Hospital directly for guidance.

B. Correctional Facilities. State law allows a person with a mental illness to go to a jail or other correctional facility in lieu of a treatment facility providing the following conditions are satisfied:

1. That such placement is:

a). For protective custody purposes and

b). only while awaiting transportation to a treatment facility.

-OR-

2. The subject has been arrested for a criminal offense, and none of the provisions for emergency commitment are invoked (that is, not a protective custody commitment). The officer shall notify correctional staff regarding the subject's mental condition or impairment.

VII CONCLUDING THE CALL

A. Admitting Officer's Duties. Once at the final destination, the admitting officer shall:

1. Comply with current agency rules regarding the securing of weapons at their facility (the staff will advise).

2. Verbally brief the agency staff of the conditions surrounding your request for psychiatric evaluation.

3. Complete the "Providence Psychiatric Emergency Department Patient Information Log," and if requested, the "Peace Officer/Mental Health

Professional Application for Examination,” and submit both forms to the agency staff.

4. Turn over any personal property or medications belonging to the subject to the staff, retaining any weapons to be secured for safekeeping with the Property and Evidence section of the Department.

B. Complete the appropriate police report(s) and if used, attach a copy of the “Providence Psychiatric Emergency Department Patient Information Log” and the “Peace Officer/Mental Health Professional Application for Examination” forms to the report. Officers are required to complete a police report at the conclusion of a call for service when:

1. The officer admits the person to a treatment facility, whether voluntarily or involuntarily, or
2. The person has made threats of harm to themselves or others, regardless of whether the officer takes the person into custody.

Chapter 3

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.03.000-005	
Policy and Procedure Title Traffic/Towing Impounds Towing Public Assists	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.03.000 Traffic/Towing Impounds

3.03.005 Towing Public Assists

PURPOSE

To identify those towing situations which are to assist a motorist (as contrasted with impounding for police purposes), and instruct members on how to accomplish such a towing.

POLICY

No preference towing services be rendered by members of the Department to citizens in need of towing equipment, and that such assistance be given in lieu of impoundment whenever practical.

DEFINITIONS

No Preference Towing: Summoning a tow contractor on behalf of a citizen. This is contrasted with an "impound" in that a no preference tow is not for police purposes, and the property is not taken into police custody.

Officer: For purposes of this procedure, the term "officer" applies to both sworn officers of the Department, and Community Services Officers (CSO). A CSO may perform all the duties of a sworn officer with regards to towing.

PROCEDURE

I. GENERAL INFORMATION

A. A no preference tow is for the owner/operator, and does not include any type of police custody of the vehicle, while an impoundment is a towing for some police purpose.

B. An Impound Report is not required for a no preference tow.

C. The APD Rotational Program may be used for no preference tow services or any other tow operator that the citizen may request.

II. Guidelines. If it is determined that towing other than an impoundment is required, officers may inform the parties of the services that can be provided as a no preference. These include:

A. No police intervention. Some members of the public prefer no police involvement. If the parties have control of the situation, no laws are violated, and interest is expressed in handling the problem alone, officers may honor that request.

B. Communications. The owner/operator may be able to arrange removal of the vehicle within a reasonable period of time by contacting private parties.

C. Summoning a Tow Operator. If removal of property must be done, and it can be accomplished without impoundment, officers will assist the owner/operator in coordinating that removal. In this event, officers will clearly advise Dispatch that the summoning of towing equipment is a no preference and not an impound. For such a preference, the following applies:

1. Government and certain fleet vehicles. All government vehicles, taxis, and most major fleet vehicles maintain their own towing equipment. All reasonable effort will be made to use that equipment when possible.

2. Accident scene. When removal of a disabled vehicle is required, the operator (if able) will be given the opportunity to select a towing company of his/her choice. If the owner expresses no preference, or is not present or able, or if the preferred company cannot respond in reasonable time, then the Department may use the APD Rotational Program.

a). As a reminder--if the owner/operator is unwilling to remove the vehicle, or insists on a towing company who cannot respond in reasonable time, or is unable to make independent arrangements for his/her property (due to injury, emotional state, etc), then officers must tow the vehicle for safekeeping, on behalf of the owner, as an impound.

3. Civil Standbys. When officers summon tow contractors on behalf of a citizen, their role may include a civil standby to resolve possible disputes between the owner/operator and the tow contractor for cancelled services, method of payment, and the like.

III. Field Report

A. Disposition Code. Normally, a no preference tow can be "cleared," thereby precluding a field report.

B. No Impound Report is required. Since the towing is for the owner, and not for police purposes, an Impound Report is not appropriate.

IV. Summary

A. Definition. A no preference tow is similar to calling a cab for a stranded person or notifying a victim's spouse to come to that person's aid, while an impound is a tow for police purposes, such as impoundment for evidence,

DUI, or as a result of safety considerations. Officers will occasionally be faced with impounding property for safekeeping even against the owner's will, or when the owner is incapable or unwilling to take responsibility for removal of his/her property. In those cases where the owner/operator is available, and both willing and able to remove and protect his/her property, officers are able to de-escalate the situation from an impound to offering assistance in effecting the removal in the form of a public assist.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.03.010	
Policy and Procedure Title Towing – Vehicle Impounds	Effective Date 3/05/2012	Page 1 of 5
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.03.010 Towing--Vehicle Impounds

PURPOSE

To advise all personnel of the laws and procedures governing impoundment of vehicles by Department employees through a tow operator.

POLICY

The authority to impound shall be summoned only to satisfy a State statute or Municipal ordinance to include: Driving Under the Influence (DUI); driving while licensed canceled, revoked or suspended; soliciting prostitution; evidence; safekeeping or junk/ abandoned vehicles.

DEFINITIONS

Impound: Any motor vehicle or item, that is collected, found, recovered, seized, transferred, or otherwise comes into the custody of the Anchorage Police Department, and retained for any criminal or internal investigation, judicial, quasi-judicial, or adjudicatory proceedings. Only a contracted tow company shall tow said vehicles at the request of a member of the Department.

Item: For the purposes of this policy, any non-motorized vehicle to include, but not limited to, aircraft, camper shell, household appliances, safes, slide-in camper, motor vehicle utility boxes, trailers, watercraft, vehicle frames, vehicle parts or other property which requires towing.

Officer: For purposes of this policy, the term "officer" applies to sworn officers and Community Service Officers (CSOs). Within this procedure, both can execute all the provisions cited, except that CSOs cannot seize or process evidence.

Vehicle: For purposes of this policy, any motorized unit designed for the transport of people, or trailers.

PROCEDURE

I. GENERAL INFORMATION

A. The Purpose of Impoundment. There are eight (8) purposes for impounding a vehicle:

1. Driving Under the Influence (DUI)
2. Driving with License Cancelled / Revoked / Suspended (DWLC/R/S)
3. Driving Without Insurance (DWOI)
4. Solicitation (SOL)
5. Evidence
6. Safekeeping
7. Junk/Abandoned
8. Scofflaw

B. Five Criteria Following an Impound:

1. The vehicle must be towed by the towing contractor currently under contract to the Municipality of Anchorage and APD.
2. All keys belonging to the vehicle must remain inside the vehicle.
3. Personal property or dangerous items which are in plain view, and/or inside unlocked compartments that can be reasonably used to store valuable property, must be documented on the impound report form.
4. In addition, document any significant interior or exterior damage to the vehicle prior to the impound.
5. The Notice of Intent to Impound or Forfeit Vehicle form must be completed and the goldenrod copy provided to the defendant when the vehicle is being impounded for DUI, DWLC/R/S, DWOI, and SOL.

II. UNAUTHORIZED REASONS FOR IMPOUNDS. Officers are reminded that valid impounds can provide a valuable service and protection when conducted within the parameters described above. Impounds for the following reason are not authorized:

A. Punitive action against the owner/operator is never authorized.

III. AUTHORIZED REASONS FOR IMPOUNDS

A. Driving Under the Influence (DUI). In accordance with AMC 9.28, the arresting officer shall impound the vehicle which was involved in the violation, pursuant to AMC 9.28.026.

B. Driving with a cancelled, revoked or suspended license. In accordance with AMC 9.28.019 and AMC 9.28.030, the arresting officer may impound the vehicle which was involved in the violation, pursuant to AMC 9.28.026.

C. Driving Without Insurance. In accordance with AMC 9.28.030, the arresting officer may impound the vehicle which was involved in the violation pursuant to AMC 9.28.026.

D. Soliciting Prostitution. In accordance with AMC 8.65.030, the arresting officer may impound the vehicle which was involved in the violation, pursuant to AMC 9.28.026.

E. Evidence. To seize property as evidence.

1. Evidence vehicles and evidence items shall be transported by the tow operator contracted with the Municipality and APD.
2. If the vehicle identification number (VIN) has been removed, replaced, or altered, the vehicle will be impounded for evidence.
3. If processing at the scene cannot be accomplished, and/or the contents are to be searched through a warrant, the vehicle may be impounded for evidence. Once impounded, officers assume the following responsibilities:
 - a). Officers conducting follow-up investigations assume responsibility for keeping impound officers apprised of the status of the subject vehicle. Once processed for evidence, or once the vehicle loses its evidentiary status, the vehicle cannot be kept at the evidence facility.

F. Safekeeping. To protect property.

1. The APD Rotational Program will be used for all safekeep impounds.
2. Safekeep impounds will apply under the following conditions:
 - a). If a vehicle cannot be both legally parked and sufficiently secured at the scene; or
 - i. If the owner arrives and his/her vehicle has not been attached to the tow truck, the owner or designee shall be allowed to remove their vehicle.
 - ii. If the owner, or designee, arrives and his/her vehicle has been attached to the tow truck, the matter becomes a civil problem between the tow truck company and the owner/designee.
 - b). If an arrestee is unwilling/unable to make alternative arrangements for the vehicle; or
 - c). If there is other property which cannot be retained by the arrestee or adequately protected at the scene; or
 - d). if the arrestee requests a police impound for safekeeping.
3. Subsequent to an accident, under the following conditions:
 - a). If a vehicle cannot be both legally parked and sufficiently secured at the scene; or
 - b). If the operator is unwilling/unable to take custody of that vehicle; or
 - c). If there is other property (such as a trailer or boat which cannot be sufficiently protected at the scene, or which the owner requests be impounded for safekeeping, or which the owner is unwilling/unable to take custody of at the scene).

4. Recovered stolen vehicles.

- a). When the owner cannot be contacted.
- b). When the owner can be contacted and requests an impound for safekeeping.
- c). When the owner cannot or will not respond in a reasonable amount of time.

5. Stalled vehicles which are vulnerable to theft, vandalism, or other loss if not protected.

6. If the registered owner cannot be verified, or suspicious circumstances warrant additional investigation, the vehicle will be impounded for safekeeping.

- a). No person may park a vehicle on any street, public way or municipally owned parking lot for a period of time longer than 24 hours, except from Friday noon until Monday noon, in accordance with AMC 9.30.150.
- b). An officer may immediately impound a motor vehicle parked, stopped or standing on a street or within any area of the municipality used for public parking if the motor vehicle (i) has no license plates displayed, (ii) has no registration month and year stickers displayed, or (iii) bears registration month and year stickers that have been expired for more than 12 months, in accordance with AMC 9.30.155(D).

G. Junk/Abandoned Vehicles. In accordance to AMC 15.02.030, to remove blight, hazardous or abandoned vehicles from Municipal streets and right of ways. This type of impound is served with a white tag only, no impound report necessary.

1. Junk vehicle means a vehicle that:

- a). Is not currently registered under AS 28.10 for operation upon the public roads of the municipality or does not display a valid, current seasonal waiver tab issued by the state division of motor vehicles based on a seasonal use waiver granted under section 15.80.060 pursuant to AS 46.14;
- b). Is stripped, wrecked or otherwise inoperable due to mechanical failure;
- c). Has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle; or
- d). Is in a condition which exhibits more than one of the following elements:
 - i. Broken glass;
 - ii. Missing wheels or tires;

iii. Missing body panels or parts; or

iv. Missing drive train parts.

2. Abandoned vehicle means a motor vehicle left unattended upon an area for a period in excess of 72 hours.

3. Only use form 51-033 (Rev.7_02) titled "Abandoned/Junk Vehicle Impoundment." Do not use an impound report.

4. Upon white tagging a vehicle place the completed, 3-part form, into the Impound basket in the report writing room. Only leave the small, perforated portion of the white tag on the vehicle.

5. If the Junk/Abandoned vehicle is an immediate hazard, the officer may request an expedited (one hour) impound through dispatch.

IV. IMPOUND REPORT

A. The Impound Report shall be turned in at the end of the shift by placing the entire form in the Impound basket located in the report writing room.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.03.015	
Policy and Procedure Title Traffic Law Enforcement	Effective Date 8/10/09	Page 1 of 9
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.03.015 Traffic Law Enforcement

PURPOSE

To advise all personnel of the Department's policies and procedures for enforcing moving and parking violations.

POLICY

That members of the Department enforce the traffic code by actively identifying violators, conducting traffic stops in a manner balancing officer safety with courtesy, and disposing of violations using approved guidelines to ensure consistency and fairness.

DISCUSSION

Because officers spend so much time on the road, traffic law enforcement comprises much of their daily activity, and touches both a larger number and a wider variety of citizens than any other police endeavor. Even if being visible is an officer's only traffic enforcement activity, he or she would affect more people than any aggressive criminal law enforcement effort could. Coupling this with the potential loss of property and life, emotional and physical pain, and all the inconveniences of accidents and disrupted traffic flow, the impact of traffic law enforcement becomes quite apparent.

A community imposes traffic and parking regulations on itself as much to ensure the convenience of smooth flowing traffic as to protect the safety of its citizenry. Like any other body of law, adherence is gained both through voluntary compliance, which is most desirable, and forced compliance, under threat of fine, imprisonment, impoundment of vehicle, license action, or other sanction.

While an officer cannot be expected to observe or to take action on all traffic violations, failing to actively enforce the code breeds disrespect for the law. This, in turn, undermines the voluntary compliance so important to any law enforcement activity. Indeed, respect for the traffic laws is the single most important ingredient in maintaining a safe and orderly flow of traffic, as it is the

only motivation for drivers to “do their duty” when the police are out of view. An aggressive traffic law enforcement policy, therefore, achieves the following:

Enhances voluntary compliance, as drivers expect to be held accountable for violations, and more readily comply with rules when satisfied others are being held accountable, too.

Develops lawful (and, therefore, safe) driving habits from reflex.

Enhances public safety, since accidents are reduced both in rate and severity.

Enhances public service, as traffic flows more smoothly and parking frustrations are diminished.

Clearly, the best traffic law enforcement policy is one which assumes enforcement by officers when a violations are observed, but also allows officers to consider authorized and consistent mitigations in deciding the best enforcement mode (warn, instruct, cite, arrest or disregard).

DEFINITIONS

Traffic Law Enforcement (TLE): A category within the broad topic of “traffic” relating to the enforcement of all statutes and ordinances regulating traffic, as opposed to the other category of traffic known as “Traffic Accident Investigation.” Although TLE encompasses many areas, this procedure limits itself to enforcement of moving and parking ordinances.

PROCEDURE

I. GENERAL INFORMATION

A. Types of Violations. Traffic Law Enforcement addresses several categories of laws. Most common of these are:

1. Parking Violations.
2. Moving Violations.
3. Taxicab Violations.
4. Commercial Vehicle Violations.
5. Licensing/Registration Violations.
6. Certain criminal violations involving vehicles, found in the traffic codes instead of the criminal codes (Leaving the Scene of an Accident, Driving While Intoxicated, Driving on a Suspended License, to name a few).

B. Traffic Code Source. The term “traffic code” refers to the laws contained in the following sources:

1. Anchorage Municipal Code, Titles 9 and 11.
2. Alaska Statute (AS) Title 28
3. 13 AAC (Alaska Administrative Code).

C. Range of Seriousness. The traffic codes have within them violations ranging in severity from civil sanctions through felony criminal offenses.

D. Disposition Alternatives. When observing any traffic violation, officers can react in one or more of the following ways:

1. Stop violators to instruct them on the applicable traffic law.
2. Stop violators to warn them of the violation and possible consequences.
3. Stop violators and issue the appropriate charging document.
4. If applicable, arrest violators.
5. Disregard the violation, providing certain standards, discussed next, are met.

E. Criteria for Selecting Appropriate Disposition. Within the arena of traffic law enforcement, the Department is dedicated to a single goal--*Quality*. Officers exercising a professional judgment in discharging their enforcement duties is fundamental to achieving that quality. Curiously, Departmental expectations of its officers merely reflect the citizen's expectations--firm but fair treatment, with accuracy of facts and consistency in criteria for disposing of violations. Towards that end, the following guidelines are provided, and officers who deviate from these standards must be prepared to articulate the reason(s):

1. The basic premise is that an observed violation warrants a stop, and that the traffic stop is for the purpose of charging the violator. In practice, however, issues come to officers' attention that persuade them not to make a particular stop or issue a specific citation. This is not intrinsically wrong--indeed, it is often the best choice. However, if the officer elects to take no action on an observed violation, or decides to stop the violator but give only a warning or instruction instead of a citation, he/she must base that decision on valid, fair, and articulable reasons, and those reasons must be reasonably consistent throughout the Department. For the individual officer to retain the discretionary powers needed for effective traffic law enforcement, one must rely on professional judgment coupled with Department guidelines. Those guidelines are:

- a). Always consider the objectives of traffic law enforcement when deciding on what action to take. Maintaining the smooth flow of traffic, enhancing safety, and instilling respect/voluntary compliance with the law are the primary purposes. So, given a particular situation, how is that best achieved? For instance, officers might best take no action on an observed violation if:

- i. Reaching and/or stopping the violator might create more of a traffic hazard, or be more disruptive to the smooth flow of traffic, than the violation itself.

ii. Officers are engaged in more urgent police activity than the observed violation.

iii. The subject vehicle or violator is suspect in a more substantial case, and stopping that vehicle/person would imperil that investigation.

b). Always consider the totality of the circumstances. There are many factors to weigh in deciding whether or not to stop and/or charge a violator, and no two elements have equal significance. Some of these factors are:

i. The seriousness of the offense, which can be influenced by:

(1). Time of day (lighting, traffic density).

(2). Causing a near accident.

(3). Prior warnings to the operator.

ii. Driver experience.

(1). Young or newly-licensed drivers can often benefit from instruction.

(2). Nonresident drivers unfamiliar with Anchorage.

iii. The forum for debate is traffic court and not the street. Nothing should stop officers from assessing genuinely new information/evidence in considering the disposition of a violation, but irresolvable issues such as an interpretation of the law, the value of a particular ordinance, or factual debates, should be minimized in the field and adjudicated in traffic court.

iv. Other circumstances exist which can legitimately convince an officer that formal charging may not be in order. A driver who pulls into a no parking zone because of illness, or an undercover officer making a minor infraction while following a suspect vehicle are two of many examples of unique circumstances requiring a tailored response by officers.

2. Certain offenses have been identified as requiring priority enforcement by the Department. These violations are noteworthy, in that they not only cause the most accidents, but tend to be committed by habitual traffic offenders. To reduce accidents and aid the Department of Motor Vehicles in the identification of habitual offenders, it is firm Department policy to charge all offenders of the following ordinances, unless a compelling mitigation is detected and articulated by officers:

a). All criminal traffic violations, which are:

i. Leaving the Scene (injury or property damage over \$1,000).

ii. Duty to Give Information.

iii. Failure to Render Aid.

- iv. False Report of Accident.
- v. Driving with Suspended/Revoked License.
- vi. Unlawful Use of License (various types).
- vii. Reckless Driving.
- viii. Refusal to Submit to Chemical Tests.
- ix. Driving While Intoxicated.
- x. Unlawfully damaging a traffic control device.
- xi. Eluding an officer.

b). These infractions:

- i. Red light violation.
- ii. Speeding over 10 miles per hour over the limit.
- iii. Speeding in a School Zone (by any amount within reason)
- iv. Failure to Yield violation.
- v. Stop sign violations.
- vi. Careless Driving.
- vii. Allowing Unlicensed Driver to Drive.
- viii. Leaving the Scene of an Accident (under \$1,000 damage).

3. Criminal violations and arrests.

- a). At accident scenes, if evidence concludes a violation of a criminal traffic law has occurred, an arrest shall be made except in cases of critical or fatal injury. See "Traffic--Injury and Fatal Traffic Accidents" (3.03.020) for details.
- b). In all other cases, an arrest will be made if sufficient evidence is discovered.

4. Citations at accident scenes. If evidence concludes a violation has occurred, a citation shall be issued except in cases of critical or fatal injury. See "Traffic--Injury and Fatal Traffic Accidents" (3.03.020) for details.

F. Subsequent to Stop. After a stop is made, officers shall:

- 1. Ensure any property has been returned to the operator. Some property must be retained for legal cause (evidence, suspended/revoked licenses, two licenses, and similar conditions), but all other property must be returned.
- 2. Avoid following the violator once back into the flow of traffic.

G. Charging Documents. Depending on the violation, one or more of the following charging documents would be used:

1. Parking Citation, to charge the civil violations found in the parking ordinances.
2. Taxicab Violation, to charge taxicab operators with violations of those laws dealing only with the operation of “for hire” commercial vehicles.
3. Uniform Summons and Complaint, which can be used to charge both infractions found in the traffic code, and various misdemeanor (criminal) offenses which meet certain criteria (see 3.02.085, "Misdemeanor Citations," for details).

H. Juveniles. Officers are reminded that within traffic law enforcement, juveniles are processed almost identically to their adult counterparts, with the following few exceptions:

1. Infractions.

- a). If a juvenile is charged with violating a traffic infraction which can be resolved by mail, he/she is issued a citation indistinguishable from an adult citation. The minor is entitled to remedy the infraction by mailing in the dollar amount entered by the officer from the Bail Schedule, just as an adult could do. Should the minor elect to contest the citation in court, a parent must also be present--but the court system will advise the minor of that fact when setting a court date, not officers.

- b). If a juvenile is charged with violating a traffic infraction which requires court appearance, officers will write on that citation “Mandatory Court--Parent Must Appear.”

2. Criminal violations of the traffic code. If a juvenile violates a traffic law which is criminal, he/she is arrested and processed exactly as an adult would be. If the traffic offense and circumstances would warrant an adult receiving a Misdemeanor Citation, then an equivalent scenario would allow a juvenile to be issued the same Misdemeanor Citation. Conversely, if an adult would be brought before a Magistrate for bail setting, so would the subject juvenile. The officer retains the same responsibility for the preparation of the Court Complaint with a juvenile offender (if such would be appropriate for an adult). The sole difference is that, should detention be appropriate/ordered, that detention would occur at McLaughlin Youth Center. See the procedure “Arrests--Juveniles.” (3.02.080) for details.

I. Additional Material. The actual method of taking custody of a violator and charging him is discussed extensively in the chapter “Arrest and Custody,” especially noting the procedures on Infractions and Civil Violations.

II. PARKING ENFORCEMENT

A. Jurisdiction. Parking violations can be cited on publicly owned or private property within the municipality. The only limitation is that the parking violation must occur in the citing officer's presence.

B. Violations Alleged on a Parking Citation. Information regarding the proper completion of that form can be found in the Report Writing Manual. Note that

to allege any violation not appearing as a pre-printed box, officers must write the equivalent information in the "Comments" area of the Parking Citation.

C. Citations May Be Issued By Sworn Officers, Community Services Officers (CSOs), or Contracted Agents.

D. Impounding as a Result of a Parking Violation. Complete information regarding impounding can be found in the procedure "Towing--Impounds," including special procedures such as "Over 24 hours" and "Trailers Parked Over One Hour."

III. MOVING VIOLATIONS

A. Jurisdiction. Anchorage Municipal Code Title 9 applies to all property within the Municipality. As such, citations can be issued and arrests conducted on both public and private property unless limited by the language of the ordinance in question. Officers must, therefore, be conscious of that language, and assess its applicability under the prevailing circumstances. To aid officers in this assessment, consider the following:

1. An ordinance with no restrictor applies anywhere within the Municipality. An example is AMC 9.36.160, Boarding or Alighting from Vehicles, which states "No person may board or alight from any vehicle while such vehicle is in motion."

2. An ordinance with a restrictor, such as "on a street" or "roadway," narrows the scope of the law. Such a law would only apply to conditions specified. In this example, the violation could not occur in a field or closed parking lot, since:

- a). "Street" is defined as "the entire width between the boundary lines of every way open to the use of the public for purposes of vehicular travel."

- b). "Roadway" is the travelled part of a street. Consequently, if an ordinance forbids a certain act "on a roadway," the language narrows the act to occurring on the travelled portion only.

3. Some ordinances will specify applicability. For instance, AMC 9.26.020 A. states a maximum speed of "Fifteen miles per hour in any alley or public parking lot;" and AMC 9.36.240, Trespass in Parking Lots, makes it "...unlawful for any driver, passenger, pedestrian or other person to enter or remain within a public or private parking lot in violation of a clearly visible sign posted by the owner or operator of such lot, which sign sets forth rules of occupation of the said lot during specified times."

B. State Traffic Charges. If a Municipal law or ordinance addresses the violation, then that provision should be cited instead of the State equivalent. However, there are a few State traffic laws which have no Municipal equivalent so, when encountered, officers should cite that State law.

C. Charging Document.

1. Most moving violations are infractions, which are normally charged on a Uniform Summons and Complaint, and served either by:

- a). Personal service by officers; or
- b). Summons, mailed through the Traffic Court.

2. Some violations are criminal, so may appear on:

- a). a Uniform Summons and Complaint as a Misdemeanor Citation; or
- b). a Court Complaint.

D. Inspectable Offenses.

1. Certain infractions have an additional remedy beyond resolution by mail or court appearance. These are the “inspectable offenses,” and give the violator the additional option of correcting the deficiency and having it inspected. If satisfactorily corrected, the citation is voided. These are called “inspectable offenses,” or “equipment violations.” As with any other infraction, if no action is taken, a warrant can be issued. Note the different categories of inspectable offenses:

- a). Equipment violations charged under AMC 9.44 which are inspectable may be inspected anytime within 7 days at the police station during business hours.
- b). Excessive exhaust smoke violations (AMC 9.44.330 A-E) are inspectable by contacting the Inspection Referee Facility at 561-3111 within 10 days of receiving the citation to make an appointment for inspection.
- c). Excessive exhaust noise violations (AMC 9.44.330 A-E) are inspectable within 10 days at the Department of Environmental Quality, 825 L Street, during normal business hours.
- d). Mandatory Infractions are inspectable within 5 days in a normal traffic court hearing. Most notable are:
 - i. AMC 9.12.030 No Operators License in Possession, which is a 2-point correctable violation requiring resolution in court.
 - ii. AMC 9.44.010 A Operating an Unsafe Vehicle, which is a 0-point, mandatory court infraction.

2. Large Trucks. Semi's and other large vehicles can be issued inspectable equipment citations like any other vehicle. However, because of the size and occasional specialized equipment involved, a different inspection process is used:

- a). The violator must contact the Traffic Section during normal business hours to arrange an inspection location and time.
- b). Inspections will not be conducted in the Department lot. Normally, weigh stations are used.

c). Field Inspections. Officers may inspect repair work in the field. If a violator successfully repairs any deficiencies which the Department may inspect, officers may conduct the inspection in the field, and bring the citation into the station for voiding and processing.

IV. COMMERCIAL VEHICLES

A. Street Restrictions. The Municipal Traffic Engineer has designated certain Anchorage streets on which the operation of commercial vehicles and large trucks would create exceptionally hazardous conditions or cause undue public inconvenience. Traffic Engineering has erected appropriate signs, or outlined in Title 9 of the Municipal Traffic Code, certain streets or routes where commercial vehicles or trucks are prohibited.

1. Action to be taken. When officers observe a violation of a posted sign or designated truck route prohibiting commercial vehicles, trucks, or vehicles over 11,000 lbs., a citation can be issued under one of the following Municipal Traffic Ordinances:

a). 9.46.090 A-D Allowable Gross Weights (Overweight) 0-points/\$.05 per lb.

b). 9.46.360 Load Restrictions on Certain Streets (Overweight - unable to weigh) 0-points/\$100.00.

c). 9.46.370 B Commercial Vehicles Restricted (Signs posted which prohibit use) 2-points/\$60.00.

d). 9.46.410 A-H Trucks Prohibited on Certain Streets 2-points/\$75.00.

2. If more than one section applies, only issue a citation for the most serious violation.

3. When observing flagrant overweight violations, you may wish to contact the Traffic Section to determine if a set of portable scales is available in the area. If not, direct the truck driver to proceed to the nearest State Weigh station.

a). There are weigh stations located south of Potters Marsh on the Seward Highway and on the Glenn Highway north of the Fort Richardson gate.

b). Some commercial trucks carry pit slips from State certified weight scales which give the exact weight of the vehicle. The State DMV registration form also indicates the truck's unladen (empty) weight.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.03.020	
Policy and Procedure Title Collision Investigation Policy		Effective Date 10/01/2012	Page 1 of 10
Replaces Prior Policy: Non-Injury and Fatal Collisions 8/10/2009		Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.03.020 Collision Investigation Policy

This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

PURPOSE

To instruct all personnel in the processing of traffic collisions.

POLICY

Officers will respond to reports of collisions and determine if investigation is required by the Anchorage Police Department as outlined below.

DEFINITIONS

Traffic Collision. A sequence of unintentional events involving one or more motor vehicles resulting in observable damage, injury, or death.

Non-Injury Collision A traffic collision which results in property damage and/or physical injury so slight that medical attention would not reasonably be sought.

Injury Traffic Collision. A traffic collision resulting in physical injury great enough to warrant medical attention of any degree.

Hit and Run (H & R). The common term for the crime of "Leaving the Scene of a Collision" ("LSA"), where the operator(s) have an obligation to remain and/or leave information. Hit and run is consummated if the operator fails to remain or leave notice even on a collision so slight as to not require a formal report.

Fatal collision- Any vehicle collision where one or more persons are immediately killed, or death appears to be imminent, as a result of the collision.

Physical injury- As defined by Alaska Statute 11.81.900 (b)- “physical injury means a physical pain or an impairment of physical condition.”

Serious physical injury- As defined by Alaska Statute 11.81.900(b)- “physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy.”

PROCEDURE

NON INJURY COLLISIONS

A. RESPONSE

1. Dispatch. Dispatch will send officers to reports of collisions to determine if investigation by APD is required.
 - a. Dispatch may explain to people involved in non-injury collisions that do not require an investigation by an officer how the matter can be settled without police involvement, and how to report the crash online at <http://reportcrash.alaska.gov/>.
2. Vehicle Descriptions Not Required at Dispatch. When initially dispatching an officer to a traffic collision, furnishing vehicle description(s) is not required, and the officer should not request such description(s) unless the subject vehicle(s) cannot be located.
3. Response Code. Non-injury collisions are dispatched Code 2.

B. ARRIVAL AT SCENE

1. Determine if Investigation is Required. See section C 2 below for guidelines.
2. Critical Initial Steps. Even in a minor, non-injury collision investigation, the initial steps the officer takes are critical to the welfare of the public and the quality of the investigation. The following guidelines are offered:
 - a. Assess the scene from a distance as you approach. This serves to:
 - 1) Suggest the best positioning of the patrol vehicle.
 - 2) Alert officers to certain dangers, most notably:
 - a) Hazardous materials.
 - b) Power lines down.
 - c) Debris on roadway.
 - 3) Provide information for possible re-routing of traffic around the scene.

- b.** Protect the scene. The scene must be protected (by patrol car positioning and lighting, cones, flares, and/or other units) to achieve two vital purposes:
 - 1) Prevent secondary collisions, which can be more severe than the original collision; and
 - 2) Preserve evidence for the investigation.
- c.** Confirm there are no injuries. With the scene protected, the medical conditions of the victim(s) require immediate attention. Since this procedure deals with non-injury collisions, it will be assumed officers have confirmed all parties are uninjured. For injury collisions, see Section II of this policy.
- d.** Identify the witnesses. Officers will attempt to identify and interview witnesses.
- e.** Assess Vehicle Removal. Officers should begin to assess when and how to remove the vehicle(s) and debris. In the interest of safety and traffic flow, the traffic way should be cleared as soon as possible, and officers should allow “lead time” for the towing equipment to arrive.

C. INVESTIGATING THE COLLISION

- 1.** Investigating Responsibility. The Traffic Unit has the primary responsibility for investigating non-injury traffic collisions; however Patrol Officers shall be dispatched if Traffic Officers are not available.
- 2.** Criteria for Completing an Investigation and State “Report on Traffic Collision.” Department policy regarding the completion of the State Report on Traffic Collision by an Officer is as follows:
 - a.** A report is required on any traffic collision when:
 - 1) Any government vehicle or commercial vehicle is involved, even if the parties do not want to make a report, or
 - 2) There is damage to government property, or
 - 3) There is any physical injury, even if the parties do not want to make a report, or
 - 4) A criminal offense has occurred or any party does not have proof of insurance, even if the parties do not want to make a report, or
 - 5) The involved vehicles can not be driven away from the scene, or
 - 6) A Hit and Run collision with viable suspect information, or
 - 7) The collision was a result of any police action, with the exception of blocking, pinning, PIT maneuvers, or intentional ramming.

3. Proper Completion of the State Report on Traffic Collision. Officers will complete traffic collision report forms as trained and by standards set by the Department and State of Alaska.

D. Non-Investigated Collisions

1. Clearing of Roadway. Citizens should be advised by dispatch of the requirement to move their vehicles and any debris off of the roadway as soon as possible.
2. Private Property. The Department will respond to collisions on private property according to the guidelines in this policy and procedure.
3. Hit and Run – No Suspect Information. The Department will not respond to hit and run collisions of unoccupied victim vehicles or property damage (including government property) where there is no suspect information and no injury.
4. Notification. Involved citizens will be given an APD Collision Information Card that directs them to report the crash and complete a Notice of Financial Responsibility form online at <http://reportcrash.alaska.gov/>.
5. Verification of Information. Officers will verify that the driver and vehicle information that the citizens exchange is correct and accurate, that the proof of insurance for each driver appears valid, and that no criminal activity has occurred. Upon leaving the scene of the collision, officers will notify dispatch that the information was verified by using the CAD disposition code “V”, i.e. “10-8V”.

E. DISPOSITION

1. Vehicle Removal. Clearing the collision scene as quickly as practical is in the best interest of safety and traffic flow. Once officers have gained the physical evidence necessary for the investigation, effort should be made to move the vehicles. The following guidelines are provided:
 - a. The law requires the operators of vehicles involved in traffic collisions to not unnecessarily obstruct traffic (9.10.020). Dispatch should encourage citizens to move their vehicles off of the roadway if possible.
 - b. Even if safely parked, officers should assess the theft and vandalism vulnerability of an involved vehicle left unattended at the scene.
 - c. With the owner’s permission, officers may consider pushing a disabled vehicle to a safe parking area if their patrol vehicle is capable.
 - d. If the officer decides that towing is required for any reason, the following would apply:

- 1) Assist the operator in summoning the towing company of their choice. If the operator has no preference, but is still willing and able to take responsibility of the vehicle, then the Dispatch approved tow agency rotation list may be used.
 - 2) If the owner/operator is unwilling or unable to make these arrangements, the officer may impound the vehicle for safekeeping. For details, consult the procedure "Towing--Impounds".
2. Issuing Citations. It is firm Departmental policy to issue citations for traffic violations at collisions if the evidence concludes such violation(s) occurred. Be reminded:
 - a. Citations may be issued to more than one operator.
 - b. Citations can be issued at a later date if the investigation is not completed at the scene.
 - c. Citations should not be issued if the collision is not investigated by APD and documented on a State of Alaska collision form.
3. Notice of the requirement for "Certificate of Insurance" forms (i.e. "Financial Responsibility Notices"). The operator of a vehicle involved in a collision investigated by APD shall be advised via an APD Collision Information Card to go online to <http://reportcrash.alaska.gov/> and complete the certificate of insurance form and submit it to the Department of Motor Vehicles. Operators who do not submit this form to the State of Alaska will have their license suspended as an uninsured motorist.
4. Arrests. Recall that some traffic violations are criminal (versus infraction or civil), so arrests can occur. Should the officer make a traffic arrest:
 - a. Some arrests can be concluded with Misdemeanor Citations (see the procedure so titled for details).
 - b. Juveniles arrested under the traffic code are processed identically to their adult counterparts, including the issuance of the various citations, with two exceptions:
 - 1) Parent(s) must appear with the minor in any court appearances the minor might have; and
 - 2) If a booking is ordered or required, it shall occur at McLaughlin Youth Center (see the procedure entitled "Arrests--Juveniles" for details).
5. Public Assistance. Prior to leaving the scene, officers should be available to provide reasonable assistance to the collision victims. Also, ensure that the parties have exchanged the information required by law, such as name, contact info, insurance info, etc.

6. Return of Property. Officers should ensure that all property has been returned to the correct owner. Note especially operator's licenses, registrations, keys, and other items normally needed by officers. This would, of course, exclude property retained as evidence.
7. Notifications. In any collision investigated by APD, each party will be advised of the police report case number by the officer, and that copies of the collision report will be available at the front counter of the police station after 5 business days.
8. Road Debris. AMC 9.36.100 (C) states "Any person removing a wrecked or damaged vehicle from a publicly maintained street shall remove any glass or other injurious substances dropped upon the highway from such vehicle." Officers are to enforce this provision, as it applies to both towing equipment operators and private individuals. In any case where substantial debris is left on the roadway, or if the road or traffic equipment is damaged, officers should notify the appropriate agency.

F. MISCELLANEOUS ISSUES

1. Collisions Not Investigated at the Scene. Dispatch or an officer will inform the party or parties of their obligation to complete form 12-209, Motor Vehicle Crash Form, online at <http://reportcrash.alaska.gov/>. Officers will not investigate a non-injury collision where the parties agreed to party settle and have left the scene prior to APD arrival.
2. Special Vehicles. When investigating collisions involving the following vehicles, officers must comply with the special considerations listed:
 - a. Alaska Railroad and Alaska Railroad vehicles.
 - 1) Anticipate the railroad sending its Special Agent.
 - 2) Expect the operator to refuse to answer questions until the Special Agent arrives. The operator is instructed not to discuss the incident until that Special Agent arrives, and it is Departmental policy to honor that procedure.
 - 3) List involved railroad personnel (engineer, conductor, etc.) on an Additional Information form instead of the State Traffic Collision form. The State has specific definitions of "operator" and "driver," and a determination has to be made later as to who was actually "operating" the train.
 - b. Postal vehicles.
 - 1) Anticipate the Postal authorities dispatching a Postal Inspector.
 - 2) Honor the operator's company policy not to discuss the incident until that Postal Inspector arrives.

INJURY COLLISIONS & FATALITIES

Response to collisions involving injuries, serious injuries, and fatalities will be conducted as indicated above with the following exceptions.

A. RESPONSE

1. **Vehicle Descriptions Not Required at Dispatch.** When initially dispatching an officer to a traffic collision, furnishing vehicle description(s) is not required, and the officer should not request such description(s) unless the subject vehicle(s) cannot be located.
2. **Response Code.** Injury collisions are dispatched Code 3
 - a. As with any call, arriving safely is a primary consideration.
 - b. Arriving officers should consider reducing the code of any other responding units as soon as practical, including the medical unit(s), if the injuries are minor.
 - c. Although Traffic Officers will respond if available, the nearest Patrol Officers should be dispatched to provide assistance to the victims.
3. **Serious Injuries and Fatalities.** Once it is determined that a collision involves a serious physical injury or a fatality, officers should notify a shift Supervisor to initiate contact with the Traffic Unit Supervisor. See Traffic Unit Coordination policy for call-out guidelines.

B. ARRIVAL AT SCENE

1. **Critical Initial Steps.** The initial steps the officer takes are critical to the welfare of the public and the quality of the investigation. The following guidelines are offered:
 - a. Assess the scene from a distance as you approach. This serves to:
 - 1) Suggest the best positioning of the patrol vehicle.
 - 2) Alert officers to certain dangers, most notably:
 - a) Hazardous materials.
 - b) Power lines down.
 - c) Debris on roadway.
 - 3) Provide information for possible re-routing of traffic around the scene.
 - b. Protect the scene. The scene must be protected (by patrol car positioning and lighting, cones, flares, and/or other units) to achieve two vital purposes:
 - 1) Prevent secondary collisions, which can be more severe than the original collision; and

- 2) Preserve evidence for the investigation. Recall that a serious traffic accident is to be regarded as a felony crime scene until evidence concludes otherwise.
- c. Attend to medical assistance. With the scene protected, the victim(s) can be given medical attention. Officers are reminded that, if the injuries are minor, reducing the code of the responding medical unit is best for overall safety. Identify the witnesses. Officers will attempt to identify and interview witnesses.
 - d. Identify the witnesses. Since many witnesses are reluctant to remain at the scene or volunteer information, responding officers should immediately begin identifying and recording witnesses. For serious and fatal collisions which the Traffic Unit will investigate, officers may do the initial interviewing for the Traffic Unit. For collisions with fatal or potentially fatal accidents, or for any collision involving injuries which require hospitalization, all interviews with drivers, witnesses, or passengers shall be recorded and submitted as per the APD digital evidence policy.
 - e. Photographs. Officers shall take photographs at any collision that involves a report of injury. If the Traffic Unit is responding to a serious or fatal crash, initial photographs of the scene can be very useful and should still be taken by patrol.
 - f. Notifications. Should the collision result in critical injuries or death, the responding officer should coordinate with a shift Supervisor to notify the Traffic Supervisor. See Traffic Unit Coordination Procedure for guidelines.
 - g. Implied Consent Blood Draws. Responding officers should follow established guidelines for implied consent blood draws for serious injury and fatality collisions. If it is determined that a collision meets those guidelines, the blood draw process may be started immediately. Officers shall coordinate the blood draw with the Traffic Unit Fatality Investigator assigned to the collision when Traffic assumes responsibility for a collision.
 - 1) Officers who complete a blood draw shall fill out a lab request form, to have the blood tested, at the time the evidence is submitted to Property and Evidence.
 - h. Assess vehicle removal. Officers should begin to assess when and how to remove the vehicle(s) and debris. Unlike a minor collision, a serious collision can entail protracted crime scene processing and/or impoundment for evidence, so this consideration may be more detailed. However, in the interest of safety and convenience, the traffic-way should be cleared as soon as practical. Although a discussion of towing arrangements can be found earlier in this procedure, this step is included here to remind the officer to

coordinate vehicle removal with the Fatality Investigator if a traffic call out has been initiated.

C. INVESTIGATING THE COLLISION

1. Investigating Responsibility. The Traffic Unit has the primary responsibility for investigating injury traffic collisions. If no Traffic Units are available, this responsibility shall pass to Patrol, except that Serious Injury Collisions and Fatalities may be handled by Traffic Unit call out. See Traffic Unit Coordination Policy for guidelines.
2. Officer's Duties after Notification of Traffic Unit. The Traffic Unit may delegate the investigation to Uniformed Patrol. Should the Traffic Unit assume responsibility, however, the officer's primary duties are those listed in Section B. above (protect scene, secure witnesses, attend to medical attention, etc.).
3. Completing a State "Report on Traffic Collision." A collision report will be made on any collision involving an injury.
4. Proper Completion of the State Report on Traffic Collision. Officers will complete traffic collision report forms as trained and by standards set by the Department and State of Alaska.
 - a. In the event of a Traffic Unit call out to complete a serious injury or fatality collision investigation, responding patrol officers will still be required to complete the collision report for all vehicles involved including their drivers and passengers. Any witness interviewed by patrol should also be included in a collision report or supplemental report.

D. DISPOSITION

1. General Disposition. For details on disposition see Section I. The following differences are noted for injury, serious injury, and fatality collisions.
2. Vehicle Removal. Vehicle removal is the same as in Section I except for the requirement to coordinate with the Fatality Investigator if the Traffic Unit has been called out.
3. Issuing Citations. It is firm Departmental policy to issue citations for traffic violations at collisions if the evidence concludes such violation(s) occurred. Be reminded:
 - a. Citations may be issued to more than one operator.
 - b. Citations can be issued at a later date if the investigation is not completed at the scene.
 - c. Citations should not be issued when a criminal offense is believed to have occurred, or if the Traffic Unit has assumed responsibility for the investigation.

4. Return of Property. Return of property should be coordinated to ensure that it does not interfere with any criminal investigation that may result from the collision.

Road Debris. Road debris should be handled as indicated in Section I except that it should not be moved until the investigation has been completed.

Chapter 4

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.04.000-005	
Policy and Procedure Title Evidence Conversion to Dept. or other Public Use	Effective Date 8/10/09	Page 1 of 8
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.04.000 Evidence

3.04.005 Evidence Conversion to Department or other Public Use

PURPOSE

To advise all personnel of the procedures required for the Anchorage Police Department to retain unclaimed disposable property, as defined under Anchorage Municipal Code 7.25.005, for retention, use, trade or bartering, in accordance with all provisions established within AMC Title 7.10 and 7.25.035.

POLICY

All unclaimed disposable property authorized for retention and conversion to Department use shall become the sole property of the Municipality of Anchorage and not authorized for individual retention or personal use.

DISCUSSION

Unclaimed disposable property claimed by the Chief of Police for department or public use must be conducted through the Municipal Purchasing Officer in accordance with municipal codes, prior to any form of department use to ensure the transaction is lawful and the public's confidence that property is not being intentionally misappropriated by the municipality is maintained.

DEFINITIONS

Converted Property is any property diverted to department or public use, per applicable department policies, procedures and municipal codes.

Converted Property Request and Authorization Form is the Municipal form 51-004 utilized by the Anchorage Police Department to document, review and authorize the request for conversion of unclaimed disposable property to police department use as municipal property.

Disposable Property is defined under AMC 7.25.005.

Fixed Asset is any municipal fixed asset as defined in Municipal Policy and Procedure 24-13.

Municipal Property is any tangible item which belongs to the Municipality of Anchorage.

Municipal Purchasing Officer is the current Municipal Purchasing Officer, Acting Officer, or designee, as may be appointed or authorized by the Mayor of Anchorage.

Police Supply is the section assigned the function of maintaining and issuing police supplies, uniforms and equipment.

Property is defined under AMC 7.25.005 as evidence, safekeeping, found property, found bicycles, and items for destruction in the possession of the Police Department.

Property and Evidence Disposal Team is the group of Anchorage Police Department Property and Evidence employees assigned to dispose of items in the Property and Evidence storage area.

Property Conversion Recommendation is the memo (e-mail) submitted through the chain of command from any police employee recommending the conversion of unclaimed disposable property to department use, trade or bartering.

Unclaimed Disposable Property is defined under AMC 7.25.005.

CONVERSION, BARTER, TRADE OR SALE, AUTHORITY:

Conversion Authority

The provisions of AMC 7.25.035 A(1) state: "All unclaimed disposable property, excluding money, collectible items, and property items subject to destruction under section 7.25.060, shall be subject to a claim by the Chief of Police for retention, use, trade or bartering in accordance with the provisions of this chapter."

The Deputy Chief of Police Administration, as designated by the Chief of Police, shall review and either approve, or deny, all internal department recommendations for the diversion of unclaimed disposable property to department use, barter, trade or sale in accordance with AMC 7.25.035.

The Municipal Purchasing Officer has the final disposition authority over all municipal property, including unclaimed disposable property, in accordance with the provisions of Anchorage Municipal Code Title 7. The Municipal Purchasing Officer's authorization shall be obtained for the conversion of unclaimed disposable property prior to any form of department use.

Barter, Trade or Sale Authority

In accordance with AMC 7.10.040, except as provided otherwise, all rights, powers and authority pertaining to the procurement of supplies, services and construction, including the barter, trade or sale of municipal property or

supplies, required by the municipality are vested solely in the Municipal Purchasing Officer.

Unclaimed disposable property converted to department use shall only be bartered, traded or sold for goods or services, through and by the Municipal Purchasing Officer, as provided for under AMC 7.10.030.

PROCEDURE

I. PROPERTY CONVERSION PARAMETERS

A. All forms of property and evidence, including forensic evidence, may be recommended for conversion or diversion to the Anchorage Police Department for the following reasons:

1. Department use - in-service education
2. Department use - in-service training
3. Department use - equipment
4. Department use - supplies
5. Department use - fixed asset
6. Municipal or public use - equipment or fixed asset.

II. CONVERSION RECOMMENDATION AND SUBMISSION

A. Police personnel recognizing potential organizational need, use, or cost savings, through the conversion of unclaimed disposable property for department or municipal retention and use shall:

1. Submit an electronic (e-mail) recommendation titled "Property Conversion Recommendation" to their immediate supervisor.
2. E-mail recommendations shall clearly summarize:
 - a). justified organizational or municipal need.
 - b).intended use.
 - c). projected time or cost savings.
 - d). description and number of requested items.

III. CONVERSION REVIEW

A. Supervisors, upon receipt of Property Conversion Recommendation e-mail shall:

1. Review all recommendations.
2. Reply to the recommending employee within ten days indicating supervisory endorsement or reason for withholding endorsement:
 - a). endorsement - recommend conversion request.
 - b). withheld endorsement - do not recommend conversion request
3. Forward same information to their immediate commander.

B. Commanders, upon receipt of a Property Conversion Recommendation shall:

1. Review all recommendations, endorsement and withheld endorsement.
2. Reply to the endorsing supervisor within ten days indicating concurring command endorsement or reason for withholding endorsement.
3. Forward endorsed recommendation information to the Property and Evidence Supervisor.

C. The Property and Evidence Supervisor, upon the receipt of a command endorsed Property Conversion Recommendation shall:

1. Forward the endorsed request to the P&E Disposal Team.
2. Complete a Municipal Converted Property Request Form upon the P&E Disposal Team locating unclaimed disposable property matching the requested endorsed item(s).
3. Deliver a completed Converted Property Request and Authorization Form, accompanied by the commander endorsed e-mail recommendation, to the Deputy Chief of Administration.
4. Act as the liaison between Police Commanders, the Deputy Chief Administration and the Municipal Purchasing Officer.

D. The Deputy Chief of Administration shall:

1. Review and approve, or deny, each Converted Property Request.
2. When deemed necessary, request additional supporting information directly from the recommending employee or approving supervisors.
3. Sign and return all Converted Property Request and Authorization Forms, approved or denied, directly to the Property and Evidence Supervisor.

E. The Municipal Purchasing Officer shall retain the right under municipal code to approve or deny requests from the Deputy Chief of Police of Administration to divert unclaimed disposable property to department use.

F. The completion of Converted Property Request and Authorization Forms will be coordinated between the Municipal Purchasing Officer and the Property and Evidence Supervisor.

IV. CONVERSION TO DEPARTMENT USE

A. The Property and Evidence Supervisor shall:

1. Forward all properly completed Converted Property Request Forms to the Property and Evidence Disposal Team.
2. Notify the Deputy Chief of Police whenever the Municipal Purchasing Officer denies a conversion request for unclaimed disposable property.

3. Maintain a record of approved and denied property conversion requests.
4. Notify the endorsing commander when the requested property is not immediately available for conversion to department use.

B. The Property and Evidence Disposal Team shall:

1. Retain custody of unclaimed disposable property and verify all disposition provisions of Anchorage Municipal Code Title 7.25 have been documented and complied with regarding lawful notice, disposition and conversion of unclaimed disposable property in possession of the police department.
2. Maintain all final property disposition records, final property conversion approval documentation, and assure the final out and transfer of ownership are attached to the main Property and Evidence Disposition File.
3. Maintain documentation of the transfer and receipt of converted property in the form of:
 - a). firearms and weapons to the Training Section, Department Armorer.
 - b). computer and related equipment to the Information Systems Section, Technical Support, or an authorized designee.
 - c). all other forms of property through Police Supply.
4. Deliver all property authorized for conversion to department use to the Police Supply Clerk.

C. The Police Supply Clerk shall be responsible for receiving all converted property, assigning a municipal property (tag) number, accurately maintaining an inventory as municipal property, and distributing converted property as department equipment in the following manner:

1. All converted firearms shall be distributed directly to the Department Armorer, who shall then be solely responsible for receiving and accurately maintaining an inventory, distribution and disposal accounting for each converted firearm.
2. All converted computers and computer related equipment shall be distributed through the Data Systems Supervisor, or an authorized designee, who shall be responsible for the receipt, testing, determining functionality and compatibility with department equipment, and accurately maintaining an inventory, distribution and disposal record accounting for each converted computer and computer related equipment.
3. All other forms of converted property shall be retained and distributed to police employees and accounted for in the same manner as other police equipment.

D. Police personnel receiving converted property shall be responsible for the accountability, care and return, in the same manner as other municipal property issued to them by the department.

V. RECOMMENDATION AND CONVERSION OF FIREARMS AND WEAPONS FOR BARTER, TRADE OR SALE

A. Police personnel recognizing potential organizational need, use, or cost savings, through the barter, trade, or sale of unclaimed disposable property in the form of firearms or weapons, to purchase or acquire weapons, firearms, police equipment, or firearm related parts and accessories for department use shall:

1. Complete the same steps required under Conversion Recommendation and Submission in a type written memorandum, not e-mail.
2. Title the recommending memorandum as "Property Conversion Recommendation for Barter, Trade or Sale".
3. Address the memorandum to the Deputy Chief of Police Administration, through their chain of command and the Property and Evidence Supervisor.
4. Prepare purchasing documentation, in the form of:
 - a). a written list of at least three vendors, or a separate written sole source justification memo, which can provide the requested goods, or services, and are capable of replying to a request to barter, trade or purchase municipal property from the Municipal Purchasing Officer.
 - b). a properly completed Municipal Purchase Requisition Form, obtained from the Fiscal Manager or respective Division Commander.
5. Deliver the memorandum, the vendor list, or sole source justification, and the Municipal Purchase Request Form to their immediate supervisor.

B. Supervisors and Commanders, upon receipt of the written memorandum Property Conversion Recommendation for Barter, Trade or Sale of Firearms and Weapons, shall:

1. Review and either endorse or deny the proposal.
2. Notify by e-mail in the same manner listed under Conversion Review.
3. Forward endorsed memorandums, with attached purchasing documentation, directly to the Property and Evidence Supervisor.

C. The Property and Evidence Supervisor, upon the receipt of a command endorsed Property Conversion Recommendation for the Barter, Trade or Sale of Firearms and Weapons shall:

1. Prepare and deliver to the Deputy Chief of Administration.
 - a). a completed Converted Property Request and Authorization Form.
 - b). the commander endorsed type written recommendation.

- c). the vendor list or sole source justification.
- d). the Municipal Purchasing Requisition Form.
- e). a list of unclaimed disposable firearms and weapons available for public auction.

2. Act as the liaison between Police Commanders, the Deputy Chief of Administration and the Municipal Purchasing Officer.

D. The Deputy Chief of Police of Administration shall:

- 1. Review and approve, or deny, each Converted Property Request for the Barter, Trade or Sale of Firearms and Weapons.
- 2. When deemed necessary, request additional supporting information directly from the recommending employee or approving supervisors.
- 3. Sign and return Converted Property Request and Authorization Forms, approved or denied, directly to the Property and Evidence Supervisor for delivery to the Municipal Purchasing Officer.

E. The Municipal Purchasing Officer shall:

- 1. Retain the right under municipal code to approve, or deny, requests from the Deputy Chief of Administration to divert unclaimed disposable property for the Barter, Trade or Sale of unclaimed disposable firearms and weapons.
- 2. When deemed necessary request additional supporting information through the Property and Evidence Supervisor.
- 3. Complete vendor negotiations and the final barter, trade or sale of unclaimed disposable firearms and weapons for the procurement or acquisition of weapons, firearms, police equipment, or firearm related parts and accessories for department use.

VI. DISPOSITION OF UNSERVICEABLE CONVERTED PROPERTY

A. Police personnel shall return all converted property distributed to them as municipal property to the Police Supply Clerk or Department Armorer in the same manner as other police equipment issued to them for final disposition, including disposal, prior to their termination with the department.

B. Under no circumstances will police employees retain, convert to their own use, or dispose of, any converted property they may have in their possession. This includes converted items which may have come into their possession prior to this procedure or are no longer serviceable.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.04.010	
Policy and Procedure Title Evidence-Disposition of Property	Effective Date 10/11/2011	Page 1 of 8
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.04.010 Evidence- Disposition of Property

PURPOSE

To establish the procedures for the lawful disposition, release and disposal of all property and evidence taken by or coming into the custody of the Anchorage Police Department and its employees.

POLICY

The lawful disposition, release and disposal of all property and evidence that comes into the possession of the Anchorage Police Department shall be documented and handled in accordance with department policies, procedures and applicable municipal, state and federal laws.

DEFINITIONS

Unless otherwise provided, the words used in this procedure have the same definitions established under Anchorage Municipal Code 7.25.005 and Evidence Handling and Submission Procedure 3.06.005.

Constructive Possession means the exercise of dominion or control by an owner over their personal property.

Contraband means any disposable property, excluding firearms and ammunition, exported or imported in violation of law, or any property the possession of which constitutes a violation of law or is otherwise prohibited, including, but not limited to: controlled substances and drug evidence.

Destructible Property means:

1. Dangerous or perishable property or property determined to be a biohazard;
2. Forensic evidence retained until completion of the final judicial, quasi-judicial or adjudicatory disposition date;
3. Property ordered to be destroyed either by a court or pursuant to a plea bargain agreement;

4. Contraband, unclaimed personal property, drug evidence, controlled substances, or child pornography;
5. Property determined by the Anchorage Police Department to be unserviceable, junk or waste, or with insubstantial fair market value;
6. Prescription or over-the-counter medication;
7. Any firearm or weapon determined by an Anchorage Police Department or State of Alaska armorer, or bomb disposal officer, or an authorized United States Department of Treasury official to be:
 - a. Unlawful to own or possess under federal or state law.
 - b. Utilized in a homicide, including a suicide.
 - c. Unsafe, a biohazard, or presents an immediate or potential threat of endangerment to the public.
 - d. Any part of a firearm causing the sale of the firearm to be prohibited by federal or state law; and
8. Any unclaimed disposable property the Chief of Police does not claim and the Purchasing Officer is unable to dispose of through sale, trade, or barter, may be deemed destructible property.

Disposable Property means, property, excluding destructible property that may be lawfully returned to an owner or finder, or disposed of by any means after meeting the retention periods.

Disposal means the process to purge disposable property through auction, barter, trade, forfeiture to the municipal treasury, conversion to municipal or department use, or destruction.

Disposition Deadline Date means the final date contained in the "notice of disposable property" letter in which the owner has to claim their property from the Anchorage Police Department before it is forfeited to the Municipality of Anchorage as unclaimed disposable property.

Evidence means property collected, found, recovered, seized, or otherwise comes into the custody of the Anchorage Police Department and retained for any criminal or internal investigation, judicial, quasi-judicial, or adjudicatory proceedings.

Insubstantial Fair Market Value identifies disposable property that the Anchorage Police Department Evidence Section determines to have an estimated fair market value of \$50.00 or less.

Over-The-Counter Medication means any substance that may be lawfully sold over the counter without a prescription as medicine, vitamin, diet or other similar health related supplements.

Personal Property means any disposable property identified to a specific person in the form of personal identification, credit, debit, bank cards, personal credentials, financial or legal documents, mail, photographs, cell phones and

devices containing digital media, keys, grooming materials, purses, backpacks, and similar items.

Prohibited Firearm is any firearm as defined under federal gun laws or regulations, case law, or a judicial order, to be unlawful for private ownership.

Prohibited Person means any person under federal, state, or municipal law prohibited from actual or constructive possession of a firearm or ammunition. A prohibited person may still have an ownership interest in the firearm that may be transferred.

Property is anything in the possession of the Anchorage Police Department classified as *safekeeping* or *found*.

Third Party Custodian means a person, or an authorized representative of an agency or business, designated through a notarized document signed by the rightful owner, or finder, authorizing that person to retrieve property, lawful to possess on their behalf, from the Anchorage Police Department.

PROCEDURES

I. AUTHORIZED FINAL DISPOSITIONS OF DISPOSABLE PROPERTY AND EVIDENCE--GENERAL

- A. Return to an Owner or Finder.\
- B. Release to a third party custodian.
- C. Forfeiture of property by court order, plea agreement, or under Federal, State, or Municipal laws.
- D. Conversion to Municipal or Department Use.
- E. Sale, Barter, or Trade.
- F. Donation.
- G. Destruction.

II. FINAL DISPOSITION OF EVIDENCE

- A. Determination that property collected as "evidence" can be reclassified as "disposable property", is the responsibility of the assigned case manager, investigation unit supervisor or commander, as may be listed in the Tiburon Records Management System electronic Case, Assignment and Management, database.
- B. The Evidence Section may reclassify property held as "evidence" to "disposable property" without written authorization from a case officer, case manager or case supervisor, upon:
 - 1. receipt of criminal intake disposition documentation from the prosecution, a judicial order, provisions of any Federal Law, State Law, Anchorage Municipal Code 7.25.005 - 070, or similar documentation, and:

- a). there is no case manager listed in the Tiburon Records Management System electronic Case, Assignment and Management, database, or;
- b). expiration of department established retention periods for those cases not investigated or prosecuted.
- c). the assigned case manager, or their supervisor upon subsequent notice, do not respond within thirty (30) consecutive days of a written or electronic request to review and authorize the final disposition of evidence with either a supplemental report, or electronic message, justifying further retention of the property as "evidence" along with the next scheduled review date.

C. The Evidence Section may assist case managers and supervisors to determine the final disposition by providing copies of the criminal intake disposition, state and municipal electronic case disposition databases, judicial orders, or other disposition documentation obtained from or through the courts, prosecution or other resources.

D. An Evidence Disposition form shall be completed for all property classified as evidence, to initiate, authorize and document the final disposition as disposable property.

E. Upon receipt of written authorization from a case manager or prosecuting attorney that authorizes the release or disposal of evidence which they have determined is no longer required for investigation or prosecution.

F. Upon receipt of written judicial authorization or court order, from the presiding court of jurisdiction, which clearly states the property is no longer required as evidence in all associated defendant's criminal and civil cases.

III. DEFERRED FINAL DISPOSITION OF EVIDENCE

The final disposition of evidence as disposable property shall be deferred:

A. Until all judicial, quasi-judicial proceedings, including appeal periods, department internal investigations, civil liability proceedings, retention periods, internal audits or inquiries, and risk management claims, have been resolved to the satisfaction of the Department, Municipal Attorney, Municipal Internal Auditor, and Municipal Risk Manager.

B. Until all judicial proceedings against all codefendants have been resolved to the satisfaction of the Department.

C. Whenever the property authorized for release to an owner is subsequently identified as prohibited property, such as contraband, firearm, ammunition, knife, weapon or similar items.

D. Whenever it can be determined the intended recipient is identified as a prohibited person.

E. Until the stolen status of any serial numbered property, especially firearms, have been checked and verified as 'negative' stolen.

IV. FINAL DISPOSITION OF DISPOSABLE PROPERTY

- A. Determination of the final disposition of disposable property is the responsibility of the Evidence Section. The provisions within Anchorage Municipal Code provide the Evidence Section with the lawful means to determine and accomplish the lawful final disposition of these items.
- B. Evidence Disposition forms are not required to effect the final disposition of returning "found property", "found bicycles" or "safekeeping property" to the owner, or their third party custodian, through the Property and Evidence Section. However, when deemed necessary the form may be used to provide notice to the Evidence Section.
- C. The Evidence Section is not required to complete a Property and Evidence Disposition form for non-evidentiary property.
- D. The narrative portion of the Evidence Report shall take the place of the Evidence Disposition form whenever the property is collected and submitted "for destruction".
- E. The Evidence Section, in lieu of barter, sale or trade through the Municipal Purchasing Director:
1. Shall destroy all property submitted as "for destruction".
 2. May destroy any disposable property or unclaimed disposable property with any characteristics identified as:
 - a). contraband.
 - b). dangerous.
 - c). having an insubstantial fair market value.
 - d). over-the-counter medicine.
 - e). perishable.
 - f). personal property.

V. RELEASE OF DISPOSABLE PROPERTY

A. Release of Disposable Property - Authorized Methods

The final release of all disposable property in the possession of the Anchorage Police Department shall be accomplished through the Evidence Section. Prior to any release of disposable property reasonable attempts, when deemed necessary, shall be made to obtain an unrestricted national criminal background check of the owner, or any person about to receive disposable property, to verify that:

1. There are no criminal convictions, judgments or judicial orders, which would prevent them from possessing specific kinds of disposable property.
2. There are no outstanding warrants.

3. Serial numbered property items are not currently listed as stolen property.
4. There are no possession restrictions, the disposable property is lawful for private ownership and is not considered prohibited or destructible property which should not be released.
5. Written notarized authorization from the property owner has been provided specifically identifying the property items and the third party custodian authorized to receive property on their behalf.
6. There are no outstanding debts when returning money to an owner, when possible, in the following order:
 - a). State of Alaska - Child Support Enforcement Agency.
 - b). Municipality of Anchorage - Finance Department, Treasury Division.
 - c). State of Alaska - Department of Revenue.

B. Release of Disposable Property - Computer Equipment and Media

The release of disposable property in the form of a computer, computer hard drive, components, software and computer peripherals, which were seized in relationship to the investigation of any sexual offense, shall be deferred until any and all of the statutory requirements have been satisfied.

C. Release of Disposable Property - Exigent and Emergency Circumstances

The following criteria shall be utilized whenever disposable property is to be released under exigent or emergency circumstances:

1. The property is not evidence of crime.
2. The property is lawful for private ownership.
3. The property is not destructible property.
4. The owner can provide or otherwise prove they own the property.
5. The receiving person has positive identification or is known to the releasing sworn employee.
6. The receiving person signs an itemized Evidence hand receipt.
7. The sworn employee documents the circumstances and release in a narrative police report.

D. Destruction of Disposable Property - Unauthorized Methods

Field disposal or destruction of any property is generally discouraged without proper documentation, reliable witnesses and expressly prohibited when the property is in the form of:

1. Personal identification, legal, credit or financial records.
2. Contraband.

3. Sensitive property in the form of money, jewelry, drugs, drug paraphernalia.

4. Firearms and ammunition.

VI. RELEASE OF FIREARMS AND AMMUNITION

A. The disposition of all firearms, firearm components and parts, and ammunition with a final disposition of “disposable property” shall be coordinated and accomplished solely through the Evidence Section. This includes the transfer of a firearm to another law enforcement agency or jurisdiction, disposal, or release to an owner or their representative.

B. Prior to the release of any firearm or ammunition, the Evidence Section shall in addition to the steps taken for the release of any property, be responsible for making reasonable attempts to verify:

1. That there are no criminal co-defendants.
2. That the firearm is not currently listed or reported as stolen.
3. That the lawful or registered owner about to receive the firearm shall:
 - a). be eighteen years of age or older.
 - b). not:
 - i. possess any prohibited person characteristics as defined under the current federal gun laws and regulations.
 - ii. have any outstanding warrants.
 - c). when applicable, have required authorization under federal gun laws and regulations, to receive a firearm listed as a Title II (gun owners), Class III (dealers) or Firearms regulated under National Firearms Act (gun owners).
4. All third party custodians or “transfer of ownership” designee about to receive a firearm shall be at least twenty-one years of age and meet the same criteria as an owner under VI.C.3.i-ii prior to the release of any firearm.

VII. DISPUTED OWNERSHIP OF DISPOSABLE PROPERTY

Whenever there are multiple ownership claims, or a dispute over ownership rights, to disposable property, the following procedures shall prevail:

- A. If two or more people claim ownership to the same disposable property, then each person shall be sent a Notice of Possession letter, which shall include an additional advisory notice that the ownership to the disposable property is in dispute and positive proof of ownership to the satisfaction of the Department is required.
- B. If one of the disputing parties provides positive proof of ownership by the disposition deadline date, clearly identifying them, to the satisfaction of the

department, as the lawful owner of the disposable property, then both parties will be notified in writing, of the findings.

C. If all of the disputing parties respond with insufficient evidence of ownership to the property, then each person shall be notified by certified mail the following information:

1. That the ownership of the property could not be determined to the satisfaction of the Department.
2. That they must apply with the court of jurisdiction for determination of ownership within 45 days of the certified letter.
3. That they must deliver a copy of receipt or acknowledgement of their pending petition from the court to the Anchorage Police Department Evidence Section, within 60 days of date contained in the certified letter.
4. That if one or more of the people fail to respond within the 60 days of the certified letter, property claims or interests shall be forfeited to the Municipality of Anchorage.
5. That if all but one of the disputed parties fails to respond or file an appeal, then the property in question will be released to the sole responding person providing proof of ownership to the satisfaction of the department in the same manner as other disposable property.

VIII. BARTER, SALE. OR TRADE OF UNCLAIMED DISPOSABLE PROPERTY

A. Property that is lawful to possess, which has not been released or destroyed, shall be disposed of through the Municipal Purchasing Officer by any lawful means, converted to department use, barter, sale or trade.

IX. DISPOSITION OF UNCLAIMED DISPOSABLE PROPERTY--MONEY

A. Unclaimed disposable property in the form of money, except "for destruction" monies containing biohazard qualities, shall be disposed of by delivering to the Municipal Treasurer for deposit into one of the designated Anchorage Metropolitan Police Service Area Fund accounts.

X. DESTRUCTION OF UNCLAIMED DISPOSABLE PROPERTY

A. The Municipal Internal Auditor must be present to witness and certify the properly documented, final destruction of disposable property whenever:

1. Property in the form of money is forfeited to the Municipality of Anchorage.
2. Property is released to a vendor under the municipal contract or agreement for the purposes of auction, barter, sale, trade, or donation.
3. Property in the form of drugs, firearms, or unlawful parts of firearms is destroyed.

B. Department policy requires the documented destruction of all other forms of property and evidence be coordinated and conducted through the Evidence Section.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.04.015	
Policy and Procedure Title Evidence-Handling and Submission	Effective Date 10/11/2011	Page 1 of 10
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.04.015 Evidence- Handling and Submission

PURPOSE

To establish procedures for the safe packaging, storage, transaction and chain-of-custody history, integrity, preservation and submission requirements for all classifications of property collected, seized, or received into possession of the Anchorage Police Department.

POLICY

It is the policy of the Anchorage Police Department to ensure that all classifications of property that come into its possession are properly collected, packaged, sealed, labeled, secured, stored, readily retrievable, and the collection, inclusive of all successive changes in the chain-of-custody are properly documented.

DISCUSSION

The initial collection, handling and packaging of property collected under the color of authority is essential to ensure preservation and custodial integrity. Personnel are reminded that all forms of property, evidence, found, safekeeping and destructible items have preservation and integrity concerns. These procedures are intended to establish guidelines and requirements to achieve four goals, safety, preservation, integrity and proper storage management of all property and evidence in the possession of the Anchorage Police Department.

DEFINITIONS

Chain of Custody: Chain of custody means the documented succession of custody for physical property held by the Anchorage Police Department, usually collected or held as evidence, which has the potential to be introduced in a judicial proceeding, beginning with the initial collection through final disposition.

Contraband: Contraband means the same as defined under AMC 7.25.005: any property exported or imported in violation of law, or any property, excluding

firearms and ammunition, the possession of which constitutes a violation of law or is otherwise prohibited, including controlled substances and drug evidence.

Disposable Property: Disposable property means any physical property in the custody of the Anchorage Police Department which can lawfully be released to the rightful owner, or finder, or disposed of in accordance with AMC 7.25.010.

Evidence: Evidence means any physical property, excluding motor vehicles, that is collected, found, recovered, seized, transferred, or otherwise comes into the custody of the Anchorage Police Department, and retained for any criminal or internal investigation, judicial, quasi-judicial, or adjudicatory proceedings.

Finder: Finder means the person identified on an official police report who discovered non-evidentiary found property.

For Destruction: For destruction means any property owners may have delivered for destruction, or property collected, found, transferred to, or otherwise placed into the custody of the Anchorage Police Department, which is considered contraband, illegal, dangerous or perishable, which is not associated with any defendant or criminal investigation.

Found Property: Found property means non-evidentiary property collected, found, voluntarily submitted or transferred to, the Anchorage Police Department as lost or abandoned.

Motor Vehicle: Motor vehicle means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated on rails, excluding bicycles, push scooters and similar devices equipped with a motor.

Owner: Owner means a person, their legal representative, or an authorized representative of a business known to have a legal or equitable interest in disposable property. Sufficient proof of ownership, acceptable to the Anchorage Police Department, must be produced.

Property: Property means any physical item, excluding motor vehicles, collected or accepted into possession or custody by any member of the Anchorage Police Department as evidence, found, safekeeping or for destruction.

Evidence Packaging Procedure Manual: The Evidence Packaging Procedure Manual identifies and specifies packaging and labeling requirements necessary for the preservation of and proper submission of any property item(s) collected by members of the department.

Evidence Section: The Evidence Section, also referred to as the Property Room, means those facilities and storage locations utilized by the Anchorage Police Department to store property.

Evidence Technician: Designated police employee accountable for control and maintenance of all property submitted for storage within the Evidence Section.

Received Properly Sealed: Received properly sealed means evidence tape applied to the natural opening of evidence, or other required seams of sensitive

property, which adequately cover the seam and include the submitting employees DSN, Initials and Date (D.I.D.) applied to the packaging.

Safekeeping Property: Safekeeping property means any property collected or transferred to the custody of the Anchorage Police Department for temporary custody either directly from, or on behalf of, the known owner.

Sealed Status: Sealed status describes the visual inspection regarding the integrity and condition of the natural opening, and other seams where procedurally required, of packaging containing evidence or sensitive property.

Sensitive Property: Sensitive property is property or evidence in any form of a drug, currency (foreign or domestic) or jewelry (including junk or costume) or any commodity having monetary value, including traveler checks, money orders.

Submitting Police Employee: Any employee of the Anchorage Police Department who initiates the chain-of-custody upon receipt or collection of any form of property for submission to the Evidence Section.

PROCEDURE

I. COLLECTION AND DOCUMENTATION OF PROPERTY AND EVIDENCE

A. Any member of the Anchorage Police Department who comes into possession of any classification of property, by any means, including contraband, shall do so under the color of authority and shall immediately make an inventory list on an approved Police Property and Evidence Report, thereby initiating the chain-of-custody.

B. Once physical evidence has been located, the chain-of-custody record shall be documented beginning with the initial collection of an item(s) and then each successive change in the physical custody.

C. The succession of the chain-of-custody shall be documented by one, or more, of the following methods:

1. Property and Evidence Report
2. Chain-of-Custody Report
3. Delivering agency Chain-of-Custody Report
4. Narrative Police Report
5. Hand Receipt

D. All police employees shall properly package, seal with evidence tape, label and document all property and evidence in accordance with the current requirements outlined in the "Evidence Packaging Procedure Manual".

E. Prior to the submission of any property or evidence item(s), the submitting police employee shall accurately complete and submit a copy of the Police Property and Evidence Report.

II. SUBMISSION OF PROPERTY AND EVIDENCE--GENERAL

A. All property collected under the color of authority shall be submitted on the date collected, received, seized, or no later than the end of the employee's assigned shift, or detail, directly to the Evidence Section through one of the following authorized evidence storage locations:

1. Evidence Drop Locker
2. Evidence Drying Room
3. Evidence Vestibule Floor Area
4. Evidence Vestibule Refrigerator
5. Evidence Service Window
6. Bicycle Cable
7. Suspicious Packaging Bin, Police Impound Outdoor Secured Storage Lot
8. Authorized Satellite Evidence Warehouse Storage Areas.
9. Deliver or Transfer property to an Evidence Technician authorized to receive property and evidence.

B. Police employees submitting properly packaged, labeled and documented property to an authorized temporary evidence storage location shall:

1. Ensure the Access Log for the Secured Evidence Storage Area, where required, is properly completed to reflect the date, DSN, time, police case number and name of all individuals who accessed and/or entered the secured area.
2. Attach an accurately completed Police Property and Evidence Report and any other forms; such as a Drying Room form or a Forensic Lab Request form.
3. Ensure the property item(s) have been properly and completely secured within an authorized temporary storage locker, bin or cage, preventing direct access by others.

C. Police employees submitting property for secure storage after normal Evidence hours and unable to locate an available evidence locker, or otherwise properly secure any volume of property, shall immediately notify an on-duty Patrol Supervisor. The Patrol Supervisor shall confirm, and then contact the Evidence Supervisor or designee, that property or evidence cannot be properly secured. The Evidence Supervisor shall determine if a call out of Evidence personnel is necessary.

D. Only Evidence Personnel are authorized direct access to temporary property and evidence lockers after property has been secured within by the submitting employee.

E. Any and all property and evidence secured within any temporary evidence storage area shall be processed in by the Evidence Section prior to release or temporary withdrawal.

III. EVIDENCE DROP LOCKERS—SUBMISSION REQUIREMENTS

- A. Evidence Drop Lockers are located in the main police headquarters which is adjacent to the Evidence Processing Counter.
- B. Prior to the submission of any property or evidence item(s), the submitting police employee shall comply with the packaging and labeling requirements outlined under section A and B of this procedure.
- C. Select and secure labeled packaged property, along with a copy of the Evidence Report, inside an appropriate sized empty Drop Locker. Ensure the door is completely closed and the keyless latch turned completely to the locked position.

IV. EVIDENCE DRYING ROOM—WET DRUGS

- A. The Evidence Drug Drying Room is a dual access only secured area, and is located within the Evidence Wet Property Drying Room. The Drug Drying Room is equipped with securable numbered drying lockers, each containing three plastic drying bins.
- B. The Evidence Drug Drying Room is electronically monitored.
- C. Access to the Drug Drying room area is available only through a commander or sergeant.
- D. Everyone who accesses, enters, or remains within the Drug Drying Area shall record the date, time, case number, along with their name and DSN on the access log.
- E. One sworn employee can remain alone for the purpose of submitting property only after both employees have signed the Drug Drying Room Access Log.
- F. All wet drugs shall be carefully placed into one or more of the three plastic bin(s) located within an empty Drug Drying locker. Care should be taken not to drop or spill drug material onto the floor or into any of the other Drug Drying lockers. Additionally:
 - 1. Evidence shall be limited to one case number per drug drying locker and shall remain there for a period not to exceed 10 consecutive days.
 - 2. Drugs determined to still be wet on the 10th day shall be subsequently inspected for dryness and removed immediately upon determining the item to be completely dry.
- G. A completed Evidence Drug Envelope, with attached bar code property tag, and a copy of the Evidence Report shall be placed in the document tray located on the front of each drug drying locker.
- H. Every item delivered to the Drug Drying Room shall be documented and listed on an Evidence Drying Room form and the following information shall always be recorded:
 - 1. Submitting Officer Name and DSN.

2. Case Manager Name and DSN, when known.
 3. Police Case Number.
 4. Property Tag Number for each item.
 5. Date delivered to the Drying Room, each item.
 6. Time delivered to the Drying Room, each item.
 7. Description of each item.
 8. Drying Cage Number where each item is located.
 9. The original copy of the Drying Room Form shall be attached to a copy of the Evidence Report and delivered to the Evidence Section. A document tray is available and attached on the inside of the Property and Evidence Drop Locker door.
- I. The duplicate copy of the Drying Room Form shall be attached to the document tray located on the front of the Drug Drying locker or cage.
- J. The submitting employee shall package, seal with evidence tape, label and document the drug locker key as evidence of the case and submit it to Evidence in the same manner as all evidence.
- K. The submitting employee shall retrieve the drug locker key within 10 days from the Evidence Section to access, properly package drugs as sensitive property.
- L. The submitting employee shall deliver and secure the properly packaged, weighed, sealed (D.I.D.) and labeled dried drug evidence inside an Evidence Section Drop Locker.
- M. The submitting employee shall notify the Evidence Supervisor whenever there are no drug drying lockers available to secure incoming wet drugs. The Evidence Supervisor shall determine if a call out of Evidence personnel is necessary.

V. EVIDENCE DRYING ROOM—WET PROPERTY

- A. The Evidence Drying Room is a secured, restricted access, and biohazard placarded area located inside the main headquarters building. The Drying Room is divided into two separate access areas; a) wet property and b) wet drugs.
- B. The Evidence Wet Property Drying Room is subject to electronic monitoring. Everyone who accesses, enters, or remains within the Evidence Drying Room shall record the date, time in, time out, case number, and printed name and DSN, on the access log.
- C. All property and evidence which is found to be wet or moist, including those containing chemicals and bloodborne pathogens, shall be properly packaged, labeled, identified, and secured inside one of the self locking Drying Rooms designated "wet property" evidence drying cages, or on the non-evidentiary rolling drying rack. Additionally:

1. Evidence items collected under the same case number shall be secured within a drying locker, bin, or cage independent of other case numbers.
2. Hanging items shall be hung on drying racks individually separated by a single, clean, Plexiglas shield between each item.
3. Items containing suspected hazardous materials or chemicals shall be clearly labeled or marked.
4. Dried property shall be removed on the 10th consecutive day if properly packaged, sealed, and labeled.
5. Property determined to still be wet on the 10th day shall be subsequently inspected for dryness and removed immediately upon determining the item to be completely dry.

D. Each item of "wet property" in the form of evidence shall be completely separated from all other evidence and non-evidentiary property, found and safekeeping, and:

1. Packaged, even if temporarily, inside a paper or cardboard container.
2. Fold over and cover edges with clear tape.
3. Seal edges with Evidence Tape by overlapping the clear tape and the paper. Include (D.I.D.), Date, Initials, and DSN.
4. Clearly labeled and identified by case number, property tag number as physical evidence.
5. Completely secure evidence on a hanging rack by locking inside one of the five evidence drying cages and:
 - a). Hanging items are placed onto one of the four rolling hanging racks. Non hanging items from the same case are to be placed into either the plastic bin attached to the base of the unit or the rolling flat shelved drying rack.
 - b). Hanging items shall always be separated by a plastic shield.
 - c). Flats or smaller packaged evidence containers can be placed either directly onto a shelf, or within a plastic bin, of the rolling wire shelf rack located in Cage 1.
6. Drying Cages are self locking and shall be securely shut upon submission of evidence.
7. Property shall not be stored above or positioned in such a fashion which allows any wet contents to leak down or otherwise cross contaminate property located adjacent to or below.

E. In addition to other requirements, all "found or safekeeping" wet property, shall be completely covered, or contained within a package, either, paper, paper bag or a box, and:

1. Clearly labeled with a bar coded property tag and identified as found or safekeeping property.
 2. Dried completely separate from all evidence.
 3. Placed on or hanging from the wire rolling shelf identified for non-evidentiary items. This rolling shelf is not located within an evidence cage.
- F. Every item delivered to the Wet Property Drying area shall be documented and listed on an Evidence Drying Room form and:
1. The following information shall always be recorded:
 - a). Submitting Officer Name and DSN.
 - b). Case Manager name and DSN, when known.
 - c). Police Case Number.
 - d). Property Tag Number for each item.
 - e). Date delivered to the Drying Room, each item.
 - f). Time delivered to the Drying Room, each item.
 - g). Description of each item.
 - h). Drying Cage Number where each item is located.
 2. Deliver, immediately, the original copy of the Drying Room Form, along with a copy of the Evidence Report, to the Property and Evidence Section. A document tray attached to back side of the door to the Evidence Drop Lockers may be utilized after normal Evidence hours.
 3. The duplicate copy of the Drying Room Form shall be placed inside the document sleeve attached to the front of the evidence drying locker, shelf, bin or cage, where the property or evidence was secured.
- G. Attach the original copy of the Drying Room Form to the copy of the Evidence Report and deliver both to the Evidence Section Drop Locker door document tray.
- H. Notify the Evidence Supervisor whenever there are no drying lockers, cages, or bins available to secure wet property items.
- I. Any and all packaging waste and spills shall be properly cleaned, swept or discarded inside a waste or biohazard material waste container, and all packaging materials are neatly restocked into assigned supply storage locations by submitting employees.
- J. Supervisors and Commanders are responsible for ensuring submitting employees comply with the provision of V.I.

VI. EVIDENCE VESTIBULE AREA

- A. The Evidence Vestibule Area is located outside the Evidence Service Window and adjacent to the Evidence Drop Lockers. It is a "supervisor access only" secured area after normal Evidence hours of operation. The

Vestibule area is only authorized for the temporary storage of large, or bulk, non-sensitive property items.

B. Everyone who accesses, enters or remains within the Evidence Vestibule Area, after Evidence normal hours of operation, shall record the date, time, and case number along with their name and DSN on the access log.

C. The same submission requirements for delivering property and evidence identified under sections I-III shall be fulfilled.

VII. BICYCLE CABLE

A. The Bicycle Cable is located adjacent to the exterior double doors of the Evidence Section located near the north east corner of police headquarters. The Bicycle Cable is secured to a metal post by padlocks which can be accessed using the primary Police Headquarters Building door key.

B. The same submission requirements for delivering property and evidence identified under sections I-III shall be fulfilled. Evidence Reports shall be delivered to the Evidence Section document tray mounted on the inside of the Drop Locker door.

VIII. AUTHORIZED TEMPORARY PROPERTY AND EVIDENCE STORAGE AREAS

A. The Chief of Police may designate optional authorized temporary and long term permanent secured property and evidence storage areas as deemed necessary to safeguard the property and evidence of the Anchorage Police Department.

B. The Outdoor Secured Storage Police Impound Lot is intended for delivery of evidence suspected as biologically contaminated and identified as either a Level One, Level Two or Level Three Suspicious Packaging. The only location authorized to submit suspicious packages of property or evidence is through one of the three containers labeled and identified as Level One, Level Two or Level Three.

IX. UNAUTHORIZED TEMPORARY PROPERTY AND EVIDENCE STORAGE AREAS

A. A partial list of unauthorized, temporary property and evidence storage areas are:

1. Any police vehicle, glove box, trunk or other compartment, with the exception of whenever the transportation of property or evidence is required for official business.
2. The interior of any personally owned vehicle, residence, supply, uniform, clothing or equipment locker, or any other storage container or facility.
3. Office area, closet, cupboard, or assigned workstation within police headquarters.

4. Any police substation.
5. Any desk, desk drawer, or workstation.
6. Any other location where the integrity, or chain-of-custody, of any property or evidence item could be compromised or bring the integrity of the employee into question.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.04.020	
Policy and Procedure Title Evidence-Withdrawal and Return Policy		Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.04.020 Evidence--Withdrawal and Return Policy

PURPOSE

To advise all personnel of the procedures for the withdrawal and return of property and evidence released from the Property and Evidence Section.

POLICY

It is the policy of the Anchorage Police Department to maintain responsibility for protecting and preserving all classifications of property coming under its control, including the chain-of-custody, and the integrity of the property, the department and the custodial employee.

DEFINITIONS

All definitions for this procedure are the same as those contained in the Property and Evidence Handling and Submission procedure.

PROCEDURE

I. WITHDRAWAL AND RETURN OF PROPERTY--Generally

A. Withdrawal of Property:

1. Property, with the classification of either evidence, found, or safekeeping, may be temporarily withdrawn from the Property and Evidence Section for:
 - a). Intra agency reasons (e.g.; for purposes of investigation, examination, identification, laboratory or forensic examination), or,
 - b). Inter-agency reasons (e.g.; for laboratory or forensic examination, court, or viewing by legal counsel or other authorized individuals)
2. Property, with any classification, shall not be temporarily withdrawn for municipal, department or personal use.

B. Return of Property:

1. Return of property means to return any property previously withdrawn by authorized personnel back into the custody of the Property and Evidence Section.

II. WITHDRAWAL OF PROPERTY--Procedure

A. Personnel authorized to withdraw property:

1. Only federal, state, or municipal law enforcement personnel, acting under the color of authority, are authorized to withdraw property from the Anchorage Police Department Property and Evidence Section.

B. Property Withdrawal Procedure:

1. Whenever the temporary release of property from the Property and Evidence Section is required, authorized personnel shall:

a). make every reasonable attempt to provide the Property and Evidence Section with a minimum twenty-four hour advance notice of the date and time they prefer an appointment to withdraw property. Although a "rush request" for court related property withdrawals will be honored, there is increased probability for delayed delivery due to retrieval time from multiple, or remote, storage locations.

b). deliver an itemized list of the property requested for withdrawal, either by e-mail to "APD P&E", or a legible handwritten list, stating the purpose (court, investigation, lab), identifying the person authorized to pick up the property, and the police case number including a list of the property by police case number, tag number and a brief description of each item.

c). At the time property is checked out, sign their name, designated serial number, and the date accepted, on the Property and Evidence Hand Receipt under "received by" prior to delivery.

d). When transferring custody, deliver the property and the duplicate unsigned Property and Evidence Hand Receipt to its final destination. The receiving person shall print and sign their name, record the date and time the property was delivered under "received by", prior to the release and transfer of custody.

e). Within 24 hours of checking property out, either return the property, or the completed and signed Property and Evidence Hand Receipt, to the Property and Evidence Section.

2. Whenever the temporary release of property from the Property and Evidence Section is required, Property and Evidence Technicians shall:

a). Prepare a duplicate unsigned Property and Evidence Hand Receipt for the "received by" employee to use, whenever the property is intended to be delivered or transferred to another person, court or agency.

b). At the time of release, update the automated property transaction record and simultaneously record the date, their initials and designated serial number, (D.I.D.) on the Property and Evidence Hand Receipt under "received from" at the time of delivery to authorized law enforcement personnel.

c). Upon delivery of a signed duplicate Property and Evidence Hand Receipt reflecting a custodial, update the automated chain-of-custody record to reflect the new custodian, new location, along with the delivery date and time.

d). Attach the signed duplicate Property and Evidence Hand Receipt to the corresponding main property file located within the Property and Evidence Section.

C. Property Viewing Procedure:

1. Viewing Property:

a). Viewing of property by victims, attorneys, or other persons, shall be conducted only by law enforcement personnel who are assigned as the case detective, case manager, or otherwise officially authorized, for purposes of an investigation, or to comply with a judicial "stipulation" or "motion for discovery". Authorized personnel withdrawing property shall:

i. coordinate in advance the date and time for the evidentiary viewing with both the prosecuting attorney and the Property and Evidence Section;

ii. submit an itemized list of property required for the viewing and schedule an appointment to retrieve the property required for viewing, to the Property and Evidence Section, sufficiently prior to the scheduled time for the evidentiary viewing;

iii. locate and schedule in advance an appropriate location, of sufficient size, to facilitate the viewing. Consideration should be given to avoid open work areas, not displace or disturb non involved personnel and potential scheduling conflicts with conference rooms. Note: The Property and Evidence, Evidence Processing and Vestibule counters should not be utilized as viewing areas.

D. Requests for Laboratory Services:

1. Whenever it is determined property in the possession of the Anchorage Police Department requires laboratory examination or analysis, the requesting person shall:

a). complete one of the following laboratory request forms:

i. Anchorage Police Department, Forensic Unit, Request For Services

ii. Anchorage Police Department, Request For Outside Laboratory Services

iii. State of Alaska, Crime Laboratory, Request For Laboratory Services

2. Request the Property and Evidence Section deliver, mail or ship, the property to the requested laboratory, or;

3. Withdraw and deliver the property to the laboratory upon receipt of a signed Property and Evidence Hand Receipt.

III. RETURN OF PROPERTY - Procedure

A. Procedures for the return of property:

1. All Property withdrawn from the Property and Evidence Section, which is not delivered or permanently retained at its intended destination, shall be returned within the same shift, or detail, or twenty-four hour period, by delivering and securing within an available Property and Evidence Drop Locker. Under no circumstances shall withdrawn property be retained in an "unauthorized storage location".

2. All Sensitive Property and firearms withdrawn from the Property and Evidence Section and not delivered to another agency or person, shall be returned and not retained by the receiving employee for any reason beyond the end of the same shift, detail, or tour of duty.

B. Suspense status of temporarily released property:

1. The Property and Evidence Supervisor shall periodically review the automated records of the property and evidence management system and:

a). Identify property temporarily withdrawn which has not been returned as required by this procedure or accounted for through a transfer of custody Property and Evidence Hand Receipt.

b). Notify any person determined to have retained property temporarily released to them demanding either the return of the property or the property or a signed and dated Property and Evidence Hand Receipt showing the successful transfer of custody.

c). Notify the Technical Services Division Commander when the last known person in custody of the property has not complied with subsection III. A. 2 of this policy provision within the established response time period.

Chapter 5

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.05.000-005	
Policy and Procedure Title Use of Force and Weapons Electronic Control Devices	Effective Date 10/11/2011	Page 1 of 5
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

PART 3 Operational Procedures

Chapter 5

3.05.000 Use of Force and Weapons

3.05.005 Electronic Control Devices

PURPOSE

The purpose of the policy is to advise all sworn personnel of the policies and procedures regarding Electronic Control Devices.

POLICY

All sworn officers must meet and comply with the requirements of this procedure. The electronic control devices authorized for use are the Advanced Taser M-26, X-26, X-2 and the X-3 manufactured by Taser International (Taser). Other Taser devices may be approved by the Chief of Police. Only Department owned and issued Tasers are authorized for use.

All officers authorized by the Chain of Command to carry a Taser must be certified by an APD Taser Certified Instructor. This training shall consist of a minimum of six hours of instruction with the successful completion of a written and proficiency exam.

DISCUSSION

Tasers are an Electronic Control Device. Electronic Control Devices are considered intermediate weapons in the APD Response to Resistance policy. Officers are encouraged to review the Response to Resistance policy for clarification on the associated levels of resistance and control.

The use of the Taser is intended solely as a control device to minimize injuries to officers, suspects, and others. Its purpose is to enable the officer to carry out his/her duties in a safe, efficient, and professional manner. The timely and

appropriate use of the Taser can greatly reduce injuries to all involved. Any escalated use of force may be thereby avoided.

The Taser may be deployed as an additional police tool and is not intended to replace firearms or self-defense techniques. A Taser may be applied with the following guidance:

A. Active Aggression. A Taser may be used by an officer in any situation where active aggression is met.

B. Suicide Intervention. A Taser may be used during acts of suicide intervention if attempts to gain compliance through verbal commands have failed and the officer reasonably believes its use is necessary to control the subject and prevent injury to the subject, officer(s), and other persons.

C. Special Circumstances. Situations may exist based upon the suspect/s actions, outside of aggression or suicide intervention, that may justify the use of a Taser. Factors to consider in these situations include, but are not limited to, the following:

1) whether the suspect is actively resisting arrest or attempting to evade arrest and the crime taking/having taken place is a felony persons crime or misdemeanor assault/weapons crime.

2) whether the suspect poses an immediate threat to the safety of the officers or others, or exhibits actions that create a situation likely to further endanger officers or others.

PROCEDURES

I. AUTHORIZED USE OF M26/X26/X2/X3 TASER

A. Officers authorized to carry a Taser shall undergo initial training and certification by a department Taser instructor. Officers shall attend annual refresher training coordinated by the department's lead Taser instructor.

B. Officers are authorized to use the Taser consistent with the department Response to Resistance policy.

C. The officer must give verbal warnings and commands to a resisting subject if the situation allows. The warning should be similar to "Drop the (weapon) and/or stop (suspect action) or I will use a Taser and you may be injured." Verbal warnings and commands are not necessary if reaction time is of the essence to officer safety or the safety of others.

D. The Taser may be used in both the "Drive Stun" mode and by firing the probes at a suspect. When used in the "Drive Stun" mode, officers should place the Taser on areas of the body most likely to result in immediate compliance by the suspect. These areas include, but are not limited to: pressure point locations, large muscle groups, or other areas approved through the Taser Training program. Officers should avoid "Drive Stun" to sensitive areas such as the face, groin or female breast.

E. Upon firing the Taser, the officer shall energize the subject the least number of times and no longer than reasonably necessary to accomplish the legitimate operational objective. The subject may be secured as soon as practical while disabled by the Taser to minimize the number of deployment cycles.

F. The Taser is not a substitute for deadly force. It shall not be carried in place of a handgun.

G. The Taser should not be used without a lethal force backup in situations where there is a substantial threat present.

H. The head and face shall not be intentionally targeted. Whenever possible, officers will aim for lower center mass (below the sternum and ribcage) when firing probes at the frontal chest area of a subject

I. Anytime the Taser is to be discharged operationally, the officer using the Taser should, if possible, announce that they are about to discharge the Taser by saying "Taser!", so that other officers will be aware that a shot is coming from a Taser.

J. The Taser shall not be used as a means of punishment.

K. The Taser may be used to provide "Laser" and "Spark" demonstrations to the suspect(s) prior to application of the Taser if the officer feels the demonstration will encourage the suspect(s) to voluntarily comply with the officer's instructions.

L. The Taser may be used as an alternate means of animal control.

M. The Taser is only to be worn on the user's support side, belt level, in a support-side draw position. Support side/cross-draw position is not authorized for normal duty use. Drop-leg style holsters are not authorized for normal duty use. Exceptions to this carry method, based upon special assignments (i.e. undercover operations, SWAT, etc.) can be authorized by individual unit Commanders.

II. LIMITATIONS FOR USE OF TASER

Do not use the Taser in the following situations:

A. Any known or obviously pregnant female, except in extreme cases where there is a substantial risk of death to the subject if intervention doesn't occur and other force options have not worked.

B. Any subject known to be saturated with or in the presence of highly flammable or combustible materials and liquids to include, OC, Mace, or other chemical defense sprays.

C. Any subject who may fall from a high place, such as a roof or balcony.

D. Any subject known to have a heart pacemaker device, except in extreme cases where there is a substantial risk of death to the subject if intervention doesn't occur and other force options have not worked.

E. Any subject restrained by handcuffs or other mechanical restraints.

III. DUTIES AFTER DISCHARGING THE TASER

A. The Taser shall be turned off once the subject is restrained or has complied.

B. Immediate action should be taken to care for any injured subjects, to apprehend any suspects, and to protect the scene.

C. Medical personnel will be summoned to the scene to assess the subject if he or she is injured. Medical treatment will not be refused for anyone who requests it.

D. Probes located in sensitive areas such as the face, neck, groin or female breast will be removed by medical personnel. Removal of probes in other areas may be done by officers at the scene.

E. Photographs shall be taken of probe impact sites (preferably before the probes are removed) and any other related injuries as well as photographs of the scene.

F. Involved personnel will attempt to locate and identify any witnesses to the incident.

G. Conduct a civil interview with the subject. The civil interview tape will be logged as evidence. The civil interview will be conducted after any Miranda interview if the subject is under criminal investigation.

H. Corrections or medical treatment facility personnel shall be informed the subject was controlled by the use of a Taser.

IV. EVIDENCE COLLECTION REQUIREMENTS

A. Deployed probes, cartridge(s) and wires shall be collected and retained as evidence. Probes that have been removed from skin shall be treated as a "Bio-Hazard". These items shall be packaged together as "Taser Components," in accordance with the Property and Evidence Packaging and Handling Procedure Manual.

V. OFFICER REPORTING REQUIREMENTS

A. An officer who discharges a Taser will notify an on-duty supervisor as soon as possible. The officer's actions and the surrounding circumstances shall be fully documented in a numbered police report. The officer who deployed the Taser will also complete the Taser Deployment Report form.

B. The Taser Deployment Report form and supplemental documentation will be provided to a Taser Instructor for a training review. The Instructor will then forward the report to the officer's respective Commander for review.

C. "Spark" and "Laser" demonstrations and animal control applications shall be documented in a police report and do not require documentation on a Taser Deployment Report form.

B. The officer who discharges a Taser on any person will make the Taser available to a Taser Instructor at the earliest possible convenience to have the Taser's internal use data downloaded and attached to supplemental police report.

C. Taser operators should routinely inspect their issues Taser for damage or wear. Damaged or inoperable Taser will be turned over to a Taser Instructor as soon as possible for repair or replacement.

D. Any Taser that is lost or stolen will be immediately reported to the Patrol Commander and documented in a police report.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.05.010	
Policy and Procedure Title Firearms Training and Qualifications		Effective Date 8/10/09	Page 1 of 5
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.05.010 Firearms Training and Qualifications

PURPOSE

This policy advises all employees of the training and qualification requirements for firearms carried under color of authority.

POLICY

All employees shall meet all firearms training and qualification requirements mandated in this policy.

DISCUSSION

Proficiency with a Primary Duty Handgun: Proficiency with a Primary Duty Handgun is considered a condition of employment for sworn personnel. This proficiency is evaluated in several ways:

- General Officer Qualification Course
- Standardized malfunction clearance drills
- Reloads and other required manipulations
- Safety

Sworn employees who fail to meet these standards consistently are unable to perform their duties as law enforcement officials. In these situations, it is the responsibility of the Department to clearly communicate the actions to take if an employee fails to meet these standards.

Supplementary and Second Only Handguns: Supplementary and Secondary Handguns users must be qualified on an annual basis using an approved General Officer Qualification Course (long version). When qualifying with a "Second Only" qualification course, that particular handgun may only be carried as a second gun to a primary duty handgun, even if that handgun chosen is of greater than .380ACP caliber. Three (3) is the maximum number of handguns that an officer is allowed to be qualified to carry in a given year.

Performance Standard: Employees are required to pass the General Officer Handgun Qualification Course at least once a year with their primary duty handgun using factory new ammunition. This qualification will be conducted by a current Firearms Instructor, using a “Match” timer and fresh target. The Officer will qualify in “full duty gear”, wearing a ballistic vest, which requires officers to wear their entire field uniform. Detectives shall wear their outerwear with daily use holster and magazine pouches. All firearms and related equipment are to be in compliance with the Department firearms policy.

These qualification attempts will be referred to as “Record Qualifications” and are different than “Diagnostic Qualifications” or other training tools Firearms Instructors may employ during the course of training. Employees will be granted two attempts to pass the annual Record Qualifications. A second session of attempts will be offered on the next work day for any employee who fails to pass the first session. As a reminder, the current firearms manual allows for two attempts at qualification per day – this policy will be applied to this training directive as well, therefore allowing the employee four (4) attempts to pass the Record Qualification over two days.

Additionally, officers should attend periodic firearms training, which may or may not include diagnostic qualification courses.

It is important to note that Firearms Instructors, Supervisors, or Commanders may recommend that employees be placed in a Remedial status based on observed shortcomings in any one of the four evaluated proficiency standards. These observations may be made either during training or in the field.

In-Service Remedial Status: Employees failing to meet one or more of the proficiency standards during training or as observed in the field shall be placed in an In-Service Remedial status. These employees will remain in their current duty assignment during this period.

Firearms Instructors identifying an employee as requiring the In-Service Remedial handgun training shall immediately inform that employee’s Supervisor or Commander and the Training Commander, who in-turn will make notification through the chain of command to the appropriate Division Commander.

Employees in an In-Service Remedial status may be kept in that status for the next four work weeks, during which time they will complete as many as 24 hours of Remedial Firearms Training with a Department approved instructor. At least 8 hours of Remedial training must be completed regardless of shooter improvement or test results. Employees may “test” out of their Remedial status at the end of the first 8 hours or at the end of any of their succeeding four (4) hour block of ongoing training sessions (each of which ends with a recorded qualification), up to the end of the 24 hour Remedial phase.

Administrative Remedial Status: Employees who are not able to test out of the 24 hour In-Service Remedial phase will be relieved of normal enforcement duties to focus on Remedial training to regain proficiency. The purpose of this status is to ensure the safety of the public and the officer. This assignment does not

prevent the officer from performing some limited duties that would not involve direct contact with the public.

This second Remedial period will be administered by the Training Center's primary Firearms Instructors and shall last a sufficient period to reasonably accommodate the employee's ability to "test out." The Training Center Supervisor will keep the chain of command informed as to the shooter's progress through weekly reports.

Additional Instructions: A Firearms Instructor administering either the In-Service Remedial or Administrative Remedial training will ensure that the employee has a clear understanding of what will be required to be placed back into a full duty status. This information will be communicated to the employee, verbally and in writing, as well as to their Supervisor, and the Training Lieutenant. This information includes:

- A. Department memo originating from the Chain of Command which communicates the employee's current Remedial status and the expectations of the employee and the instructor.
- B. An individual Training plan originating from the Firearms Instructor which communicates the items to be covered in the training, including;
 - 1. The diagnosis of the issue(s)
 - 2. The planned exercises to be performed
 - 3. Any additional testing, if deemed necessary
 - 4. The grading criteria to be used
 - 5. The timeline for completion

DEFINITIONS

Diagnostic Qualification: A Diagnostic Qualification is a series of exercises administered by a certified APD Firearms Instructor to determine a shooter's skill level. The General Officer Qualification Course may be used as a Diagnostic Qualification, however may not be counted as a Record Qualification.

Firearms Instructor: Any employee appointed by the Chief of Police to instruct in the use of firearms.

General Officer Qualification Course: Approved long and short qualifications to include malfunction and manipulation drills. The Chief Range Master approves these courses.

Primary Duty Handgun: An approved handgun which, when worn on duty, can act as the officer's sole firearm.

Range Master: An employee, appointed by the Chief of Police, whose combination of education, training, and experience in firearms qualifies him or her to supervise firearms courses and make recommendations on, and enforce decisions about, Departmental firearms and firearms training.

Record Qualification: The General Officer Qualification Course administered by a certified APD Firearms Instructor for record. Prior to administering the qualification course, the shooter shall be advised by the instructor that it is for record.

Rifles: A .223, .308 or .50 BMG bolt action, semi-automatic, or select fire long gun issued or authorized for carry under color of authority by the Chief Range Master. Only SWAT personnel are to utilize .308 and .50 BMG rifles.

Second Only Handgun: A firearm approved by the Chief Range Master, to be carried as a secondary firearm only. (It cannot be carried as a primary handgun either on or off duty.)

Shotguns: A 12 gauge pump action long gun approved by the Chief Range Master which is an optional firearm system for sworn officers to carry under color of authority.

Submachine Guns: A pistol caliber, shoulder mounted, select fire firearm.

Supplementary Handgun: Any approved handgun which may be used as both a primary duty handgun and as a secondary handgun. The Supplementary Handgun may be authorized as the sole firearm while off duty.

Under Color of Authority: Any act performed or privilege invoked as a peace officer, regardless of location or duty status. This includes events or situations that would reasonably contemplate the invoking of police powers or duty.

PROCEDURE

I. TRAINING—ALL FIREARMS

A. Scope: Any firearm used by sworn officers under color of authority shall be governed by both this procedure and the Response to Resistance procedure.

B. Firearm Qualification Requirements: Officers are required to qualify at least once per year with all firearms carried under the color of authority.

II. HANDGUN QUALIFICATION

A. Primary Duty Handguns. Officers are required to qualify once each year. The qualifications shall consist of one long qualification, including firearm malfunction clearance drills; officers shall qualify at the 80% standard in order to carry a handgun under the color of authority. Officers failing to qualify shall not carry a handgun under color of authority, and shall attend Remedial Departmental training. Carrying of a handgun under color of authority is an employment requirement, and officers failing to qualify subsequent to Remedial training shall be subject to termination. Recruit officers who fail to qualify at the basic level with a primary duty handgun during their Recruit Academy training are subject to termination.

B. Officers will qualify by make/model with their handguns.

III. SHOTGUN QUALIFICATION

The utilization of a shotgun under color of authority is optional. Officers are required to qualify once each year by serial number with their issued shotgun and should attend periodic in-service training throughout the year as available. Officers qualifying at 80% shall be authorized to carry a shotgun with buck shot ammunition under the color of authority. Officers failing to qualify shall not carry a shotgun under the color of authority.

A. Optional Slug Qualification: Carrying slug ammunition with an approved shotgun under color of authority is optional. Sworn members desiring to exercise this option must initially pass slug certification training and maintain that certification by qualifying once each year. Officers should attend periodic in-service training throughout the year as available. This training will coincide with the buckshot training. Officers must qualify with slug ammunition in an approved shotgun. The officer must qualify with buckshot in order to carry the optional slug ammunition.

B. Less Lethal Qualification: See Less Lethal Projectiles Kinetic Energy Firearms

IV. URBAN RIFLE QUALIFICATION

The utilization of an Urban Patrol Rifle under color of authority is optional. Officers selected to attend Urban Patrol Rifle training shall be required to successfully complete the Department's Urban Patrol Rifle Course (or approved equivalent) in order to carry the Urban rifle under the color of authority. Qualifying Officers are required to re-qualify once each year by serial number with their Patrol Rifle and should attend periodic in-service training throughout the year as available. Officers qualifying at 90% shall be authorized to carry a Patrol Rifle under the color of authority. Officers failing to qualify shall not carry a Patrol Rifle under the color of authority.

V. PERSONALLY OWNED FIREARMS

Sworn personnel may use their own firearms in place of Department-issued equipment. Personal firearms shall conform to the specifications listed in this procedure. Officers must qualify with their personally owned firearms and have them inspected by an authorized Department Armorer prior to their use under color of authority.

A. Employees using their personally owned firearms under the color of authority in lieu of Department issued firearms shall be personally responsible for the firearm's maintenance, Armorer's inspections, magazines, leather-gear and other requirements outlined in this procedure.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.05.015	
Policy and Procedure Title Kinetic Energy Weapons	Effective Date 10/11/2011	Page 1 of 4
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.05.015 Kinetic Energy Weapons

PURPOSE

This policy is designed to guide officers in the deployment of kinetic energy, or extended range impact projectiles.

POLICY

One of the major functions of the Anchorage Police Department is to save lives. Often times officers are called to dynamic situations, such as a suicide threat, where a specialized use of force is necessary. These situations frequently require force that is outside the normal scope of police response to resistance.

Kinetic energy projectiles, used interchangeably with extended range impact projectiles, assist in that function. Kinetic energy projectiles increase the potential for positive outcomes in dynamic situations; unfortunately they have a significant potential for causing death or serious physical injury. Officers are authorized to use KE projectiles in situations such as suicide interventions, or where the threat levels warrant the use of these projectiles. Due to the injury potential, Kinetic Energy projectiles are placed between deadly force and batons in the Department's response to resistance.

Because of the complex nature of the weapons and ammunition used, the Kinetic Energy projectile program shall be maintained by the SWAT Less Lethal Weapons Cadre.

DEFINITIONS

ARWEN: Anti Riot Weapon Enfield, a 37mm multi-shot weapon designed to fire various kinetic energy projectiles and chemical agents.

Penn Arms Launcher: Manufacturer of approved 37mm/40mm kinetic energy projectiles, chemical agents and specialty munitions.

"Bean bag" Ammunition: Specialty impact munitions consisting of lead shot contained within a cloth, nylon or similar material bag. A common lay term describing a projectile which conforms to the shape of the target upon impact.

12ga Bean Bag ammunition is not authorized for use by members of the Anchorage Police Department.

Direct Fire Ammunition: Impact munitions which are designed to be fired directly at the human body.

“Less Lethal” Force: Force used which is less than deadly force. Although this type of force, including the use of weapons and projectiles designed for “less lethal” force, have the potential to cause death or serious physical injury, their intended usage minimizes that potential.

“Pepperball” Ammunition: Specialty ammunition fired from an air powered weapon. “Pepperball” is specific to a manufacturer in Arizona, however the term is commonly used to describe similar weapon systems. These projectiles are fired using pressurized air guns. The projectiles impart lower impact energy than 12 gauge, 37mm and 40mm weapons. The projectiles impart lower impact energy than 12 gauge and 37mm weapons. These projectiles may also carry a payload, such as powdered OC and marking paints or dyes.

“Rubber bullet” Ammunition: Specialty impact munitions made of rubber, plastic, foam, or other similar material. A common lay term describing a projectile which does not conform to the shape of the target upon impact.

Skip Fire Ammunition: Impact munitions which are designed to be fired into the ground several feet in front of a target. Upon impact, the projectile ricochets into the lower extremities of the body. These projectiles are not normally used to fire directly at the human body.

PROCEDURE

I. AUTHORIZED USE OF KINETIC ENERGY (KE) PROJECTILES

- A. The Department KE program will be supervised by the SWAT Commander.
- B. All authorized 37mm and 40mm KE weapons will be maintained by the SWAT Less Lethal Weapons Cadre.
- C. All KE weapons and ammunition will be selected based on recommendations of the SWAT Less Lethal Weapons Cadre, SWAT Command and with the approval of the Deputy Chief of Operations.
- D. Only trained SWAT officers will be issued 37mm and 40mm KE weapon systems.
- E. The SWAT officers’ training will be consistent with the Anchorage Police Department Kinetic Energy Weapons training program.
- F. Patrol Officers may be trained to use 40mm kinetic energy weapons and associated 40mm specialty impact munitions.
 - 1. The Patrol Officers training will be consistent with the Anchorage Police Department Kinetic Energy Weapons training program.

2. Trained Patrol Officers and Sergeants will have access to 40mm extended range launchers and approved 40mm impact munitions at the discretion of the Unit Commander and Shift Supervisors.

- a). The approved 40mm launchers will be stored in the less lethal safe inside the police station when not deployed in the field.
- b). The trained officers will check out the weapon and impact munitions at the start of every shift.
- c). The 40mm launcher and ammunition will be stored in a closed case and secured in the officers' trunk. The weapon will be stored unloaded during transport and will only be loaded by the officer when deploying in the field, consistent with the Kinetic Energy Weapons training received.
- d). Officers will not store any lethal force ammunition or other specialty ammunition (breaching or chemical agent projectiles) with 40mm impact munitions.

G. KE projectiles may be used in support of, or with the application of a Taser.

H. KE projectiles may be used in suicide intervention. The decision to use KE weapons in suicide intervention may be based upon one or any combination of the following criteria:

- 1. The suspect is actively causing self-inflicted injuries.
- 2. The suspect is attempting to leave the scene or evade officers.
- 3. The suspect has initiated a countdown or timeline.
- 4. The suspect is not responding to reasonable negotiation attempts.
- 5. The suspect takes an action that elevates the threat level toward officers or another person.

I. KE projectiles may be used as an alternate form of animal control.

II. DEPLOYMENT OF KINETIC ENERGY PROJECTILES

A. Once a need for KE projectiles has been established, officers may deploy with the appropriate KE weapon system.

- 1. A supervisor should be present, if circumstances permit, at all situations where a KE weapon has been deployed.
- 2. Supervisors do not need to be present when a KE weapon is deployed in animal control situations; however, the officer should inform a supervisor prior to deployment.

B. A cover officer, preferably armed with a long gun, shall be assigned to the officer armed with a KE weapon.

C. Officers deploying KE weapons should give a warning to the suspect as soon as is practical.

1. Officers may not have time to issue a warning, or the situation may be such that a warning would worsen the problem. In these cases, the officer shall document the reasons a warning was not issued. This documentation must go beyond a simple statement that the warning was not issued “because of the element of surprise” or similar nature. The reason the warning was not issued shall be fully documented.

D. Officers using KE weapons will aim for an appropriate target area.

1. Officers will not intentionally target the head, neck, chest, spine, and upper abdominal areas.

2. Intentionally targeting the head, neck, chest, spine, and upper abdominal area will be considered deadly force.

3. If authorized, officers will use “Pepperball” weapons consistent with the “Pepperball” training program. The “Pepperball” training program may allow targeting the chest and upper abdominal area, in which case officers will be authorized to target the chest and upper abdominal area. However, the head and neck will not be intentionally targeted.

4. Officers are not required to target the area of the body that will cause the least amount of injury first. Officers should avoid striking major joints, such as the knee or elbow, whenever possible. The target area of the body should be made based on reasonable facts given at the time the shoot decision is made.

a). Officers may target the weapon arm as long as the impact does not increase the likelihood that the impact force will cause additional injury from the suspects’ weapon. For example, a suspect who is holding a knife to his throat could be assisted in causing injury to the throat if struck in the weapon arm.

b). Officers may target the hand holding the weapon if impacting the hand does not cause a similar problem as listed above.

III. POST DEPLOYMENT ACTIONS

A. Any person in police custody who has been struck by a KE projectile shall be taken to a hospital for medical examination prior to release, remanding to jail or placement at Providence Mental Health.

B. The use of KE projectiles will be documented according the Anchorage Police Department’s Less Lethal Reporting Procedure.

IV. SPECIAL APPLICATIONS FOR KINETIC ENERGY PROJECTILES

A. KE projectiles may be used in Crowd Management situations under the current training and deployment procedures for the Anchorage Police Department Mobile Field Force program.

B. The use of foam baton rounds is authorized in either a “skip fire” or “direct fire” application based on the current Mobile Field Force program.

C. This policy does not prevent the Department from obtaining and deploying "Pepperball" or similar weapons and ammunition. The Chief of Police, or his designee, may authorize the use of "Pepperball" or similar weapons and ammunition based on recommendations from the SWAT Commander and the Less Lethal Weapons Cadre.

D. Any approved "Pepperball," or similar style weapon, will be deployed in a manner consistent with this policy.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.05.020	
Policy and Procedure Title Less Lethal Application Reporting and Review Procedures		Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.05.020 Less Lethal Application Reporting and Review Procedures

PURPOSE

To establish procedures for the reporting and review of less lethal weapons applications.

POLICY

It shall be the policy of the Anchorage Police Department to fully document and record incidents where a less lethal weapon was used. The employee using the weapon shall bear the responsibility of the reporting requirements outlined within this policy.

DISCUSSION

The deployment and application of less lethal weapons shall be consistent with the policy and procedure governing the specific weapons system used. This policy applies solely to the reporting and review requirements associated with the actual application. This policy is meant to be general and to apply not only to the less lethal weapons that are currently available, but also to any additional less lethal weapons systems that may be acquired in the future. These procedures shall be used to document less lethal weapon applications that occur under the color of authority. Applications occurring during training sessions are not considered official less lethal weapon applications and therefore are not subject to this policy.

DEFINITIONS

Less Lethal Weapon is a weapon designed as a force option not amounting to deadly force, including but not limited to Tasers, bean bag projectiles, baton rounds noise flash devices, and chemical agents.

Less Lethal Application includes any physical use of a less lethal weapon against a person, animal, or object. The mere deploying, displaying, or demonstrating of a less lethal weapon is not considered to be an application.

PROCEDURE

I. NOTIFICATION

A. An on-duty supervisor shall be notified immediately of any application of a less lethal weapon.

B. The on-duty supervisor shall ensure that the Municipality Risk Management Section is notified prior to the next business day. Additionally, supervisors are to comply with all additional risk management reporting requirements currently in effect.

II. RESPONSIBILITIES FOLLOWING APPLICATION

A. The employee shall ensure that:

1. The Supervisor's Response to Resistance form is completed and properly submitted to the Captain of Patrol.
2. All related cases are properly cross referenced.
3. Photographs are taken of the scene and any injured parties, regardless of how minor the injuries.
4. The subject has a medical examination/treatment if necessary.
5. Full scene and injury diagrams are completed.
6. Supplemental reports are completed by all officers at the scene.
7. All witnesses are interviewed and properly documented (recorded statements).
8. The subject is asked to release their medical records pertaining to the incident.
9. Determine if the hospital has drawn blood from the injured party, and if so, note it in the report.
10. Conduct a civil interview with the subject. The civil interview tape will be logged as evidence. The civil interview will be conducted after any Miranda interview if the subject is under criminal investigation.
11. The Property and Evidence report will indicate that no audio tapes can be released or destroyed without approval of the Internal Affairs Unit.

B. The employee who used the weapon will initiate a Less Lethal Application Packet and ensure all supporting documentation is placed in the file and forwarded to the Less Lethal Weapons Lead Trainer.

III. REPORTING AND DOCUMENTATION FORMAT

A less lethal application is reported on a Police Report / Narrative. This report shall provide an account of what occurred prior to, during, and immediately following the application of the less lethal weapon.

The following format shall be used by the employee to document a less lethal application.

A. A Police Report Form: Each report shall have a "face sheet." The face sheet shall be completed as dictated by each incident. This report must contain the time, location, parties involved and a synopsis of the general events as a minimum.

B. Narrative / Supplements: The following are the required headings.

1. Less Lethal Deployment: This section of the report shall include the major events which preceded the less lethal application, a description of the actual incident, the names of the field supervisors overseeing the deployment and application and the names of all involved officers.

2. Scene Observations: A detailed description of the scene shall include weather, lighting, and other environmental conditions.

3. Warnings Issued: Document who and when warnings were issued to the subject and what the warning consisted of. If no warning was given, the employee shall document the circumstances why not.

4. Medical Treatment / Injuries: Injuries shall be documented in individual paragraphs in this section. The paramedic RMS report number shall be noted. Medical treatment reports shall be placed in the addendum section of the report. Note the attending emergency room physician's name. An injury diagram report shall also be completed and added to this section.

5. Weapons: If the incident involved an armed suspect, a description of the weapon and location found, if recovered, shall be included in this section.

6. Witnesses: Civilian witnesses shall be listed and completely identified on an additional name supplemental report. A taped interview shall be conducted with all civilian witnesses and a summary of their statements concerning the incident and their location during the incident should be included under this section of the report.

7. Photographs: Photographs of any injuries and the scene shall be taken. If practicable, the injury photographs should be taken at the time of treatment and the injury should be cleaned prior to photography to ensure the highest possible quality.

8. Clothing: The clothing the suspect was wearing should be described in this section and the clothing should be photographed.

C. Addenda: Any pertinent documentation shall be included in this section. This includes, but is not limited to, other applicable crime reports, medical treatment reports and other similar documents.

IV. INCIDENT REVIEW

A. A Supervisor will respond to the scene and conduct a preliminary evaluation of the incident.

B. The employee who applied the less lethal weapon will initiate the completion of the Less Lethal Application Packet. Once the packet has been

compiled with the necessary information, it will then be forwarded to the SWAT chain of command.

C. The SWAT chain of command will conduct a review of the incident and complete the Less Lethal Application – Supervisor's Report. The review shall describe under what circumstances the less lethal application occurred. Additionally, the report shall document if the review concluded that the application and surrounding tactics were appropriate. The review may also include recommendations for improvements in training, equipment, tactics, and/or other related issues.

D. A Department-authorized less lethal instructor shall also review the incident. The instructor shall:

1. Ensure that the application was "within training" and deployment practices. (If the less lethal instructor determines that the application was "out of training" he/she shall notify the appropriate commander in writing.)
2. Annotate on the "Less Lethal Supervisor's Report" indicating the review has been completed and the findings of that review.
3. Ensure that all required documentation is present for the chain of command review.
4. The less lethal instructor will complete a training bulletin detailing an after-action review of the application. This training bulletin will be forwarded to the Commander of each patrol shift for review and dissemination.

E. The Less Lethal Application Packet will be forwarded through the SWAT chain of command to include:

1. The SWAT Supervisor.
2. The SWAT / Less Lethal instructor.
3. The SWAT Commander.
4. The Division Commander.
5. The Office of Chief of Police.

F. Upon completion of the review by the chain of command, the Less Lethal Application Packet will be filed with Internal Affairs.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.05.025	
Policy and Procedure Title Response to Resistance	Effective Date 5/17/2013	Page 1 of 7
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.05.025 Response to Resistance

PURPOSE

To advise all sworn personnel of the laws and policies governing response to resistance while acting under color of authority.

POLICY

For purposes of this procedure it is Department policy that:

Officers shall accomplish their duties in a manner that minimizes the need for force and maximizes voluntary compliance.

If applied, officers shall use only that level of control which is reasonably necessary and lawful in executing their duties as peace officers.

When possible, officers should continue to attempt to gain compliance by means of verbal directives or commands.

No employee of the department shall engage in any conduct that could reasonably be expected to unnecessarily escalate a situation's potential for violence.

Justification for any level of control is limited to what reasonably appear to be the facts known or perceived by an officer at the time. Facts unknown by the officer at that time, no matter how compelling in retrospect, cannot be used at a later time for justification.

DEFINITIONS

Dangerous Instrument "...means any deadly weapon or anything that, under the circumstances in which it is used, attempted to be used, or threatened to be used, is capable of causing death or serious physical injury..." (AS 11.81.900 (b))

Deadly Force "...means force which the person uses with the intent of causing, or uses under circumstances that the person knows create a substantial risk of causing, death or serious physical injury; "deadly force" includes intentionally discharging or pointing a firearm in the direction of another person or in the

direction in which another person is believed to be and intentionally placing another person in fear of imminent serious physical injury by means of a dangerous instrument..." (AS 11.81.900 (b))

Deadly Weapon "...means any firearm, or anything designed for and capable of causing death or serious physical injury, including a knife, an axe, a club, metal knuckles or an explosive..." (AS 11.81.900 (b))

Force "...means any bodily impact, restraint, or confinement or the threat of imminent bodily impact, restraint, or confinement, "force" includes deadly and nondeadly force..." (AS 11.81.900 (b))

Nondeadly Force "...means force other than deadly force..." (AS 11.81.900 (b))

Physical Injury "...means a physical pain or an impairment of physical condition..." (AS 11.81.900 (b))

Serious Physical Injury "...means (A) physical injury caused by an act performed under circumstances that create a substantial risk of death; or (B) physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy..." (AS 11.81.900 (b))

Vascular Restraints: Neck restraints that apply pressure to the side(s) (not the front) of the neck. Vascular restraints are the only approved neck holds.

REFERENCES

AS 11.81.330 Justification: Use of Nondeadly Force in Defense of Self

AS 11.81.335 Justification: Use of Deadly Force in Defense of Self

AS 11.81.340 Justification: Use of Force in Defense if a Third Person

AS 11.81.350 Justification: Use of Force in Defense of Property and Premises

AS 11.81.370 Justification: Use of Force by a Peace Officer in Making an Arrest or Terminating an Escape

AS 11.81.400 Justification: Use of Force in Resisting or Interfering with Arrest

PPCT Defensive Tactics Manual

PROCEDURE

Basic Premise. It is the policy of the Anchorage Police Department to allow officers to respond to resistance by using only that level of control which is reasonably necessary and lawful in the performance of their duties. It is also departmental policy that officers are not required to use force if a reasonable and practical alternative can be found.

I. RESISTANCE CONTROL CONTINUUM

A. General. The Resistance Control Continuum is divided into two categories: Levels of Resistance, describing resistive behavior by a subject, and Levels of Control, detailing an officer's methods of subject control.

B. Levels of Resistance

The following are the Levels of Resistance that are recognized by the Anchorage Police Department:

1. Psychological Intimidation: Psychological Intimidation is resistance that is indicated by nonverbal cues. These nonverbal cues indicate the subject's attitude, physical readiness and potential physical resistance.
2. Verbal Non-Compliance: Verbal Non-Compliance is any verbal response indicating a subject's unwillingness to comply with lawful commands.
3. Passive Resistance: Passive Resistance is any type of resistance where the subject does not try to defeat the officer's attempt to touch or control the subject, but will not voluntarily comply with verbal or physical attempts to control.
4. Defensive Resistance: Defensive Resistance is any action by a subject that attempts to prevent an officer from gaining control. It is not an attack on the officer but a physical act designed to prevent the officer from gaining control.
5. Active Aggression: Active Aggression includes physical actions/assaults against the officer or another person with less than deadly force.
6. Deadly Force Assault: Force used against an officer and/or another person that may result in serious physical injury or the loss of human life.

C. Levels of Control: It is important for officers to understand that they do not have to increase their level of control in a step by step progression. Because subject resistance can begin anywhere on the continuum, officer response can begin at any point on the continuum that represents an "objectively reasonable" response.

The following are the Levels of Control that are recognized by the Anchorage Police Department. The Department recognizes that individual officers may have a different response to the same situation based upon the totality of circumstances (e.g., relative size/stature of the officer/subject, the subject's actions, and relative capabilities of the subject and officer.)

1. Officer Presence: Officer Presence is a combination of symbols and items which identifies a person as a police officer. Examples of a symbol or item which identifies a person as a police officer are a badge, police vehicle, uniform or verbal identification.
2. Verbal Direction: Verbal Direction is the articulation of the officer's lawful commands of direction or arrest.
3. Soft Empty Hand Control: Soft Empty Hand Control techniques are designed to control low levels of resistance. These techniques have little potential for injury.

4. Hard Empty Hand Control: Hard Empty Hand Control techniques are designed to control Active Aggression and high levels of resistance when lower levels of control have failed or the officer reasonably believes lower levels of control will not be effective. Hard Empty Hand Control techniques have a potential for injury.

5. Intermediate Weapons: Intermediate Weapon Control is the application of any tool that is not part of the human body to control resistance or Active Aggression. Intermediate Weapon Control is justified when lower forms of control have failed or the officer believes that lower level control techniques will not be effective and deadly force is not authorized. Targeting the head, neck or spine with impact weapons is generally considered deadly force.

6. Deadly Force: Deadly Force may be used:

- a). in defense of the officer or another when the officer has reason to believe there is imminent danger of death or serious physical injury; or
- b). to make an arrest or terminate the escape or attempted escape from custody of a subject that the officer reasonably believes has committed or attempted to commit a felony which involved the use of force against a person and may otherwise endanger life or inflict serious physical injury unless arrested without delay; or
- c). to make an arrest or terminate the escape or attempted escape from custody of a subject that the officer reasonably believes to be in possession of a firearm and may otherwise endanger life or inflict serious physical injury unless arrested without delay.

II. WEAPONS

A. This policy governs response to resistance generally, while the WEAPONS policy provides specific guidance regarding firearms, batons and oleoresin capicum (OC) spray. Both policies apply to any response to resistance/level of control involving those weapons.

III. VASCULAR RESTRAINTS

A. Vascular Restraints are designed to subdue violent and combative persons. Vascular Restraints are the only approved neck holds. Vascular Restraints are to be used only in the manner and under the circumstances taught in the Department's Recruit Academy and in-service training. Vascular Restraints are classified as Hard Empty Hand Control.

IV. TOTAL RESTRAINT

A. Certain situations may require further restraint of a subject who continues to be combative after being handcuffed. A total restraint method or leg restraints may be used to control the subject. Total Restraints are to be used only in the manner and under the circumstances taught in the Department's Recruit Academy and in-service training. If a subject is in total restraints it is

imperative that the subject be monitored closely at all times. A second officer shall ride in the police vehicle to monitor the subject.

V. REPORTS AND NOTIFICATIONS

A. Required Reports. Any time an employee of the Anchorage Police Department uses any of the Levels of Control beyond Verbal Direction (i.e. Soft Empty Hand Control, Hard Empty Hand Control, Intermediate Weapons or Deadly Force) that response to resistance shall be described clearly in an official, numbered police report. In addition, any use of Hard Empty Hand Control or a higher level of control, or any level of control that results in injury to any person, shall be reported to the employee's supervisor immediately or as soon as practical, but in all cases, before the end of shift.

The use of handcuffs in and of themselves do not require documentation in an official police report as the use of handcuff alone has no risk of injury. An example of this would be transporting an intoxicated individual into protective custody for his/her safety. If the handcuffing is merely a means of control for protection of the officer and the subject, there is no need to document the handcuffing in a police report. This type of restraint does need to be documented in CAD, which can be done via the MDC.

VI. SUPERVISORS MANDATORY REPORT

A. Any incident involving the application of deadly force, damage to municipal property, any injury, or "officer needs emergency assistance" (10-33) calls requires a memorandum from the on-scene commander or supervisor to the division captain and chain of command outlining the circumstances of the incident.

B. In cases involving injury or property damage caused by an employee, supervisors will immediately notify the Municipal Risk Management office and fax copies of the report(s) to that office. See General Order 03.12.12.

In incidents involving intermediate weapons, vascular restraint, the application of deadly force, damage to municipal property and force resulting in injury, a supervisor response to resistance form must be filled out and forwarded to Internal Affairs.

VII. FORCE REVIEW. At the discretion of the Chief of Police, IA shall review all evidence pertaining to response to resistances issues.

VIII. SUSPECTS AND PRISONERS

A. During Custody. Prisoners shall be treated in a fair and humane manner at all times. They shall not be subject to physical force other than as may be required to subdue violence or assure detention. No officer shall strike a prisoner or suspect, except when necessary in the prevention of an escape or in self-defense, or in prevention of violence to another person.

B. Safeguarding Suspects and Prisoners. Officers shall be cautious in the arrest and detention of suspects or prisoners and shall take all necessary precautions to prevent an escape or damage to property. Officers shall take

necessary steps to determine that all prisoners are not in possession of weapons or dangerous instruments.

IX. USE OF DEADLY FORCE RESULTING IN INJURY--EVALUATION REQUIRED

A. Psychological Evaluation and/or Counseling Automatically Required. Whenever an employee of the Anchorage Police Department uses Deadly Force, and that force results in any serious physical injury or death, the employee shall automatically attend psychological evaluation and/or counseling. This shall be at Department expense.

X. USE OF FORCE DURING CROWD MANAGEMENT AND CROWD CONTROL

A. Use of a Baton

1. The use of a baton is permitted in crowd control situation as a pushing instrument or impact weapon, consistent with Mobile Field Force Training, to individuals who exhibit unlawful or hostile behavior and who do not respond to verbal direction by the police.

B. Reporting the Use of a Baton

1. Officers:

- a). When officers are working in organized squads and platoon-sized units, they are not required to document incidents in which the baton is used as a means to push or move a crowd.
- b). Officers shall, however, notify their immediate supervisor of the number of incidents where the baton was used during crowd control once the tactical situation has been resolved.

2. Supervisors:

- a). Following a crowd control incident, those supervisors or Senior Officers filling the role of a Squad Leader are required to document the incident in a number police report. Those items needing documentation within the entire report shall include, but are not limited to, the following:
 - i. The events precipitating the use of crowd control tactics,
 - ii. Justifications for the use of crowd control tactics,
 - iii. Warning and or advisements given to the crowd,
 - iv. Avenues of escapes provided,
 - v. Methods used during the incident, and
 - vi. Approximate number of baton applications by each member of the squad.
- b). A detailed police report is required for each baton use when officer(s) use the baton in a crowd control incident and become

involved in an isolated incident with an individual in the crowd that goes beyond the movement of the crowd.

XI. SHOOTING AT OR FROM MOVING VEHICLES

- a. Use of Deadly Force. Other than under extreme circumstances, officers shall not fire at or from a moving vehicle unless use of deadly force is justified by something other than the threat from the moving vehicle. Such discharges will be rigorously scrutinized. Officers should avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with and oncoming, moving vehicle, officers must attempt to move out of its path and should generally avoid placing themselves in situations where the use of deadly force is more likely.
- b. Risk to Others. When officers are about to discharge their firearms, they should be aware of their field of fire, including the backstop, so as to not unnecessarily create a substantial risk of harm to others. Officers are prohibited from discharging their firearms when, based on the totality of the circumstances, discharging a firearm would constitute a greater risk to human life than the subject's actions. (e.g., discharging a firearm into a crowded vehicle or at a vehicle in a crowded area)

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.05.030	
Policy and Procedure Title Investigation of Officer Involved Use of Deadly Force and In Custody Deaths		Effective Date 8/10/09	Page 1 of 8
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.05.030 Investigation of Officer Involved Use of Deadly Force and In-Custody Deaths

PURPOSE

To instruct all personnel of the policies and procedures governing the investigation of incidents involving an officer using deadly force against a person and In-Custody Deaths.

POLICY

Officers of the Anchorage Police Department may use deadly force under the following circumstances: in defense of the officer or another when the officer has reason to believe there is imminent danger of death or serious physical injury; to make an arrest or terminate the escape or attempted escape from custody of a subject who the officer reasonably believes has committed or attempted to commit a felony which involved the use of force against a person and who may otherwise endanger life or inflict serious physical injury unless arrested without delay; or to make an arrest or terminate the escape or attempted escape from custody of a subject the officer reasonably believes is in possession of a firearm and/or may otherwise endanger life or inflict serious physical injury unless arrested without delay.

DISCUSSION

The Department recognizes its responsibilities to the public and its employees to thoroughly investigate all instances of the use of deadly force and In-custody Death (ICD) in a timely manner. The Department will conduct a criminal investigation of all uses of deadly force by officers and ICD. An internal investigation by the Department's Internal Affairs Section shall be conducted to insure that Department policies were followed. The criminal investigation will be completely independent of the internal investigation, although information gathered in the criminal investigation may be used by the Internal Affairs Section

to determine whether further interviews are necessary and to determine whether the use of deadly force was within departmental policy.

Keeping in mind that information gathered by the Internal Affairs Section may be discoverable to a defendant, internal investigations of “in-custody” cases involving the use of deadly force shall be conducted after the criminal investigation and adjudication, if any, has been concluded.

Historically the Anchorage District Attorney’s Office has reviewed all cases involving the use of deadly force by Department officers and ICD. The Department will continue to rely on the District Attorney’s Office to review these cases. The first purpose of the review is to determine if the officer(s) involved in the use of deadly force violated any laws of the State of Alaska. The second purpose is to notify the Department as to the District Attorney’s Office’s intent, or lack thereof, to bring charges against the involved officer(s).

Again, recognizing its responsibilities to the public and to its employees, the Department will look to the District Attorney’s Office to conduct its review and to issue the Department a letter, explaining its findings and its intent in filing or declining charges.

The Department recognizes the inherent possibility of stress in critical incidents and strives to support officers who, under color of authority and acting within the law, use deadly force, which results in serious physical injury or death. Except as otherwise authorized by this policy, statements given by an officer in the course of criminal investigations of the use of deadly force will be voluntary statements, and the officer shall not be ordered or coerced in any way to give a statement. The Department may choose to compel statements under the rules of *Garrity vs. New Jersey*, where such statements are taken in the course of an Internal Affairs investigation.

DEFINITIONS

Communication Restriction Order (CRO): An order issued in writing during an investigation that restricts the involved officers and witness officers from discussing the facts of the case. This restriction will be given in writing and will be lifted in writing.

Deadly force: Force which the person uses with the intent of causing, or uses under circumstances that the person knows create a substantial risk of causing, death or serious physical injury; “deadly force” includes intentionally discharging or pointing a firearm in the direction of another person or in the direction in which another person is believed to be and intentionally placing another person in fear of imminent serious physical injury by means of a dangerous instrument (AS 11.81.900 (b)).

In-Custody Death (ICD): An in-custody death occurs when a subject dies while under physical control of an officer or dies while in police custody. Physical control includes the use of a Taser, whereby the Taser is applied as designed and an electric shock is delivered to the subject.

Involved Officers: Any sworn officer who uses deadly force against a person(s).

On-Scene Briefing: A brief overview of the incident given to detectives or others as necessary, for the purpose of accurately processing the scene. An on-scene briefing may include but would not be limited to, the identification of potential witnesses, and the identification of evidence at the crime scene.

Police Action: Any circumstance(s), on or off duty, in which an officer exercises official authority.

Serious Physical Injury: (A) physical injury caused by an act performed under circumstances that create a substantial risk of death; or (B) physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy... (AS 11.81.900(b)).

Unintentional Discharge: Any discharge of a firearm by a sworn officer that is not intentional and is not due to equipment malfunction and is considered deadly force when injury occurs.

Witness Officer: An officer who observes, or has first hand knowledge of, the events surrounding an in-custody death or the use of deadly physical force by another officer and, other than observing the incident, did not use deadly physical force.

PROCEDURE

Investigation of Officer-Involved Use of Deadly Force and In-Custody Deaths. A standardized, thorough, impartial, and timely investigation into any officer-involved use of deadly force or in-custody death is a responsibility owed to both the public and the involved officers. To accomplish this, the following procedure applies:

I. OFFICER RESPONSIBILITIES

A. Officers as soon as practical will notify the on-scene supervisor and advise them of the officer's role in the incident (e.g., witness officer, involved officer, assisted at the scene). This notification is intended to identify those officers that detectives must attempt to interview in conjunction with their investigation of the incident.

II. INVOLVED OFFICER RESPONSIBILITIES

A. The involved officer will notify an on-duty supervisor of the occurrence. The notification will take place as soon as possible.

B. The involved officer, unless injured, will remain at the scene until released by an on-scene supervisor. The Homicide Unit Sergeant or the Lead Investigator must approve the release from the scene. The involved officer will not be held at the scene any longer than necessary.

C. The involved officer will make it known to the on-scene supervisor that they are an involved officer, as defined.

D. The involved officer will be afforded all rights guaranteed under the United States and State of Alaska Constitutions and the benefits of the current collective bargaining agreement throughout the investigation.

E. The involved officer, if requested, is to give an on-scene briefing to detectives in order to ensure that the scene is processed properly. This request will be made only when there are insufficient civilian or witness officers to ensure that the scene is processed properly, all evidence is located, and suspects are properly identified and charged.

F. The involved officer will be provided time to discuss the incident with their immediate supervisor, union representative, and/or private attorney. Officers will not discuss the incident with anyone other than those identified in the CRO once it is issued, until the CRO is removed.

G. The involved officer will be asked, but not required, to voluntarily discuss the incident with detectives, following the incident, in order to ensure the prompt and accurate processing of the scene, the proper charging of any suspects, and an accurate investigation. A union representative may be asked and may inform the detectives of the involved officer's decision on being interviewed right away or waiting 24 hours.

H. If the involved officer declines to be interviewed immediately following the incident, arrangements will be made for the interview to take place within 24 hours following the incident.

I. Following an incident involving the use of deadly force, the involved officer will not drive a vehicle from the scene. An uninvolved officer will be assigned to transport each involved officer. Whenever possible, witness officers will also be transported by an uninvolved officer. If not possible, the witness officer will transport himself or herself.

III. WITNESS OFFICER RESPONSIBILITIES

A. Witness officers will make it known to the on-scene supervisor if they are a witness to the incident (as defined) or assisted at the scene.

B. All witness officers, unless injured, will remain at the scene until released by the Homicide Unit Sergeant or the Lead Investigator. Witness officers will not be held at the scene any longer than necessary.

C. Witness officers if requested, are required to give an on-scene briefing to detectives in order to ensure that the scene is processed properly, all evidence are located, and suspects are properly identified and charged. This request will be made only when there are insufficient civilian witnesses.

D. All witness officers will be afforded all rights guaranteed under the United States and State of Alaska Constitutions and the benefits of the current labor agreement throughout the investigation.

E. Witness officers can consult a union representative, but should not discuss the incident with any other person prior to the conclusion of their investigative interview. This does not preclude the witness officers from notifying his

immediate supervisor of his role in the incident. Officers will not discuss the incident with anyone other than those identified in the CRO once it is issued, until the CRO is removed.

F. Witness officers will submit to an interview conducted by a detective from the Homicide Unit prior to going off shift if practical. This interview will be conducted as quickly as possible. If injured, the witness officer will be interviewed when medically stable. The Detective Division Commander must approve exceptions. Exceptions will be limited to those situations where the number of witnesses or the complexity of the investigation make it necessary for the investigators to obtain additional details of the incident prior to beginning an interview.

IV. FIRST ARRIVING SUPERVISORS RESPONSIBILITIES

A. Secure the scene or ensure that the scene has been secured.

B. Render first aid as needed.

C. Identify and separate all involved officers and all witness officers. If the number of individuals to be physically separated is so great as to make it impractical, a supervisor or detective will be posted to ensure that no communication regarding the incident takes place.

D. Ensure that a single entry point into and out of the scene is established and maintained.

E. Ensure that a Crime Scene Entry Log is maintained at the entry point.

F. Make required notifications in the following order:

1. Appropriate Patrol Commander
2. Homicide Unit Sergeant
3. The appropriate bargaining unit representative.

G. Ensure involved officer's weapons are retained in their holsters or otherwise secured pending weapon examination by responding detectives. Every attempt should be made to preserve the condition of the involved officer's weapon(s). The preservation of the weapon should include but should not be limited to maintaining the current status of the chamber and all involved magazines.

V. COMMANDER RESPONSIBILITIES

A. If the involved officer is assigned to the Patrol Division then the Patrol Commander will make the required notifications in the following order:

1. Patrol Captain.
2. Internal Affairs
3. If the involved officer is assigned to the Detective Division then the Patrol Commander will make the required notifications in the following order:

a). Detective Captain.

b). Internal Affairs

VI. CHIEF OF POLICE RESPONSIBILITIES

A. The Chief of Police will make the appropriate notification to the City Manager and the City Attorney.

VII. DETECTIVE DIVISION UNIT RESPONSIBILITIES

A. The Detective Division's Homicide Unit in connection with the Crime Scene Team will be responsible for all investigative duties of an In-custody Death and a deadly force incident, to include the following:

1. Issuing Communication Restriction Orders
2. Scene Sketches
3. Diagrams
4. Evidence Processing
5. Interviews of Involved Officers and Supervisors
6. Interviewing Witnesses
7. Completion of the Investigative Report

VIII. HOMICIDE UNIT SERGEANT RESPONSIBILITIES

A. Make required notifications:

1. Detective Division Commander
2. On-call Detectives
3. District Attorney's Office
4. Crime Scene Team Leader

B. Respond to the station and assume responsibility for coordination of the investigation and communication between investigative entities.

C. Obtain a list of all officers on scene and their role in the incident from the on-scene supervisor.

D. Make investigative and scene processing assignments.

E. Ensure that the CRO's are issued.

F. Ensure that all weapons have been examined and documented as appropriate and ensure that the officer is supplied with a replacement weapon if appropriate.

IX. DETECTIVE RESPONSIBILITIES

A. Conduct a complete and thorough investigation of the incident. The investigation will be used to determine justification for the use of deadly physical force, as well as to identify any training or policy concerns regarding the involved officer's actions.

- B. Conduct interview of all witness and Involved officers. All interviews wherein material facts of the case are discussed will be recorded in their entirety.
- C. Interview civilian witnesses and attempt to record their statements.
- D. Ensure that his/her case file includes a complete compilation of all the reports generated in response to the incident. This will include but will not be limited to reports from other police agencies, crime laboratories, medical examiners, and reports produced by experts.
- E. Collect and submit all weapons involved in a deadly force incident, including SWAT weapons, to the appropriate Anchorage Police Department Certified Armorer for appropriate testing, documenting their condition as found to include serial number, status of chamber, and number of rounds in each magazine.
- F. Complete a Summary Report and case notebooks to include all transcripts of all taped statements.
- G. Submit all cases involving intentional use of deadly force, in-custody deaths and unintentional discharge resulting in injury to another to the District Attorney's Office for review.

X. SUBSEQUENT DEPARTMENTAL ACTIONS

Officers involved in a use of deadly force incident can expect the following to occur after arrival at the Department:

- A. The Department will request the opportunity to conduct a formal interview. Officers, like any other citizen, may feel the need to contact or speak with other persons, including an attorney prior to an interview. In order to preserve the integrity of the investigation, officers involved in deadly force incident shall not be allowed to discuss the details of the incident with one another until after all have been interviewed.
- B. When an officer uses a firearm, the officer will surrender his/her weapon to the Homicide Sergeant or designee as evidence after arrival at the Department. The Homicide Unit will replace the weapon with a department-issued weapon or, if so desired, by another personal weapon that meets Department specifications. The officer's normal duty weapon will be returned to that officer as soon as practical. The replacement weapon furnished by the Department will be returned to the Homicide Unit when the officer's normal duty weapon is returned. Involved officers will not leave Department Headquarters unarmed.
- C. The officer's leather gear and holster will be inspected, photographed and may be seized and retained as evidence. The decision to seize the leather gear and/or holster will be made on a case-by-case basis based on the circumstances of the case.
- D. Involved officers and witness officers will be photographed in the uniform/clothing they were wearing at the time the use of force occurred. The

uniform/clothing may be seized and retained as evidence. The decision to seize the uniform/clothing will be made on a case-by-case basis based on the circumstances of the case.

E. The family of the officer may be contacted by the officer or, with the officer's consent, by a representative of the Department. If officers are injured, this representative should offer to transport the family to the hospital and contact appropriate support personnel.

F. When an officer uses deadly force they will be given a minimum of three days administrative leave at the discretion of the Chief of Police immediately following the incident. The Chief of Police will give a written directive of when the officer will return to work.

G. Whenever an officer of the Anchorage Police Department uses deadly force the officer shall automatically attend a psychological evaluation. This provides the employee the opportunity to consult with a psychological professional. The psychological professional will also evaluate the officer's ability to continue duty or return to duty and will submit a written report to the Chief of Police within fourteen (14) days of the examination. This shall be at Department expense.

H. The Department will not release the names of the involved officers to the news media for a period of three days immediately following the incident.

XI. INTERVIEWS AND STATEMENTS

The interview of the officers will take place under circumstances intended to minimize the possible traumatic effect of the incident on the officers. Barring injury or other trauma, the Homicide Detectives will attempt to interview the involved officers within twenty-four (24) hours following the incident.

A. The audio and/or video recorded statement given to homicide detectives will generally suffice as the officer's written report. However, officers may be required to provide other written reports if necessary.

B. If any officer involved refuses to voluntarily give a statement, he/she will not be compelled to make a statement or complete a report until ordered by the Chief or the Deputy Chief of Operations, who has first consulted with the District Attorney's Office.

XII. DEBRIEFING

All personnel involved, including dispatchers, shall be given an opportunity to meet with the Critical Incident Stress Management Team. A tactical debriefing shall be conducted within 30 days after the criminal aspects of the incident are resolved. This debriefing will be conducted under the auspices of the Deputy Chief of Operations.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.05.035	
Policy and Procedure Title Weapons		Effective Date 12/24/2009	Page 1 of 11
Replaces Prior Policy: 8/10/09		Approved by: Acting Chief Stephen Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.05.035 Weapons

PURPOSE

This policy advises all employees of the approved items of defensive equipment, weapons and of their proper use and maintenance.

POLICY

All employees shall use and maintain their defensive equipment and weapons in a safe, proper, and effective manner.

DEFINITIONS

Armorer: An employee, appointed by the Chief of Police, whose combination of education, training, and experience in firearms qualifies him or her to make recommendations on and enforce decisions about firearms, and who is authorized to repair line of duty firearms.

Assistant Chief Range Master: An employee appointed by the Chief of Police, responsible for assuming the duties of the Chief Range Master as needed.

Chief Range Master: An employee appointed by the Chief of Police, responsible for the continuity and standardization of firearms training for the Department

Firearms Instructor: Any employee appointed by the Chief of Police to instruct in the use of firearms.

Oleoresin Capsicum (OC) Spray: A product using tincture of oleoresin capsicum as an active agent, which is dispensed from an aerosol or similar canister approved by the Chief of Police.

Primary Duty Handgun: An approved handgun which, when worn on duty, can act as the officer's sole firearm.

Range Master: An employee, appointed by the Chief of Police, whose combination of education, training, and experience in firearms qualifies him or her to supervise firearms courses and make recommendations on, and enforce decisions about, Departmental firearms and firearms training.

Rifles: A .223, .308 or .50 BMG bolt action, semi-automatic, or select fire long gun issued or authorized for carry under color of authority by the Chief Range Master. Only SWAT personnel are to utilize .308 and .50BMG rifles.

Second Only Handgun: A firearm approved by the Chief Range Master which cannot be carried as a primary handgun either on or off duty.

Shotguns: A 12 gauge pump action long gun approved by the Chief Range Master which is an optional weapon system for sworn officers to carry under color of authority.

Submachine Guns: A pistol caliber, shoulder mounted, select fire weapon.

Supplementary Handgun: Any approved handgun which may be used as both a primary duty handgun and as a Second Handgun. The Supplementary Handgun may be authorized as the sole firearm while off duty.

Under Color of Authority: Any act performed or privilege invoked as a peace officer, regardless of location or duty status. This includes events or situations that would reasonably contemplate the invoking of police powers or duty.

PROCEDURE

I. GENERAL—ALL WEAPONS

A. Scope: Any weapon used by sworn officers under color of authority shall be governed by this procedure, the Firearms Training and Qualification procedure, and the Response to Resistance procedure.

1. Home cars and police vehicles: Whenever a sworn officer operates a police vehicle, regardless of intent or duty status, it is mandatory they carry a weapon they are currently qualified with on their person. Officers in light duty status shall not drive a police vehicle. (See Light Duty Policy for details).

B. Handgun Qualification: Standards for weapons qualification will be recommended by the Chief Range Master or appropriately certified instructors. See Firearms Training and Qualification Policy for specific reference.

1. Primary Duty Handguns: Sworn officers shall initially and periodically, as the Department requires, qualify with at least one approved primary duty handgun by make/model. Officers failing to qualify shall not utilize a handgun under color of authority, and shall attend remedial Departmental training. Utilizing a handgun under color of authority is an employment requirement, and officers failing to qualify subsequent to remedial training shall be subject to termination.

a). Recruit officers who fail to qualify at the basic level with a primary duty handgun during their Recruit Academy training are subject to termination.

C. Shotgun Qualification: The utilization of a shotgun under color of authority is optional. Sworn members desiring to exercise this option shall initially and

periodically, as the Department requires, qualify with an approved shotgun by serial number. Officers qualifying shall be authorized to carry a shotgun, with buckshot ammunition only, under color of authority. Officers failing to qualify shall not carry a shotgun under the color of authority.

1. Slug Qualification: Carrying slug ammunition with an approved shotgun under color of authority is optional. Sworn members desiring to exercise this option shall initially and periodically, as the Department requires, qualify with slug ammunition in an approved shotgun.

- a). Less Lethal Qualification: (See Less Lethal Projectiles Kinetic Energy Weapons)

D. Urban Rifle Qualification: The utilization of an Urban Rifle under color of authority is optional. Sworn members desiring and approved to exercise this option shall initially and periodically, as the Department requires, qualify with an approved Urban Rifle by serial number. Officers failing to qualify shall not carry an Urban Rifle under the color of authority. Officers with the option of deploying with a rifle under the color of authority shall:

1. Initially and successfully complete the Department's Urban Rifle Course (or approved equivalent).
2. Qualify once each year by serial number and should attend periodic in-service training throughout the year as available. Officers qualifying at the approved standard shall be authorized to carry an Urban Patrol Rifle under color of authority. Officers failing to qualify shall not carry an Urban Patrol Rifle under the color of authority.

E. Personally Owned Firearms: Sworn personnel may use their own firearms in place of Department-issued equipment. Personal firearms shall conform to the specifications listed in this procedure. Officers must qualify with their personally owned firearms prior to their use under color of authority.

1. Employees using their personally owned weapons under the color of authority in lieu of Departmentally issued weapons shall be personally responsible for the weapons maintenance, Armorer's inspections, magazines, leather-gear and other requirements outlined in this procedure.

F. Alteration of Duty Firearms: No alterations or modifications shall be made to any firearm to be used under color of authority without inspection and approval by a Department Armorer. Anyone contemplating alterations should contact an Armorer for a list of approved firearm modifications, and an initial approval by an Armorer.

G. Other Weapons: Weapons not specifically covered by this procedure shall not be deployed under color of authority unless otherwise approved by the Chief of Police.

NOTE: For purposes of this procedure, knives are regarded as a "tool" or utility device, and not as a weapon. It is recognized, however, that any tool,

including a knife, might be used as a weapon. In such cases, the appropriate Alaska Statutes and the Department's "Response to Resistance" policy would apply.

H. Handling of Firearms: Employees shall only handle firearms in a manner consistent with their training.

I. Cleaning, Repairing, or Manipulating Firearms: Employees may clean, repair, or otherwise manipulate firearms only in areas approved for such use. This restriction shall not apply to firearms when an inspection is ordered or if required due to operational necessity.

J. Storing of Firearms: Employees shall ensure that firearms are stored in a secure place both on and off duty.

K. Reporting the Loss of a Firearm: Employees shall file a report with the Chief of Police or his designee immediately upon discovery in the case of a lost or stolen Department firearm. This report shall be submitted in writing and set forth all the facts surrounding the loss. An official numbered police report shall also be filed to document the loss or theft of a Department firearm and shall be entered into the NCIC/APSIN systems.

L. Firearm Instructor's Authority: All personnel will follow the orders and directives of any Firearms Instructor, regardless of respective rank, while in a firearms training environment.

M. Number and Display of Handguns: Only one handgun, in an approved holster, should be visible to the public while acting under the color of authority. Sworn personnel off duty, but under the color of authority, shall attempt to keep their handgun concealed. Any handgun covered by this procedure shall be secured to the officer's person, by a holster approved by the Range Master, and with appropriate retention devices engaged.

N. Mechanical Deficiencies: Any weapons with known or suspected mechanical deficiencies shall be immediately removed from service and reported to a Department Armorer, who will take appropriate action. All weapons shall be re-inspected by a Department Armorer prior to being returned to use under color of authority.

O. Carrying Weapons Off-Duty: Employees traveling outside the Municipality shall obey all weapons laws of the jurisdiction in which they are visiting.

P. Carrying Weapons on Aircraft: Employees shall follow Federal Aviation Administration regulations concerning carrying of firearms on commercial aircraft, and will seek proper authorization if a weapon is necessary to ensure the successful completion of a police assignment.

Q. Carrying of Weapons in an Airport: Employees who carry a weapon in an airport will conform to all laws, procedures and regulations of that airport and will follow all instructions and commands of personnel that enforce those laws, regulations and procedures.

R. Correctional Institutions: Sworn Officers shall follow the regulations of Correctional Institutions regarding the carrying of their weapon into the facility.

S. Psychiatric Treatment Institutions: Sworn Officers will carry their firearms under color of authority into Psychiatric Treatment Institutions.

T. Weapons in Court: Sworn Officers appearing in court, whether in uniform or civilian attire, shall carry a weapon, unless prohibited by the court in question.

U. Chief Range Master Can Revise List of Approved Weapons: The Chief Range Master, as designee of the Chief of Police, has ultimate authority in approving or rescinding approval on makes, models, and types of weapons allowed to be used by employees under color of authority. This approval can be specific to an individual or unit, or may be Department-wide.

II. FIREARMS

A. The discharge of a firearm is permitted under the following circumstances:

1. In defense of life as allowed by law,
2. For investigative purposes, such as post-shooting and/or ballistic testing,
3. To destroy a dangerous or severely injured animal, that is beyond other reasonable remedies,
4. At approved training.

B. An officer shall not discharge a firearm under these circumstances:

1. As a warning
2. In a situation precluded by Department regulation or policy or not authorized by State law
3. At or from a moving vehicle unless Deadly Force is authorized.

Under no circumstances is a firearm to be used to disable or attempt to disable a vehicle unless specifically authorized by a Command Officer.

C. Presenting Firearms- An officer's decision to present a firearm should be based on a reasonable belief that there is a potential risk that the situation may escalate to the point where deadly force may be justified.

D. Investigation of Officer-Involved Shootings- See procedure "Use of Deadly Force Investigation"

E. Discharge of a Weapon under the Color of Authority—After discharging a firearm outside of an approved training environment the Officer shall:

1. Immediately notify Dispatch as well as an on duty Supervisor. The Supervisor is responsible for notifying the Chain of Command and entering the discharge into IAPro.
2. Clearly describe the incident in an official, numbered police report.

III. DEPARTMENT OWNED WEAPONS

A. Initial Receipt of Weapons: The Resource Manager/Supply Section shall first accept all weapons received by the Department. All weapons received by the Department shall first be accepted by the Supply Section or the Evidence Section before routing to the Armory, as appropriate. The Section or Officer to whom the weapons are addressed will be responsible for verifying the contents of the shipment.

1. Employees who wish to purchase their own weapons for official use may have the weapons shipped to the Department.

B. Issue of Department-owned Weapons: The Department Armorer is the only person authorized to issue Department-owned weapons.

1. Upon receipt of any Department owned weapon, an employee shall sign for each weapon, by serial number, on the employee's individual Firearms Issue Log, maintained in the Department Armory.
2. A signature shall be required even though a weapon may be a temporary replacement for the officer's regularly assigned weapon.
3. Weapons assigned to one officer may not be transferred to the possession of another officer unless:
 - a). Such transfer has first been approved by the Department Armorer; and
 - b). Each officer's Firearms Issue Log has been updated and signed; or
 - c). Circumstances warrant immediate use by another officer until such time as a replacement weapon can be issued.

C. Maintenance of Department-owned Weapons: Officers shall perform routine cleaning of their weapons. However, should any repair become necessary, this work must be performed by, or at the direction of a Department Armorer. Should a weapon become inoperable for any reason, officers should:

1. Notify their Supervisor;
2. Contact a Department Armorer or other appropriate person as soon as possible to obtain a replacement weapon; and
3. Upon returning a weapon to the Armory and/or receiving a replacement weapon, the employee shall sign for each weapon, by serial number, on the employee's individual Firearms Issue Log.

D. Modification of Department-owned Weapons:

1. The officer may perform handgrip or stock replacement, at the expense of the officer assigned the weapon.
2. Sight replacement or alteration is authorized if approved and performed by an Armorer, at the expense of the officer assigned the weapon. If permanently affixed, or if removal would make the weapon non-functional,

the sights shall become the property of the Department upon surrender of the weapon.

3. No other alterations or modifications are authorized for Department-owned weapons unless otherwise approved by a Department Armorer.

E. Return of Department-owned Weapons: All Department-owned weapons shall be returned directly to the Department Armory upon retirement, termination or as directed by the Chief Range Master. The employee shall verify the serial number and sign for each weapon on the employee's individual Firearms Issue Log as it is returned.

F. Absence of Range Master, Armorer or other Authorized person: Whenever the Department Armorer or similarly authorized employee is unavailable, the requirements of this procedure shall be met through the Chain of Command. The Chain of Command will properly document their actions and forward that documentation to the Department Armorer.

G. Weapons Issued to Special Units: The Supervisor of any special unit which has been issued weapons shall maintain a separate inventory of those weapons, and will be responsible for providing the Department Armorer with all required information necessary to maintain the master inventory.

H. Conversion Upon Retirement: Sworn Officers, upon retirement may purchase or be gifted their Department-owned weapons with the approval of the Chief of Police.

IV. HANDGUNS

A. Specifications:

1. Officers are restricted to a maximum of one primary duty handgun and two supplementary handguns. Any changes to the status of the three qualified and approved handguns must be approved by a Commander within the employee's chain of command and must be communicated to the Department Chief Range Master or their designee.

2. Primary handguns: The primary duty handgun carried by officers shall be a semi-automatic pistol or a double action revolver of .45 ACP, 10mm, .40S&W, .357 Sig, .38 Special, .357 Magnums or 9mm caliber, the make and model of which shall be approved by the Chief Range Master. The Chief Range Master shall maintain a list of authorized models which will be posted in the Department Armory.

3. Supplementary handguns: The Department Chief Range Master shall maintain a list of handguns authorized for use as supplementary firearms. Officers wishing to carry supplementary handguns will be responsible for their purchase and the approved holsters.

B. Ammunition: The Department shall issue ammunition for authorized primary duty weapons and approved supplementary handguns. Officers may purchase their own supplemental ammunition, providing it is consistent with and conforms to Department issue ammunition specifications.

C. Storage: Firearms shall be secured when stored for any duration. Specifically prohibited storage is unlocked areas of vehicles (even if the vehicle itself is locked) and desks for any period of time.

V. SHOTGUNS

A. Specifications: The Remington Model 870 or the Mossberg 500 or 590 are the only Department-authorized shotguns.

1. Authorized Sights: Only the following sighting systems are authorized:

- a). Rifle sights
- b). "Ghost Ring" peep sights
- c). Other sights inspected and approved by an Armorer.

2. Sighting Standards: All sights will be adjusted consistent with the current APD training doctrine and will be re-zeroed with any change in brand of ammunition, weight of projectile or when otherwise required due to operational requirements.

B. Ammunition: Only Department authorized Factory New Ammunition for on-duty use is approved.

C. Shotgun Storage: Shotguns shall not be stored in the passenger compartment of an unattended police vehicle unless secured in the police vehicle's electric lock mechanism. Shotguns may be stored in a padded gun case in the trunk.

D. Shotgun Slugs:

1. Usage: Slugs may be used instead of buckshot when:

- a). Selective accuracy is required
- b). Penetration is required to engage a target
- c). Dispatching a large animal
- d). The target distance is beyond the effective range of buckshot
- e). Officers decide that the use of slugs would add to their safety, or to the safety of the public.

2. Loading Configuration: Shotgun magazines shall be loaded in a manner consistent with the Department's training and qualifications.

VI. RIFLES

A. Specifications: Rifles may be purchased by the individual officer and shall be chambered in .223 Remington (5.56 NATO) only. Rifles shall be semi-automatic, detachable box-magazine fed, with iron night sights. Optical sights approved by the Range Master are permitted, but must supplement the iron night sights. The Range Master or Armorer shall approve rifles. Additionally, rifles shall be equipped with a sling approved by the Range Master or Armorer.

The make and model of rifles and sights shall be approved by the Chief Range Master. The Chief Range Master shall maintain a list of authorized models which will be posted in the Department Armory.

B. Urban Rifle Storage: Urban Rifles shall not be stored in the passenger compartment of an unattended police vehicle unless secured in the police vehicle's electric lock mechanism. Urban Rifles may be stored in a padded gun case in the trunk.

C. Additional Requirements: Police Rifle Officers shall carry at least one additional rifle magazine either attached to the weapon or in an appropriate pouch.

VII. SUBMACHINEGUNS

A. General: The Department approved submachine gun is the H&K MP5/MP5K/MP5K-PDW.

1. The submachine gun is authorized for SWAT personnel only to be carried under color of authority.

VIII. BATON—STRAIGHT AND EXPANDABLE

A. General: There are two types of batons authorized for use by sworn officers of the Anchorage Police Department:

1. The straight police baton: This issue baton shall be approximately 26 inches long and 1.25 inches in diameter and be of wood or high impact plastic construction. All sworn officers must carry one of the above-described straight batons in their police vehicle.
2. Expandable baton:
 - a). The expandable baton must be rated by the manufacturer to be between 21 and 26 inches long.
 - b). The baton may be of either the friction lock or cam and ball bearing (auto lock) design. Weapon retention caps such as the "Hindi" cap may be used.
 - c). Combination flashlight/expandable batons are not to be used.
 - d). Batons must be authorized by the lead Defensive Tactics Instructor. Currently authorized batons include those manufactured by any of the following companies: Monadnock, ASP or PPCT.

B. Qualifications and Standards: To carry any baton, authorized employees shall successfully complete a qualification course established by the Training Director or appropriately certified instructor, and approved by the Chief of Police.

C. Limitations: The baton is to be used only in the manner and under the circumstances taught in the Department's Recruit Academy and in-service training. The baton is classified as an intermediate weapon.

IX. OLEORESIN CAPSICUM (OC) SPRAY

A. General: The use of OC spray shall be consistent with current guidelines within the Response to Resistance policy and the approved training guidelines for its use.

1. Active Aggression: OC spray may be used by an officer in any situation where active aggression is met.
2. Defensive Resistance: OC spray may be used on a subject who displays defensive resistance if attempts to gain compliance through verbal commands have failed and the officer reasonably believes its use is necessary to control the subject. Officers should consider the factors listed below (Supervisor Approval section) when deciding whether to use OC spray on a subject displaying defensive resistance, however no supervisory approval for its use is required at this level.

B. Supervisor Approval: Supervisor approval for use of OC spray in response to passive resistance shall be based on consideration of the following factors:

1. Whether and to what degree the subject poses a threat to the officer(s), others, or him or herself
2. The severity of the crime or offense involved
3. The availability of other methods to implement the arrest or removal of the subject
4. The risk of harm to officers, others or the subject caused by other available methods to implement the arrest or removal of the subject, including an evaluation of the relative size and fitness of the officers and subject; and
5. The need to quickly arrest or remove the subject.

C. Requirements to Carry: All sworn personnel shall be required to carry OC spray as an additional tool in the Departments' Response to Resistance.

D. Training: All Department personnel who carry OC spray shall first be required to successfully complete a Departmentally approved course to include training in the use of oleoresin capsicum and in the after-care to be administered to persons affected by its use.

E. Relief Efforts after Exposure: After control has been established and resistance has ceased, any officer who has used OC spray on a person shall maintain close observation and make every reasonable effort to allow the subject relief from the discomforts associated with oleoresin capsicum, in accordance with Departmentally approved training. These efforts may include, but are not limited to the following:

1. Verbal reassurance by the officer that help will be given;
2. Flushing the eyes, face, and exposed skin areas with clear water;
3. Washing of exposed areas with soap and water;
4. Allowing ventilation by means of a fan or other method of air circulation.

F. Aftercare: Immediately following initial relief efforts, two officers shall transport the subject to a facility where further aftercare will be provided.

1. Should acute symptoms persist without relief for a period exceeding 45 minutes, or if the subject requests additional medical care, the subject shall be promptly transported to the nearest medical facility for further aftercare.
2. Transportation. Whenever a subject upon whom OC spray has been used is transported to another area or facility for follow-up care, a second officer shall assist to maintain close observation of the subject during transportation and also during the entire custodial period.
3. Position During Transport. A person upon who OC spray has been used shall under no circumstances be transported to or from any location in a facedown position on the floor or seat of a vehicle. If, during or after the arrest, it becomes necessary to place a subject facedown while applying restraints, that person shall be returned to an upright position as soon as possible.

G. Documentation: Whenever Department personnel use OC spray on a person, that use shall be clearly documented in all official reports as required by the Response to Resistance policy or any other policy, with the following additions that must be included in the documentation:

1. Events precipitating the use of OC spray
2. Justification for its use
3. Effects of OC spray on the victim(s)
4. Aftercare provided by officers or others
5. Results of the aftercare.
6. If a Supervisor or Commander authorizes the use of OC spray on a person who is passively resistant, that Supervisor or Commander must complete a supplement outlining the circumstances of the incident and the reason authorization was given.

Chapter 6

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.06.000-005	
Policy and Procedure Title Use of Police Vehicles Perimeters, Roadblocks, and PIT Maneuvers	Effective Date 8/10/09	Page 1 of 6
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.06.000 Use of Police Vehicles

3.06.005 Perimeters, Roadblocks, Blocking and PIT Maneuvers

PURPOSE

To advise all employees of the use of perimeters, roadblocks, blocking maneuvers, Pursuit Intervention Technique (P.I.T.)

POLICY

Those techniques such as perimeters, roadblocks, blocking, and PIT maneuvers can be used to enhance police operations, especially in preventing the escape of prisoners and/or suspects.

DEFINITIONS

Blocking Maneuver: For the purposes of this procedure, a blocking maneuver is not a ramming. Officers may use reasonable efforts to prevent a stopped or slow moving suspect vehicle from fleeing by placing their police vehicle in the path of the offender vehicle, or utilize a vehicular pinning maneuver in an effort to apprehend or contain suspects(s).

Boxing-In: A blocking maneuver which involves police vehicles being used to surround a stationary or moving vehicle on all sides and then slowing all vehicles to a stop, and/or preventing a suspect from escaping in the vehicle.

Checkpoint: A type of roadblock which allows traffic to proceed only after having been stopped and "checked" by an officer. These types of roadblocks are sometimes used on perimeters to prevent suspects from escaping.

Perimeter: For the purposes of this procedure, any attempt by two or more officers to monitor and/or secure, either visually or physically, any place or area.

Pursuit Intervention Technique (PIT): The Pursuit Intervention Technique (PIT) is a form of vehicle pursuit intervention involving the direct contact of a suspect

vehicle by a law enforcement vehicle in an attempt to cause the suspect vehicle to spin, slow or stop and end the pursuit.

Ramming: An attempt by an officer to use a police vehicle to disable a suspect vehicle by means of an intentional collision under circumstances that create a substantial risk of causing extensive property damage and death or serious physical injury. Ramming should be utilized only when deadly force is justified by AS 11.81 and Anchorage Police Department Regulations (Vehicular Pursuits 3.06.015 and Response to Resistance 3.05.025).

Roadblock: For the purposes of this procedure, an intentional obstruction of a roadway at one or more points for the purpose of monitoring the traffic and/or securing that roadway.

Vehicular Pinning Maneuver: A Vehicular Pinning Maneuver is an attempt by an officer to use a police vehicle to stop or contain a slow moving or stationary suspect vehicle under conditions that do not create a substantial risk of causing extensive property damage or death or serious physical injury. A Vehicular Pinning Maneuver may or may not involve an intentional collision.

PROCEDURE

I. IMPLEMENTING A PERIMETER/ROADBLOCK

A. Commanders and/or Supervisors. Upon being notified that a situation exists that may require the use of a perimeter or roadblock, Commanders and/or Supervisors will:

1. Determine if the circumstances warrant a perimeter or roadblock.
2. If so, determine if units will be assigned specific locations or a general area.
3. Assist in securing, if necessary, additional police assets.

B. Dispatch Center. Dispatch personnel will keep responding officers informed of any additional information that becomes available and will assist in coordinating necessary police assets.

C. Responding Units. Officers responding to a call requiring a perimeter shall notify either dispatch or the investigating officer of their location and intended approach into the area. If the situation is still developing as officers arrive in the area, the assigned unit or the first on the scene shall be the investigating officer. Other officers will take up or be assigned, positions that block off logical escape routes.

D. Mobile Units. After the perimeter is established, the on-scene Commander, Supervisor, or investigating officer may assign units to patrol the perimeter. Mobile units should be marked police vehicles.

E. Perimeter/Roadblock Termination. A Commander, Supervisor or the investigating officer shall terminate the perimeter as soon as possible. Perimeter units that have been released shall immediately return to their

designated beat assignments unless assigned other tasks relating to the incident at hand.

II. TYPES OF PERIMETERS, ROADBLOCKS & BLOCKING MANEUVERS

A. Tight Perimeter. Tight perimeters are established around specific locations, such as the exits to a building or the four corners of a city block. Tight perimeters are thrown up around locations that allow not just visual observation but also allow officers to strictly control ingress and egress of all persons to that location. Availability of personnel frequently limits the use of tight perimeters.

B. Loose Perimeter. Loose perimeters can be established around almost any location, but generally only allow for visual monitoring of the area. Depending on the area, most locations can be the subject of a loose perimeter with as few as two officers.

C. Roadblocks. Roadblocks can be used to establish choke points on arterial streets that do not lend themselves to being strictly contained, but only monitored. They can also be used to completely seal off an area or to direct pursuits to a less dangerous and/or more contained area. Checkpoints may be used, when appropriate, to closely monitor all persons and vehicles entering or leaving the area of a law enforcement incident. Roadblocks tend to fall into two broad categories:

1. Line Roadblocks. Roadblocks set up on major highways and arterials that have restricted access. These are employed both to locate the suspect(s) and to discourage the use of that roadway by not allowing the suspect(s) to blend into traffic and escape.

2. Circle Roadblocks.

- a). Structure. The circle roadblock is constructed of an inner and outer perimeter, with the crime scene as the center. The elapsed time from the commission of the incident establishes the size of the perimeters.

- b). Spacing. Spacing of roadblock units will always be close enough to prevent the passage of either vehicles or persons on foot without notice by police personnel.

D. Blocking maneuvers. When a suspect vehicle is stopped or moving at a slow speed, officers may, if reasonably necessary, use their police vehicles to block, box-in or pin the suspect vehicle in a reasonable effort to contain the suspect and avoid the need for a pursuit. While this action may involve physical contact with the suspect vehicle, caution shall be used that the blocking technique does not become a ramming. (Refer to Anchorage Police Department regulations: Vehicular Pursuits 3.06.015 and Response to Resistance 3.05.025).

III. TECHNIQUES FOR PERIMETERS, ROADBLOCKS & BLOCKING MANEUVERS

A. Emergency Equipment. The situation dictates which, if any, emergency equipment will be activated. When police vehicles are used in roadblocks however, emergency lights shall be activated.

B. Positioning of Police Vehicles.

1. Perimeters. Police vehicles used in perimeters should be positioned so as to allow for the greatest field of vision possible.

2. Roadblocks. Police vehicles used as roadblocks should be positioned at a 45-degree angle to the flow of traffic, if practical, unless passage of traffic is to be prohibited. The vehicles should also be positioned in such a manner as to permit oncoming traffic to safely stop prior to the roadblock.

3. Blocking Maneuvers.

a). Operationally Sensitive/Not for Publication. b). Ramming a vehicle is permitted in those instances where the use of deadly force is authorized by law and departmental policy.

c). Operationally Sensitive/Not for Publication.

C. Police Personnel Positioning. The situation will dictate whether officers should remain in or outside of their vehicles. In all cases, officers shall position themselves to be able to observe both oncoming traffic and potential escape routes while still affording the officer mobility.

D. Additional Warning Equipment. When roadblocks are needed on roadways subject to heavy and/or high speed traffic, additional warning devices such as barricades, flashers, stop signs, and flares will be positioned to both slow and funnel traffic. The distance ahead of the roadblock should be increased proportionately with the speed and volume of the traffic flow.

E. Strategic Placement. In some situations it may be advantageous to place the roadblocks and warning devices in such a manner that suspect vehicles will not have the opportunity to turn around without detection. Roadblocks of this type will still allow enough room prior to the roadblock for all vehicles to stop safely (See "B. Positioning of Police Vehicles" above).

F. Avoiding Accidents. In all cases, roadblocks will be situated in a manner that allows traffic, including high-speed emergency vehicles, sufficient distance to react to the roadblock by slowing or stopping.

G. Documentation. In all incidents involving the use of a perimeter, roadblock, or blocking maneuver where there is any injury to any person or property, Municipal or not, a Response to Resistance Packet will be completed by the on-scene Commander or Supervisor and forwarded to the Chief of Police through the chain of command.

IV. OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.06.010	
Policy and Procedure Title Use of Police Vehicles	Effective Date 9/30/09	Page 1 of 8
Replaces Prior Policy: 2/09/06	Approved by: Acting Chief Stephen Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.06.010 Use of Police Vehicles

PURPOSE

To advise all personnel of the proper methods of operating police vehicles.

POLICY

Members of the Department use any police vehicle in the safest and most effective fashion for delivery of police services.

DEFINITIONS

Marked Police Vehicle: For purposes of this procedure, a "marked unit" or "marked police vehicle" refers to any vehicle displaying regulation police department colors and insignia, and equipped with approved emergency warning equipment.

Emergency Warning Equipment: For purposes of this procedure, emergency warning equipment includes at least a flashing red light visible to the front of the police vehicle and an audible siren, both meeting State of Alaska requirements.

Unmarked Police Vehicle: For purposes of this procedure, any motorized vehicle legally applied to police services by an employee of the police department.

Specialty Vehicles: For purposes of this procedure, any remaining unit operated under the control and responsibility of the police department. This includes, but is not limited to, leased vehicles, Community Services Officers' vehicles, vans, light and heavy trucks, buses, snow machines, motorcycles, and bicycles.

PROCEDURES

I. ROUTINE PATROL

A. Compliance with Traffic Laws. Vehicles shall be operated in compliance with existing traffic laws when in routine operation.

B. Parking Compliance. Vehicles shall be operated in compliance with existing parking regulations, except when specifically exempted by ordinance or procedure.

1. AMC 9.08.080 allows authorized emergency vehicles responding to an emergency to be exempt from the parking ordinances. This exemption does not relieve the operator from parking safely.
2. In instances when a unit is responding to any type of call and receives a parking citation, the employee may write the case number and brief explanation of the circumstances on the front of the citation and forward it to the Traffic Sergeant for review.
 - a). If this is not done, or if the Traffic Sergeant denies exemption, the employee is responsible for paying the parking ticket and/or impound fee.
3. In all other circumstances, employees shall abide by all parking ordinances.
4. The Anchorage Parking Authority has authorized free parking to all police vehicles, regardless of the circumstances, in any of their lots or garages.
5. Prisoner transport parking.
 - a). Reserve parking in the Court House parking lot has been allocated for the Warrants Section's exclusive use.
 - b). Reserved parking for patrol vehicles is available on 3rd Ave., K St. and I St. These spaces are for on-duty officers transporting prisoners or for police vehicles which cannot access the Captain Cook Parking Garage.

II. RESPONSE CODES

A. Types. Police vehicles respond to both emergency and non-emergency calls for service. The type and manner of response is coded as follows:

1. Code Two. A non-emergency response code that instructs the operator to proceed directly to the location in question, but to abide by all moving traffic laws. Use of any emergency warning equipment en route is inappropriate. Unless otherwise notified, all responses are presumed to be code two. Emergency warning equipment may be used at a non-emergency scene, such as at a traffic accident, for visibility.
2. Code Three. Emergency assignments where there is actual or threat of serious injury or death of a person. Response shall be with both emergency lights and siren in operation to allow all practical haste.

The driver may reasonably suspend any traffic law, but shall always abide by AMC 9.08.080 D, which states that no provision shall relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of reckless disregard for the safety of others.

Full stops at controlled intersections are required whenever the controlling device is red for the emergency vehicle, or otherwise signals traffic to stop.

3. Code Four. Emergency assignments where the use of the emergency warning equipment (especially the siren) may interfere with the effective performance of the police task. Code four allows emergency operation of police vehicles, with cause, with less than full use of the emergency warning equipment.

As with code three, traffic laws may be suspended, but in doing so, AMC 9.08.080 D still applies.

B. Initiation. Code three and code four operations can be initiated by Dispatch Center, a supervisor, or the operator of the vehicle. Selection of code will be based on this policy:

Dispatch Center will give the most appropriate code based on their best information, but the officer is the final authority of what code to use. That choice must be based on the available facts. The officer must notify Dispatch of any modification to code (up or down), and must be able to articulate the reasons.

C. Termination and Reduction. "Running code" is one of the most hazardous operations in police work. If an officer receives information which changes the nature of the emergency response, the officer may reduce or terminate the code response.

This reduction or termination of code response should be based on reasonable facts. Conversely, the officer may elevate the code response based on reasonable facts. If an officer changes the status of their code response, they will advise Dispatch and other responding officers so the other officers may adjust their response code appropriately.

D. Non-Sworn Member Codes. Non-sworn members may operate Department vehicles only in the code two mode.

III. USE OF EMERGENCY WARNING EQUIPMENT

A. Use. Emergency equipment shall be used in the following instances, and in the following fashion:

1. Dispatched Emergencies, as follows:

a). Code Three

b). Code Four

2. Escorts, as follows:

a). Types of Escorts. For purposes of this procedure, two types of escorts are recognized, namely:

i. Emergency escorts. When serious injury or death might result in delaying the movement of an escorted vehicle.

ii. Non-emergency escorts. When police escort is provided for traffic control, tradition, events, or other non-urgent reasons. These include house moves and other oversized loads, funeral escorts, and diplomatic escorts. Non-emergency escorts shall not be conducted unless approved by the Captain of Patrol.

b). Equipment. Escorts may be provided only with units having all emergency warning devices functional.

c). Method. The following methods shall be used:

i. Emergency escorts shall be conducted under the same provisions as discussed in “Code Three” operations.

ii. Non-emergency escorts are to be conducted as instructed by the field supervisor or Commander.

d). Limitations to Emergency Escorts. In lieu of escorting a non-emergency vehicle under emergency conditions, officers will transport in their vehicle, or will arrange for transport in an appropriate emergency vehicle whenever practical.

3. Traffic stops. Emergency equipment serves the purposes of:

a). Alerting the operator to stop the vehicle; and/or

b). Making the stopped vehicles more visible, reducing the likelihood of an accident; and/or

c). Making the scene of the stop more easily found by other units, should assistance be necessary.

4. Other events that require:

a). The legitimate suspension of compliance with traffic laws; and/or

b). Enhanced visibility; and/or

c). Alerting other(s) to stop or yield.

B. Exceptions. Nothing in this procedure precludes officers from exceeding the speed limit a reasonable amount without activating the emergency equipment to “clock” a speeding vehicle.

IV. SPECIALTY VEHICLES

A. In General. The Anchorage Police Department uses various types and classes of specialty vehicles in its law enforcement and public service mission.

Specialty vehicles may be employed where their unique attributes enhance a police function or make possible an operation’s successful completion. Specialty vehicles may be marked or unmarked units.

B. Application of Specialty Vehicle Equipment. The use of any specialty vehicle shall be at the authority of the appropriate unit or shift commander, except that:

1. All operations of any specialty vehicle shall be in a manner not creating undue hazard to the public, to property, or to the operator, and not creating unwarranted disturbance to the public or to the environment.
2. Specialty vehicles will not be assigned or used as take-home vehicles. During specialty vehicle use, assigned take-home vehicles will be parked in an appropriate manner in the APD parking area or they may be legally parked near the designated or storage area for the specialty vehicle, so long as they do not interfere with any other Division or Section's parking or operation.
3. Specialty vehicles will be secured at the end of each tour of duty in the location approved for them, and shall be made ready for the next duty tour before being so secured. Operators shall ensure that the specialty vehicle is serviced, if necessary, prior to securing it for the next use.

C. Motorized specialty vehicles.

1. Motorized specialty vehicles, including motorcycles, snowmachines, certain trucks, and buses, require additional skills, training, and/or licensing to be operated safely and legally.
 - a). Only personnel who have successfully completed a departmentally-approved course for the specific motorized specialty vehicle type, and are properly licensed by the State of Alaska for that vehicle class, are authorized to operate such vehicles.
2. Operators of motorized specialty vehicles shall not be dispatched as the initial responding vehicle on any call for service, including traffic accidents, and will not be dispatched "Code 3." Motorized specialty vehicles shall not initiate or become actively involved in any vehicular pursuit.
 - a). Operators of motorized specialty vehicles not equipped as "marked police vehicles" as defined in this procedure may respond to urgent calls for service within reason, at the discretion of the operator within the guidelines of current general operating procedure and any operating procedures of the unit to which they are assigned, and "Code 2" only is permitted.
 - b). Operators of those single-purpose police motorcycles assigned to the Traffic Motorcycle Unit and equipped as "marked police vehicles" as defined in this procedure may respond to urgent calls for service, and may respond to calls "Code 3" at the discretion of the operator, within the guidelines of current general operating procedure and any operating procedures of the unit to which they are assigned.
 - c). Operators of specialty vehicles may be authorized to wear appropriate uniforms or equipment during their tours of duty. Should it become necessary to return to a standard marked or unmarked police vehicle during that tour, the operator will not normally be required to change uniforms or equipment.

V. "HOME CAR" SPECIAL PROCEDURES

A. Purpose. The fundamental purpose of the "home car" program is to provide the community with substantially expanded police availability at little additional expense by:

1. Increased police presence. Off-duty officers in marked units contribute to police "omnipresence."
2. Quicker response time. More units, randomly located, give potentially shorter response times to emergency situations--again, at reduced costs.
3. Better police access. Should a citizen need non-emergency services, an off-duty officer can more quickly assess the services sought and link that person with the appropriate facilities.
4. More efficient use of equipment. Experience has shown that fleet vehicles get less attention than assigned ones, so the cost of vehicle operations decreases and the expected vehicle lifetime increases.

B. Duties of the Department. The Department's duties in the program include:

1. Administering the program by making vehicle assignments, compiling statistics, monitoring usage, promulgating regulations, and similar duties.
2. Home car assignments will be based upon proper fleet management principles. A recruit will not be allowed to take their car home until they have completed their Field Training Observation (FTO) Period.
3. Furnishing gasoline, oil, maintenance, and insurance for the vehicles.

C. Duties of the Assigned Officers. Officers assigned a "home car" shall:

1. Comply with directed administrative tasks, including:
 - a). Participating in any assigned program or equipment evaluations.
 - b). Ensuring maintenance schedules are met.
 - c). Operators shall check the home car engine oil, coolant/water every time they refuel their vehicle.
 - d). Operators are to make sure they arrange their home car maintenance service as required and posted by the light duty shop. These maintenance requirements include, but are not limited to fleet cars, motorcycles, snow machines, and any other vehicle assigned to that employee.
2. Operate the vehicle in compliance with all laws, Department regulations and the Collective Bargaining Agreement. This includes, but is not limited to:
 - a). Proper use of seat belts and child restraints.
 - b). Remaining within the Anchorage Police Service Area, when off duty.

c). Adherence to specific regulations regarding use of Home Cars by officers on light duty status.

3. Conform to the following general regulations:

a). Not allow any non-employees to operate the vehicle except upon authorization of a Command Officer.

b). When parking a marked unit at the assigned officer's residence, position that vehicle for maximum visibility by the public.

c). Ensure the vehicle is clean, both inside and out.

d). Do not alter the vehicle, except as authorized by the Department, including the application/display of logos, advertising, or political messages or statements on either the interior or exterior of the vehicle.

e). Vehicles shall be locked during all unattended periods.

f). No equipment shall left in an unsecured, unattended vehicle. No weapons shall be left unsecured in any vehicle at any time. No equipment or property shall be left in any vehicle left unattended for protracted periods of time, or when that vehicle will be accessed by non-Department personnel.

g). Vehicles shall be stored at a location designated by the Department when the assigned officer is to be off of work for extended periods of time.

h). Vehicles shall never be operated in such a fashion, nor taken to such a location, as to bring embarrassment or discredit to the Department. Although non-police personnel may accompany officers as passengers when the vehicle is operated off duty, that officer is responsible for the appearance and conduct of those passengers.

i). Vehicles shall not be operated:

i. With the odor of alcohol on the operator's breath; or

ii. While impaired, however slightly, by any substance: or

iii. With any physical or mental/emotional condition that manifestly impairs the operator's reaction or judgment. (See 1.02.015G and 1.02.015H)

j). No dogs shall be allowed inside police vehicles, whether on or off duty, unless they are certified Police Canines or Police Canines-in-training in a departmentally approved training program. However, this does not prevent officers from providing normal police services that may involve transporting animals.

4. Monitor the police radio at all times.

5. Respond for police services when appropriate. When responding:

- a). Discharge all non-police personnel prior to responding to any potentially dangerous situations.
- b). Take appropriate action on any police service situation. This can range from calling an on-duty unit to full police action by the off-duty officer. See “Arrests—General.”
 - i. Any paperwork generated shall be turned in to the Department as expeditiously as possible.
 - ii. No off-duty officer shall be dispatched to anything other than an emergency situation.

6. Actively enforce observed traffic violations.

VI. RELATED TOPICS

A. Use of Privately Owned Vehicles. The use of privately owned vehicles for police application shall only be conducted with prior approval of the Division Commander.

B. Off-Roadway Use of Police Vehicles. No police vehicle shall be operated off the normally traveled portion of a roadway unless one of the following conditions is met:

- 1. The vehicle is specifically designed for off-roadway application; or
- 2. There is an emergency so urgent as to justify the possible damage and injury this type of operation may cause, and the officer can articulate that urgency.

C. Accidents Involving Police Vehicles. Whenever a marked or unmarked police vehicle is involved in an accident, whether there is visible damage or not, a supervisor must be notified before any vehicle involved leaves the scene.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.06.015	
Policy and Procedure Title Vehicular Pursuits	Effective Date 8/10/09	Page 1 of 12
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.06.015 Vehicular Pursuits

PURPOSE

To advise all sworn personnel of the policies governing vehicular pursuits.

POLICY

There is no set formula to cover all pursuit situations because of the variables and complexities involved. Decisions about pursuits must be based on sound judgment, the law, training, experience and this policy.

It is the policy of the Anchorage Police Department that officers must discontinue their involvement in motor vehicle pursuits at any time the pursuit itself becomes a greater threat to life or property than the threat which the officer reasonably believes the suspect poses.

Officers must continuously evaluate the necessity of immediate apprehension against the level of danger created by the pursuit, as those risks may change over the course of the pursuit.

Officers and Supervisors shall be held accountable for their actions in a pursuit and must be able to clearly articulate the reasons for initiating and continuing a pursuit.

DEFINITIONS

Pursuit: For purposes of this procedure, a pursuit is an active attempt by one or more police officers to apprehend a suspect who is attempting to avoid capture by evasively operating a motor vehicle. Pursuits do not include code runs or closing the distance with violators prior to making a traffic stop.

Primary Pursuing Unit: The police officer who initiates a pursuit or any unit that assumes the lead in a pursuit.

Secondary/Tertiary Pursuing Units: Any unit directly assisting the primary pursuing unit, not a Commander or Supervisor.

Commander/Supervisor: For the purposes of this procedure, these terms are synonymous, unless otherwise noted.

OUI: "Operating Under the Influence"

REFERENCES

AMC 9.08.080 Authorized emergency vehicles.

13 AAC 02.517 Authorized and other emergency vehicles.

PROCEDURE

I. DRIVER AUTHORITY AND RESPONSIBILITY

A. Municipal Code. Section 9.08.080 of the Anchorage Municipal Code specifies that when responding to an emergency call, or when pursuing an actual or suspected violator, authorized emergency vehicle drivers are exempt from certain rules of the road, provided the visual and audible signals on such vehicles are operating (See exception in paragraph IV. F of this Procedure). This does not relieve the driver of the duty to drive with due regard for safety, nor does it protect the driver from all consequences of recklessly disregarding the safety of others.

B. State Code. 13 AAC 02.517 is essentially the State equivalent of the Municipal Code. It does not relieve the driver of the duty to drive with due regard for safety, nor does it protect the driver from all consequences of recklessly disregarding the safety of others.

C. Duty to Discontinue. Any time a sworn officer determines the pursuit causes an unreasonable danger to pursuing officers or the public, that officer shall immediately identify him/herself and order the pursuit discontinued. This allows even the most junior officers to terminate a pursuit initiated by the most senior commanders if they realize and relate that the pursuit causes a clear danger (See section VII.A for clarification of Unreasonable Danger).

II. DISPATCH CENTER RESPONSIBILITY

A. Communications personnel shall immediately:

1. Notify any available supervisor of the pursuit;
2. Clear the radio channel on non-emergency traffic; and
3. Relay necessary information to other officers.

B. Contact any other departments/agencies/jurisdictions as appropriate.

C. Determine the name and address of the owner of the pursued vehicle; and

D. If the owner is within the jurisdiction of the Anchorage Police Department dispatch any available officers to that address to either intercept the vehicle or determine who is operating the vehicle.

E. At the conclusion of the pursuit the dispatch supervisor will:

1. Ensure that a copy of the pursuit radio traffic along with any associated printouts is made and;
2. Send an e-mail notification of the pursuit and the availability of these materials to Internal Affairs to begin the review process (See I-4 of this procedure).

III. SUPERVISOR RESPONSIBILITY

A. General. The Supervisor will immediately gather as much information as practical and shall assume responsibility for the pursuit. The Supervisor is also charged with ensuring the reason for initiating the pursuit is clearly communicated by the pursuing officers. If this information is not clearly broadcast by police radio, the supervisor shall immediately order that the pursuit be discontinued.

The supervisor's foremost considerations shall be officer and public safety, methods of identifying the fleeing suspect, tactics to stop the fleeing vehicle, and the coordination of officers involved in the pursuit. The supervisor will continually monitor and assess the situation.

B. Supervisor as Primary Unit. In the event a supervisor initiates a pursuit, he or she should relinquish the primary position as soon as another unit becomes available to take over this role. The supervisor will then assume responsibility for the pursuit as outlined above.

IV. INITIATING/CONTINUING A VEHICULAR PURSUIT

A. General. Pursuits should be limited to those situations and conditions outlined in the Pursuit Decision Matrix that permit initiating a pursuit. The decision to continue to pursue must be evaluated constantly. At any time the pursuit becomes a greater threat to life or property than the threat which the officers reasonably believe the suspect poses, the pursuit must be discontinued.

Experience has shown us that the longer a pursuit is allowed to continue, the greater the potential for disaster. For example, with the passage of time, more and more citizens may be exposed to risk as the suspect drives recklessly down city streets. With the passage of time the suspect may move from a low density area into a high density neighborhood. It is therefore in the best interests of public safety to terminate a pursuit as quickly as possible, either through decisive action to stop the suspect (See Perimeters/Roadblocks/Blocking Maneuvers 3.06.005) or through a rapid assessment of the totality of circumstances and discontinuing the pursuit.

A person whose identity is known, who has not been involved in a violent felony, and who can be apprehended at a future time generally should not be the subject of a pursuit.

An officer shall not become involved in any pursuit when transporting a prisoner or any other passenger. This does not apply to department authorized ride-alongs. Should an officer with a ride-along initiate a pursuit or

take the secondary pursuing unit role, that officer should relinquish those positions as soon as possible.

B. INTOXICATED DRIVERS

1. Special Concerns. Intoxicated driver(s) frequently present a difficult dilemma to law enforcement in that the crime committed is, initially, a misdemeanor or a traffic infraction, but has the potential to cause serious physical injury or death if allowed to continue to operate a motor vehicle. Frequently, the manner of driving by these offenders is already dangerous to the public prior to officers attempting to stop them. Consequently, supervisors will have the discretion to authorize a moderate risk pursuit of a suspected OUI offender, even though this may only be a misdemeanor. It is incumbent on the authorizing supervisor to weigh these facts in determining whether the circumstances warrant this belief.

2. Criteria for Pursuit or Termination

a). Any officer attempting to stop a suspected OUI violator, and that driver refuses to comply with the directive to stop, the officer must immediately notify and articulate to an authorizing supervisor the reasons for the attempted stop (see Considerations under sub paragraph C, below) and any other pertinent information that leads the officer to believe that the driver on the motor vehicle is OUI.

b). If a suspected intoxicated driver was driving aggressively, at excessively high speeds, or otherwise posing a significant, immediate threat to public safety before an officer tried to stop the suspect, an officer should attempt to apprehend that suspect as quickly and safely as possible within the guidelines of the law and this policy.

C. Considerations. The pursuing officers and supervisor assuming responsibility for the pursuit shall consider the following factors in determining whether to initiate or continue a pursuit:

1. Nature and seriousness of the offense.
2. Time of day
3. Weather conditions
4. Road conditions
5. Traffic conditions
6. Population Density/Pedestrian Traffic
7. Familiarity with the area
8. Schools/Parks
9. Vehicle capabilities
10. Visibility and illumination
11. Possibility of identification and apprehension at a later time

12. Speed involved

13. Driving skills of the pursuing officer

14. Suspect exhibits signs of impairment, i.e., erratic driving behaviors (weaving, no headlights, wrong way on a one way, etc.).

15. Information from sources (other than police) that the driver is impaired (store clerk, concerned family member, citizen report, etc.).

16. Type of vehicle being pursued.

D. Using Emergency Equipment. In order to diminish the likelihood of a pursuit, officers intending to stop vehicles shall be within close proximity to the vehicle being stopped before activating emergency lights/siren and attempting the stop (See Use of Police Vehicles 3.06.010).

Operating a police vehicle at high speeds in order to apprehend a traffic violator may not constitute a vehicular pursuit *per se*, provided the violator has not exhibited intent to flee and is apprehended within a short distance.

While similar instances are not pursuits, they do require the same degree of responsible vehicle operation as specified in this procedure.

1. When vehicular pursuits are initiated, regardless of the reason, officers must employ emergency lights and siren for the duration of the pursuit.

E. Police Vehicles Without Emergency Equipment. Police vehicles without functional emergency lights and siren will neither initiate nor join in a vehicular pursuit.

F. Unmarked Vehicles. Officers in unmarked vehicles equipped with emergency lights and siren may find it necessary to pursue a suspect. This will continue only so long as it takes marked units to assist. Once marked units have taken over as primary and secondary units, the unmarked unit will immediately and completely disengage. Unmarked units are permitted to respond to the location or area of the termination point in order to assist with a perimeter or possibly identification of a suspect.

G. Sport Utility or Other Specialty Vehicles. This policy recognizes that there are a number of unmarked, soft marked and marked specialty vehicles currently in use. Officers must take care when determining what vehicles are best suited for a particular set of circumstances and environmental conditions. For example: There may be cases where a 4x4 Marked SUV would (or would not) be a better pursuit vehicle than a sedan. Therefore, it may be reasonable for a primary pursuit vehicle to be replaced by a different, better suited vehicle.

H. Police Motorcycle Units. Officers assigned to a motorcycle unit have some very unique risk factors to consider when deciding whether or not to initiate or continue a vehicular pursuit. Motorcycle units are permitted to initiate a pursuit, taking into consideration the associated risk factors. They are only to remain involved in the pursuit as long as is necessary to have a marked or

unmarked vehicle take over as the primary unit. Once a marked or unmarked unit has taken over as a primary unit, the motorcycle unit will immediately disengage from the actual pursuit. Motorcycle units are permitted to assist with other aspects of the pursuit at the termination point such as pursuing a subject who flees on foot or assisting with identification of a suspect. If there is no immediate response from a marked or unmarked vehicle, motorcycle units shall continue only as long as is reasonably safe given the current set of risk factors.

V. OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION.

V. CONTROLLING THE PURSUIT

A. Number of Participating Units.

1. Only the primary and secondary units shall pursue the suspect vehicle "Code 3". Other units shall remain alert to the pursuit's progress and direction and assist as the situation demands.
2. Officers in the primary pursuing unit may request additional units to join the pursuit if it appears reasonably certain that officers in the primary and secondary pursuing units will not be sufficient to safely affect the arrest of the suspect(s).

B. Primary Unit Responsibilities. The first responsibility of officers in the primary pursuing unit is public safety. In rare cases this may demand the immediate apprehension of a suspect, or more often, it may require a decision not to pursue. If a pursuit is initiated, primary pursuing unit officers shall be responsible for controlling the pursuit tactics unless relieved by an on-scene supervisor. The primary unit is also charged with:

1. Immediately communicating the reason for initiating the pursuit. Failure to clearly articulate the reason for the pursuit may result in an immediate decision by a field supervisor to order the pursuit terminated.
2. Broadcasting the following information:
 - a). Location, speed, and direction of travel
 - b). Description and license plate number, if known; and
 - c). Number and description of occupants, where possible
 - d). Any other important information about the suspect vehicle or environment (i.e. suspect is traveling without lights)

C. Secondary/Tertiary Pursuing Unit Responsibilities.

1. The secondary unit and tertiary units, upon joining the pursuit, will advise the primary unit of their presence. The secondary unit will take over radio communications, immediately notifying Dispatch Center that there are three units involved. The tertiary unit will trail behind the first two units and be prepared to move up if one of the other units has to drop out, or to assist in the capture should a PIT maneuver be utilized. No

additional units shall join the pursuit unless specifically requested by the primary unit or the supervisor.

2. The secondary unit responsibilities also include making the decision to discontinue the pursuit at any time.

3. The secondary pursuing unit shall assume the duties of the primary pursuing unit should the primary pursuing unit be unable to continue.

D. Other Assisting Units. Other units in the general vicinity not directly involved in primary pursuit may proceed with caution to positions that would assist in perimeter support. Officers equipped with tire deflation devices (i.e. Spike Strips or Stingers) should position themselves ahead of the pursuit in order to assist in bringing the suspect vehicle to a controlled stop (Refer to Tire Deflation Devices 3.10.080 and Perimeters/Roadblocks/PIT/Blocking Maneuvers 3.06.005).

E. Passing During a Pursuit. Passing a pursuing unit is inherently dangerous and shall be limited to those circumstances where no other reasonable alternative is available. In all instances the unit that is passing another pursuing unit must clearly communicate and coordinate the maneuver before attempting to pass. Examples of instances that can reasonably be contemplated as necessitating passing during a pursuit include those which require the primary pursuing unit to relinquish this role to another police vehicle (i.e. a supervisor or unmarked vehicle in primary pursuit), or out of tactical necessity.

F. Operationally Sensitive/Not for Publication.

G. Pursuits that continue outside the service area of the Anchorage Police Department. Officers are permitted to continue a pursuit that began in our service area, taking into consideration a multitude of circumstances that create additional risk factors to include; loss of or poor radio communication, poor orientation knowledge, and lack of available support personnel. The monitoring supervisor shall ensure that contact has been made with the law enforcement agency that provides service to the area that is being entered. Once that agency has been notified and becomes involved, it is recommended that they take over as the primary unit. With supervisory approval, Anchorage Police Department units will remain involved in a support function.

VI. PURSUITS INITIATED BY OUTSIDE AGENCIES

When a pursuit is initiated by another law enforcement agency, the initiating unit and agency shall be responsible for the progress of the pursuit. Units of the Anchorage Police Department shall not join in a pursuit unless specifically requested to do so by the pursuing agency when they are pursuing a dangerous suspect, or unless it is clearly demonstrated that a lone unit from an outside agency is unable to request our assistance and the tactical situation demonstrates the need for our assistance. If a member of the Anchorage Police

Department joins in or assumes responsibility for an outside agency's pursuit, all of the procedures established in this policy shall apply.

VII. DISCONTINUING THE PURSUIT

Officers involved in a pursuit must continually question the wisdom of continuing. Additional offenses committed by the suspect during the course of the pursuit may escalate the seriousness of the crime(s), but this does not lessen the responsibility of officers to break off the pursuit in the interest of public safety. Officers must be certain that when the pursuit was initiated it was authorized by this policy. Acts by the suspect during the pursuit can not elevate the need to pursue if the original pursuit was not authorized by policy. Officers will not be subjected to any disciplinary action for discontinuing a pursuit, but will be held fully accountable for remaining in a pursuit that reasonably should have been discontinued.

A. Unreasonable Danger. A pursuit will be discontinued when there is an unreasonable danger to the public or pursuing officers. An unreasonable danger includes continuing the pursuit beyond what is reasonable and prudent for existing vehicle, road and other adverse environmental conditions balanced against the immediate need to apprehend the suspect (as illustrated by the Pursuit Decision Matrix).

B. Discontinuation. When a pursuit is discontinued the pursuing units shall:

1. Clearly identify themselves over the radio and inform dispatch to advise other units of the discontinuation.
2. Turn off all emergency gear, turn off of the road, make the next available turn or pull over and stop. Make no attempt to follow the suspect.
3. Obey all traffic laws.
4. Officers shall not take any proactive steps to visually track or position themselves in a location where the suspect is likely to pass.
5. Clearly state the factors leading to the discontinuation in the police report.
6. This policy recognizes the value of officers determining the likely location the suspect may return to and then going to that location in order to continue the criminal investigation. Officer shall wait a reasonable period of time after discontinuing the pursuit, giving time for the suspect to exit the vehicle before exercising this option in an effort to minimize the likelihood of re-engaging the suspect in another pursuit. If possible, officers should consult with a field supervisor prior to attempting to locate the suspect after a pursuit has been discontinued.

NOTE: There may be circumstances where a pursuit has been discontinued and then the suspects actions bring them back into contact with officers. In these cases, officers are to re-assess the risk factors and, if possible, consult with field supervisors before attempting to stop the

suspect. In essence, officers are to consider the subsequent event as an entirely separate decision and weigh the risk factors accordingly with the additional knowledge that this suspect has demonstrated a propensity to flee, thus increasing the risk. Officers shall not use the previously discontinued pursuit as the only reason to attempt another stop of the suspect, particularly if the previous eluding was based on a stop for an infraction or violation.

7. Tire deflation devices will not be deployed in an attempt to stop a vehicle, if the pursuit of that vehicle has been discontinued.

VIII. RESPONSIBILITIES AT THE TERMINATION OF PURSUIT

Vehicular pursuits evoke strong emotional and physical responses that do not immediately dissipate when the chase is over. The intensity of the pursuit and determination to apprehend are still with officers when they contact the suspect. Officers are nonetheless required to maintain self-control and strict personal discipline, and only use that level of control reasonably necessary to affect an arrest or maintain custody. Once the pursuit has ended, time is on our side and officers should seek ways of slowing the situation down and affecting a safe arrest. Unless the situation dictates otherwise, at the conclusion of the pursuit officers should treat the incident as a felony stop.

A. Pursuing Officers.

1. The primary pursuing unit is to maintain control and direct activities at the termination point, unless relieved by a Supervisor.
2. The secondary pursuing unit shall be responsible for assisting the primary unit.

B. Non-pursuing Officers. Unless otherwise directed to the scene, all other officers shall remain clear.

C. Supervisors.

1. If a Supervisor has not responded to a pursuit, the pursuing officers or the Dispatch Center will request a Supervisor to respond. The Supervisor is responsible for controlling police action at the scene and ensuring adherence to Department policies.
2. Supervisors shall initiate or assign, as appropriate, any adjunct or follow-up reports rising from incidents generated during the pursuit. Supervisors at the shift level are responsible for entering the pursuit into the current internal affairs tracking system.

D. Internal Affairs.

1. Internal Affairs will review each pursuit to determine if:
 - a). the pursuit and subsequent actions were within Departmental policy
 - b). there are training needs to be considered
 - c). any policy changes need to be considered and

d). to statistically document the incident.

2. A report of findings will be prepared for command review.

Anchorage Police Department Regulations and Procedures Manual		Administrative Procedures 3.06.020	
Policy and Procedure Title Ride-along Program		Effective Date June 22, 2012	Page 1 of 3
Replaces Prior Policy: New		Approved by: Mark T. Mew	

3.06.020 Ride-along Program

PURPOSE

To establish guidelines for the transportation of persons other than police officers or prisoners who may be permitted to ride as passengers in on-duty police vehicles.

POLICY

It is the policy of the Anchorage Police Department through its Ride-Along Program to allow citizens to accompany a police officer as an observer in a police vehicle. The assignments and activities of citizens authorized to participate in this program will be limited to and conform to the conditions and regulations set forth in this procedure.

DISCUSSION

The Anchorage Police Department recognizes the value of allowing citizens, non-sworn municipal employees, and others the opportunity to familiarize themselves with the day-to-day operations and complexities of police work. The ultimate goal of this program is to educate the public and to develop a sense of mutual respect and understanding between police and citizens in the community. In general, citizens at least 18 years of age who do not have criminal history would be authorized to participate in the program.

PROCEDURES

- A. Before a citizen will be authorized to participate in the ride-along program a criminal background check must be conducted. At a minimum APSIN, NCIC, and Tiburon will be checked. Areas of concern might include Tiburon history of mental health issues. If there are additional concerns Courtview and or IAPro databases can also be checked. There will be no exceptions to this rule. Background checks may be conducted by Public

Affairs, Patrol, Dispatch, or any other APD entity authorized to use these systems.

1. The Commander of Public Affairs will insure all Citizen Academy and other citizen requests to participate in the program have a background check.
2. The Patrol Shift Commander or designee will insure all other citizen riders have a criminal background check completed prior to riding.
3. Typically any criminal conviction will disqualify a citizen from participating in the program. Exceptions can be made with approval of the Captain of Patrol.
4. The Shift Commander has the final authority to approve or disapprove a rider based upon operational or other considerations.

- B. Shift Sergeants will make ride along assignments based on operational and staffing considerations. These assignments will not be made in the presence of the rider.
- C. Prior to any ride-along, officers shall ensure the rider has read and signed the APD Release of Liability Form. The original signed copy is delivered to a shift sergeant who will provide it to the shift commander for approval. The signed and initialed forms will be provided to Internal Affairs for retention. In addition, officers will be familiar with and enforce the instructions outlined on the Ride-along *Release of Liability* form.
- D. Officers assigned a civilian rider will notify Dispatch at the start of their shift of the presence of a civilian rider. Otherwise, they are responsible for responding to calls and performing their duties as normal.
- E. Officers shall ensure that each civilian rider wears a ballistic vest and that it fits the individual appropriately.
- F. Officers may familiarize the rider with certain equipment in the patrol vehicle and how it functions (e.g., the police radio).
- G. Officers are expected to be cordial and answer the rider's questions, but shall not disclose confidential, tactical, or operational information. Pursuit of a personal relationship during the ride-along is prohibited.
- H. When appropriate, officers should introduce their rider to the public as a civilian observer.
- I. Should it be necessary to stop at a substation or any other location where the rider will be alone with the officer, officers shall notify Dispatch via the radio upon arrival and again upon departure. Any unscheduled tours of the

training center or other locations will be cleared through the sector sergeant.

- J. Officers shall not allow riders to enter felony crime scenes before they are processed for evidence or where the suspect is still present; nor shall they observe formal, recorded interviews in sensitive cases.
- K. When responding to calls, officer shall weigh situations for potential hazards. Riders shall not be exposed to situations that pose extraordinary danger or extreme hazards. In those cases, riders shall be let out of the vehicle a safe distance from the scene or shall be told to remain in the patrol vehicle if it is safely parked near the scene.
- L. In those cases where a rider must be discharged from the vehicle for safety purposes, the officer shall immediately notify Dispatch of the location where the rider was left. Every effort must be made to leave the citizen in as safe a location as practical; the officer shall retrieve the rider or arrange for the rider to be retrieved by another.
- M. Should an officer with a rider initiate a pursuit or take the secondary pursuing unit role, that officer should relinquish those positions as soon as possible. (See *Vehicular Pursuits* 3.06.015 IV.A.)
- N. Should a rider request to end the ride-along, they should be returned to headquarters or the point of departure as soon as practical.
- O. With the approval of the shift supervisor, officers may end the ride-along if (1) the rider does not follow the rules of the program, or creates conflict or unsafe conditions for the officer (2) conditions exist that make it unsafe or inappropriate for the ride-along to continue; or, (3) the officer discovers something that would have precluded the rider from participating in the program.
- P. At all times, officers with passengers will conduct themselves in a professional manner consistent with the tenets outlined in the Anchorage Police Department's policies.

Chapter 7

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.07.000-005	
Policy and Procedure Title Media Relations News Releases	Effective Date 11/16/2012	Page 1 of 6
Replaces Prior Policy: 12/03/2009	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.07.000 Media Relations

PURPOSE

To advise all personnel of the Department policy concerning relations with the media.

POLICY

All APD Personnel shall treat the representatives of the media respectfully recognizing that a free press is integral to our system of governance and guaranteed by the United States Constitution and the Constitution of the State of Alaska.

It is the policy of Anchorage Police Department to deal with all news sources equally and without preference. Department personnel shall make every reasonable effort to accommodate newsgathering by members of the media to the extent that it does not significantly detract from other departmental duties, jeopardize criminal investigations or compromise the safety of the public or department personnel.

Personnel shall coordinate media requests with the APD Public Information Office.

3.07.005 News Releases

PURPOSE

To advise all personnel of the procedure for releasing information to the public and the news media. Released information will be restricted to that information which is authorized by this procedure and applicable Municipal ordinances and State statutes.

This procedure establishes Press Release Guidelines which enable the police department to project a unified image to the public by issuing only one response.

POLICY

Members of the Anchorage Police Department are encouraged to talk to the media and it is, in fact, a job requirement to do so within the published guidelines. It is the responsibility of the Public Information and Community Relations Unit (PICRU) to retain documented information which is released to the public by either that Unit or any member of the Anchorage Police Department. The Public Information and Community Relations Unit will be apprised either verbally or in writing of the contents of any press releases so that those same facts may be given to other inquiring news agencies, thus insuring there will be only one Department response. Interviews between individual reporters and officers are not considered "releases" as referenced in this procedure.

All facts pertaining to criminal activities, traffic and other information of general nature will be released under the name of the Anchorage Police Department.

All policy matter releases and information pertaining to the Department, except general routine matters, will be released over the name of the Chief of Police.

Personal interviews or presentations may be given by any employee with the permission of their supervisor. Such interviews or presentations will conform to appropriate laws and policies, and will be only factual information and not personal opinion.

Telephone requests regarding police responses will be honored by the Public Information and Community Relations Unit, the supervisor or commander of the appropriate unit, or their designee if:

- A report has been filed on the information requested, or

- The information requested involved a major incident of the type that would warrant a Public Information and Community Relations Unit representative at the scene, or

- The responding officers have cleared the scene, and have time to relay the information to the Unit supervisor or commander, designee, or a member of the Public Information and Community Relations Unit.

If a request is received on a controversial issue or any other issue which has not been directly addressed in this procedure, the matter will be referred to the appropriate unit supervisor/commander or Public Information and Community Relations Unit representative.

PROCEDURE

I. POLICE INVESTIGATIONS/INFORMATION

A. Victims.

1. Names of victims will be released except in the following crimes:

- a). Sexual Assault--First, Second, and Third degree
- b). Sexual Abuse of a Minor--First through Fourth degrees
- c). Incest
- d). Unlawful Exploitation of a Minor

e). Indecent Exposure

f). Kidnapping involving physical or sexual assault, except when the identification of the victim may aid in their recovery. This includes photographs and any other information that may be of assistance to the investigation.

g). Any criminal incident involving juvenile victims

2. Death cases: Deceased victims names will not be released prior to notification of next of kin (see Section III. of this procedure--Death Cases).

B. Witnesses. Names of witnesses may be released, but information regarding their residence address, business address, or telephone number is *not* to be released in order to comply with existing State and local laws, to protect their privacy, and to ensure that active investigations are not jeopardized.

C. Suspects/Defendants. Limited information about the individual in custody may be released, depending upon the legal status of the subject. In those cases, the following procedures will apply:

1. Suspects: Individuals who are believed to be involved in a crime but not yet arrested or charged.

a). Identity of suspects will not be released.

b). Only general information such as physical description, vehicle description, or other details which may assist in the suspect's identification and apprehension may be released.

c). In the course of an investigation, it may become necessary to release more specific information than allowed above. In such cases, a request to deviate from the policy may be made, in writing, to the Division commander. If approved, more specific information may be released.

2. Defendants: Adults who have been arrested or charged with a crime:

a). A defendant's name, age, residence, employment, marital status and similar background information may be released.

b). The exact charge(s), bail amount, and booking location may be released.

c). Comments about the character, reputation, or arrest record of the defendant may *not* be released.

d). Unless contained in an unsealed charging document, and available to the public, refusal of the accused to cooperate with any aspect of the investigation, such as tests, statements, etc., may *not* be released.

e). Any remarks about the assumed guilt or innocence of the accused may not be released.

D. Circumstances. Certain facts pertaining to police investigations, information, and/or arrests may be released while others should not be. When in doubt, contact a supervisor for clarification.

1. Facts which may be released:

- a). A description of the exact offense including a brief summary of events;
- b). Date and time of offense/arrest;
- c). The location of a crime; however, if the crime occurred at a residence, *only* the block number and street name may be released unless that information appears in an unsealed charging document that is available to the public.
- d). General descriptions of injuries sustained or damages resulting from the action;
- e). General information about unidentified suspects, such as a physical description or vehicle description, to assist in the suspect's capture;
- f). Method of complaint (officer observation, citizen, warrant, indictment). The fact that an arrest was the result of Crime Stopper information should always be released in order to properly recognize the value of the program.
- g). Identity of the agency, unit, and/or officers responsible for the arrest;

2. Facts which may not be released:

- a). Exact identifying information about the weapon or other physical evidence, or any information that could be known only to the guilty party;
- b). The names, addresses, or phone numbers of victims or witnesses, unless permission is granted by the victim or witness.
- c). The amount of money stolen from persons, businesses, or financial institutions;
- d). Speculation on suspects, fugitives, or motives;
- e). Misleading or false information;
- f). Information about the existence and content, or nonexistence, of a confession, admission, or acts of assistance by the accused;
- g). Any information regarding tests, examinations, or laboratory analysis that may have been administered;
- h). Any remarks about the assumed guilt or innocence of the accused;
- i). Comments about the credibility of testimony;

- j). The name of an informant, or the fact that informant information exists. (If information is received through the CrimeStoppers program, only that fact shall be noted).
- k). Specific information about evidence seized through search warrant execution or seized through other means unless the case officer/detective or the unit supervisor tasked with the investigation approves the release.
- l). Photographs of an evidentiary nature unless requested by the investigating officer/detective or their supervisor. (Photographs of a non-evidentiary nature e.g. natural disasters or plane crashes may be released only after permission is granted for their release by any investigating agency or the Chief or Police or his/her designee.)

II. JUVENILES

A. The Department is held to exceedingly high standards mandating we protect the identity of juveniles. The following policy is established pursuant to and in accordance with:

1. AS 40.25.120 (2) prohibits the inspection of records pertaining to matters involving juveniles.
2. AS 47.12.300 (c) prohibits the release of the name or picture of a minor under the jurisdiction of the court in connection with the minor's status as a delinquent unless authorized by order of the court. (See exceptions under AS 47.12.310.)
3. AS 47.10.093 prohibits the disclosure of information without permission of the court about a child who is subject to a Child in Need of Aid (CINA) action. (See exceptions in AS 47.10.093 (b)).
4. Anchorage Municipal Code (Chapter 3.90) grants freedom of information to the public and restricts the release of some types of information from police investigation files.

B. Information which may be released in *non-criminal incidents* involving juveniles, such as missing persons or public assists, includes:

1. Location and time of occurrence
2. Name, age, and description of the juvenile
3. Circumstances surrounding the incident
4. Photograph of the juvenile victim
5. Hospital where injured was transported and treated

C. In non-criminal accidents, the same procedure as cited below would apply to juveniles as well as adults.

III. DEATH INVESTIGATIONS

A. Information regarding the circumstances surrounding any death investigation, regardless whether it resulted from criminal, traffic or industrial accident, natural or suicide shall be released with the following restrictions:

1. The deceased's name may be released only after it is clearly established that the next of kin has been notified. A call to the assigned detective, unit supervisor or commander, mortuary, or medical examiner will confirm this notification.
2. General comments on circumstances, such as apparent wounds and method of injury, may be released, but only in nonspecific terms. The specific cause of death will be determined by the pathologist's or medical examiner's office.
3. When the manner and cause of death are determined by the medical examiner, those may be released in homicide or traffic fatality cases with the permission of the case detective or unit supervisor or commander.

IV. TRAFFIC COLLISIONS

A. The following guidelines will be used when releasing information about all accident investigations, to include traffic, industrial, or aircraft. Any accident investigation that results in criminal charges is no longer deemed an accident for the purposes of this procedure. It will be handled according to guidelines set forth in Section II, Police Investigations/Information. The following information may be released:

1. Location and time of occurrence
2. Names and ages of drivers and injured; juvenile's names are not protected in accident investigations
3. In traffic accidents, citations issued, to whom, and the offense
4. A general estimate of damage
5. Hospital(s) where the injured were transported

V. PHOTOGRAPHS

A. Photographs or video footage may be taken by media personnel of an adult suspect exposed in transit, but the suspect shall not be posed by officers.

B. No photographs of any kind will be taken of a juvenile without court order. Officers should not attempt to prevent the news media from taking photographs, but shall not pose juveniles or in any way assist the media in photographing a juvenile.

C. Accredited media photographers may take pictures of any scene if they do not endanger the public, police officers, themselves, or evidence. If the scene is on private property, the photographer must obtain permission of the property owner and abide by restrictions imposed by the courts or utilize telephoto photography from a vantage point accessible to the public.

D. Officers will not allow media representatives to accompany them as they enter a location to execute search or arrest warrants. The warrant authorizes only law enforcement officials to make entry.

E. Members of the Public Affairs Unit may take and release non-evidentiary photographs of interest to the media providing that those photographs are taken from a vantage point at which the media, if present, would have had access to.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.07.010	
Policy and Procedure Title Press Passes		Effective Date 11/4/09	Page 1 of 3
Replaces Prior Policy: 8/10/09		Approved by: Acting Chief Stephen Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.07.010 Press Passes

With the advent of legitimate Internet News Services and the expansion of broadcast and print media, press passes will no longer be issued.

Chapter 8

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.08.000-005	
Policy and Procedure Title Radio Communications Radio Communications-Clear Channel	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.08.000 Radio Communications

3.08.005 Radio Communications-Clear Channel

PURPOSE

To advise all personnel of the procedures to be followed to secure a clear channel.

POLICY

That members of the Department receive a clear radio communications channel when appropriate.

DEFINITIONS

Clear Channel: A clear channel is a radio frequency devoted exclusively to a specific communication need or to a specific event. To afford the security of being able to communicate when necessary and to not be distracted by unnecessary radio traffic, only persons directly involved are authorized to use the frequency while it is "clear."

10-44: The radio code for a clear channel.

PROCEDURES

I. PURPOSE OF A CLEAR CHANNEL

A. General. A clear channel (10-44) is appropriate anytime there is a requirement for a communications channel dedicated to an incident, so as to be free of all but situation-essential traffic. This need usually arises from two basic causes:

1. Emergencies. Unplanned events with a high risk of imminent danger, and units on the scene require unimpeded communications as the situation dictates.
2. Special operations or functions. Parades, stake outs, traffic enforcement details, training, and other situations requiring discrete or

uninterrupted radio availability. Although not necessarily dangerous, such transmissions may require a clear radio channel to be successful.

II. INITIATION

A. For Emergencies. A clear channel for an emergency situation may be called by anyone for cause, and is usually done on a main channel. It is intended that a main channel 10-44 be of very short duration, primarily to allow officers to arrive on scene and assess the stability of the situation, or to deploy. Note that a 10-44 called on a main channel is very disruptive to normal Department activities. Once the initial assessment is accomplished, it is imperative that the 10-44 be transferred to and continued on a secondary channel if requirement for a clear channel remains.

B. For Non-Emergencies. A non-emergency or situational 10-44 requires that the person directing the operation ask for and confirm the availability of a channel in advance, and that the duration of the operation be stated. Such a 10-44 will be on a secondary channel.

III. PROPER ACTION DURING A "10-44"

A. Main Channel 10-44's.

1. The dispatcher will rebroadcast the 10-44, and designate the channel to be used. Units not involved in the specific call shall cease radio traffic on that channel.
2. Responding units shall assess the situation and, as soon as safety permits, either authorize transferring the 10-44 to another channel, or cancel it entirely. If transferred, the dispatcher shall coordinate with the involved officers, establish a 10-44 on another channel, and clear the 10-44 on the main channel. Unless specifically requested by an officer or Patrol supervisor, the dispatcher will not automatically monitor a 10-44 established on a secondary channel.
3. During the initial 10-44, radio traffic not pertaining to the 10-44 situation shall be suspended. If it becomes apparent that the 10-44 will last longer than about 10 minutes, or if other priority radio traffic must be transmitted, officers shall then change their radio traffic to:
 - a). A channel designated by the dispatcher; or
 - b). In the absence of a designated channel, the utility channel.
4. In extreme situations, Dispatch and field Supervisors or Commanders will address the best solution possible under the circumstances.

B. Non-emergency 10-44's.

1. Based on the pre-coordination between the Dispatch Center and the person in charge of the operation needing the 10-44, the agreed upon channel shall be designated at the time requested. Patrol fallouts shall be advised of the channel status; uninvolved officers who suggest going to the affected channel shall be advised of its status.

2. Unless specifically arranged, a dispatcher will not continually monitor a non-emergency 10-44.

IV. TERMINATING OR "CLEARING" A 10-44

A. Emergency, or Main Channel, 10-44's. As discussed above, emergency 10-44's shall be cleared or moved from main channel as soon as practical. A unit at the scene or a Supervisor certain of the status of the situation may advise to clear or move the 10-44. When advised, the dispatcher shall broadcast the termination or relocation. If the 10-44 was of such duration as to have required moving the main channel, specific instructions will be provided to the units regarding resuming normal main channel operation.

B. Non-emergency 10-44's. These are assumed to end at the prearranged time. In the absence of additional instruction, the channel will be cleared accordingly. If the need for the 10-44 concludes, involved officers shall immediately notify the Dispatch Center, who will then clear the 10-44. Normal use of the affected channel will then resume.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.08.010	
Policy and Procedure Title Radio Communications-General	Effective Date 8/10/09	Page 1 of 5
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

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3.08.010 Radio Communications- General

PURPOSE

To instruct all employees in the general use of the police radio.

POLICY

That all members of the Department contribute to efficiency and safety by exercising professional radio discipline as presented in this procedure.

PROCEDURES

I. GENERAL PROCEDURES

A. Overall Goals. If a radio operator can keep the two fundamental ingredients of proper radio technique in mind, all other elements of effective radio communication fall into place. These two are brevity and clarity. Brevity conserves on-air time, which allows more messages to be conveyed, and gives more opportunity for the interjection of emergency information. Clarity ensures that what information is transmitted is understood, so accuracy and efficiency are enhanced. Both are utterly essential and at the foundation of proper radio technique. Towards that end, the following suggestions are offered:

1. Know what is to be communicated before beginning to talk. Form the intended communication before you say it, in terms of language which should be clearly understood by the other party.
2. Always monitor the radio. This reduces interruptions and keeps the listener current on activities in the field.
3. Initiate transmissions with proper identification of both yourself and the intended recipient.
4. If a long transmission is unavoidable, insert a break to allow other radio users an opportunity to transmit priority communications.

5. Balance formality and informality. Being too stiff or formal is undesirable, but excessive casualness may suggest contempt or contribute to errors.
6. Be polite. Tone of voice can reduce stress as well as enhance accuracy.
7. Acknowledge all transmissions received, but always ask questions if a message is unclear. Be prepared to answer questions or to repeat your message.

II. GENERAL REGULATIONS

A. The police radio is for official use only. It is intended and licensed for broadcasting information to and from mobile police units. Although some personal and internal messages are conveyed on the radio, none must interfere with the primary police mission and/or FCC licensing standards.

1. Car-to-car traffic is especially subject to procedural abuse. Understand that there is no such thing as an "informal" discussion on any radio channel, so the same elements of professionalism exist. Avoid unnecessary talk, and realize all channels can be monitored.

B. Radio transmissions shall be brief and to the point.

C. Repeat information which must be written down, such as addresses or license plate numbers, to ensure accuracy.

D. Radio codes will be used when their use conveys the desired information more clearly than plain language. The phonetic alphabet will be used to clarify spellings and alphanumeric information. Always remember that a "code" is just that--a symbol with a hidden meaning (often a long meaning, so codes can be very useful). But to understand the message, the symbol has to be decoded, and everyone must use the same "decoder." Consequently:

1. Any use of codes will be limited to those 10-series and 11-series authorized in this and other Communications procedures. Use of outdated codes or slang risks confusion, especially with newer employees.
2. When using an authorized code, ensure the full code is spoken. For instance, an accident without injuries can be referred to as an "11-23," but not a "23."

E. Emergency communications have priority over all other traffic.

F. Profanity or vulgarity of any kind is prohibited.

G. Disputes shall not be conducted on the air. No matter how legitimate the complaint is, resolve it off the air.

III. UNIT IDENTIFIERS

A. On-duty units, with an assigned area and/or assigned identifier, shall use their duty-assigned identifier to the exclusion of any other.

B. On-duty, retaining a permanently assigned identifier (I-, X-, O- units) shall use their assigned identifier.

C. Off-duty, not assigned a permanent identifier, shall use Department Serial Number (DSN) or the issued home car designator (e.g. H-23), which ever applies. Note that identifiers used during a special function (hostage negotiations, bomb disposal, etc.) are not considered permanent.

D. Off-duty and assigned a permanent identifier shall use the permanent identifier. Dispatch will maintain a list of permanently assigned identifiers.

IV. RADIO CHANNEL UTILIZATION

A. General. The department uses the radio channels available to it in a variety of ways, depending on the purpose desired. The general titles used in discussing channel assignment are:

1. "Primary Channels" are radio frequencies which are monitored by a dispatcher 24 hours a day, and may therefore be used at any time by any authorized radio user as required to complete a task. Secondary channels are not monitored.
2. "Main channel" is a "primary channel" used to dispatch requests for service to field personnel, and to receive from them information or requests.
3. "Utility Channel" is another type of primary channel, and is provided to assist field personnel with computer checks, requests for public assistance, phone calls, and other reasonable support functions. All registration, warrant, and license status checks, and similar requests; requests for taxicabs, phone calls, and wreckers; public assist and other telephone contacts, and alarm status checks are some of the activities reserved for the utility channel.

B. Channel Assignment.

1. Radio channels are assigned as:
 - a). Channel 1: Main channel dispatch
 - b). Channel 2: Utility communications channel
 - c). Channel 3: Main channel dispatch
 - d). Channel 4: Patrol reserved
 - e). Channel 5: Warrants/Detectives reserved (Voice Protected)
 - f). Channel 6: Voice-Protected, normally reserved for Metro. SWAT callout (or other priority situations requiring secure voice) will supersede Metro.
 - g). Channel 7: Inter-car, tactical, etc.
 - h). Channel 8: Inter-car, tactical, etc.
2. Channels 1 and 3 are primary channels.

3. Main channel dispatch may be split or combined. Field units will utilize the channels as assigned.
4. Officers engaging in nonessential communication with each other on a primary or main channel will switch to an appropriate secondary channel after their initial contact.
5. It is the nature of police services that radio problems or emergencies may cause short term changes in channel usage, but under normal conditions, this channel usage plan will be adhered to by all personnel.

V. TECHNIQUES

A. Standardization of Method. The following techniques are designed for consistency, therefore efficiency and safety.

1. On emergency calls, Dispatch will announce the nature of the call and the location first, then attempt to contact the area car. This alerts other units, both on and off duty, to emergency events, allowing them to respond while the dispatcher assigns a primary unit.
2. When requesting a "10-52" (computer check), use the following format, and expect the following response:
 - a). For a "persons" check, request "10-52 by [name, date of birth, social security number, operator's license number, or other appropriate identifier (or a combination thereof)]," and expect the dispatcher to respond with both a warrants check and an operator's license status check--unless you ask for one specifically.
 - b). For a "vehicle" check, request "10-52 by [VIN, plate number, or other appropriate identifier]," and expect the dispatcher to respond with both registration information and significant remarks (reported stolen, reported impounded, transfer pending, etc.)--unless you ask for one specifically.
3. When one unit calls another unit, the format is for the calling unit to identify it self first, then identify the desired unit.
4. Avoid asking generic questions on the air. For instance, transmitting "Does anyone have accident report forms?" risks cluttering the air with several units responding simultaneously. These requests should be done, if practicable, over the MDC.

VI. APPROVED 10 CODES

10-1	Reception Poor	10-28	Pursuit
10-2	Reception Good	10-31	Officer to use Caution
10-4	Message Understood	10-32	Uncooperative Person
10-5	Meet With (specify)	10-33	Officer Needs Help
10-6	Disregard	10-34	Cover Unit

10-7	Arrived at Scene	10-35	Officer Welfare
10-8	In-Service	10-36	Officer Assist
10-9	Say Again	10-37	Riot Call
10-10	Standby	10-44	Clear Channel
10-12	Officer Out w/ Shotgun	10-50	Robbery Alert
10-13	OK for Confidential Info	10-52	Computer Check
10-15	Intoxicated Person	10-55	Follow-up Investigation
10-17	Prisoner in Custody	10-61	Traffic Control
10-19	Jail	10-70	Traffic Stop
10-20	Transport	10-76	Field Interview
10-21	Location	10-80	Meal Break
10-22	Phone Call	10-82	Personal Break
10-23	Police Station	10-92	Court / Magistrate
10-25	Dispatch	10-98	Misdemeanor Warrant
		10-99	Felony Warrant

VII. APPROVED 11 CODES

11-1	Murder	11-23	Non-Injury Collision
11-2	Sexual Assault	11-24	Injury Collision
11-3	Robbery	11-27	Suspicious
11-5	Burglary	11-28	Suicide
11-7	Stolen (specify)	11-29	Deceased Person
11-13	Gang Related	11-35	Open Door / Window
11-19	Disturbance	11-38	Mental Person
11-22	DUI	11-50	Security Check

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.08.015	
Policy and Procedure Title Radio Communications-Unit Status	Effective Date 8/10/09	Page 1 of 5
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

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3.08.015 Radio Communications- Unit Status

PURPOSE

To emphasize the importance of keeping an employee's duty status current with the Emergency Communications Center (Dispatch).

POLICY

That all personnel coordinated by Dispatch communicate changes in their duty status in an accurate and timely manner.

DEFINITIONS

Computer Aided Dispatch (CAD): A computer system designed to assist Dispatch in its role of getting appropriate police resources to all calls for service.

Down: A radio code used to advise Dispatch that the unit is still on duty, but unavailable for dispatch due to a non-police service activity.

Incident Numbers: Sequential numbers assigned to any call for service.

Leaving Scene (LS): A term/abbreviation used to advise Dispatch that the unit is still involved with the current call for service, but is leaving the original dispatch location.

Officer-Initiated ("OI"): A radio code used to advise Dispatch that a unit is on a non-dispatched call.

On: A radio code used to advise Dispatch that a particular unit's tour of duty has begun, and that coordination of their activities is expected through the Dispatch.

Off: A radio code used by a unit to notify Dispatch that their tour of duty is over.

Status: A unit's activity, assignment, or working condition which determines its ability to be dispatched to calls for service.

10-6: A radio code used to advise a unit or Dispatch to disregard the last transmission or request, or to cancel a unit from the last call to which it was dispatched.

10-7: A radio code used to advise Dispatch that a unit has arrived at a dispatched call for service.

10-8: A radio code used to advise Dispatch that a unit is again available for dispatch.

10-80: A radio code used to advise Dispatch that a unit is on a lunch break.

Disposition: An advisement to Dispatch by an officer of how a call was handled. Officers assigned a particular call must inform Dispatch which type of disposition applies before going to another call:

Alarm Codes: When an officer is dispatched to an alarm, there are several dispositions the officer may provide to Dispatch. These dispositions are:

Controlled Authorized (CA): The alarm was activated by the owner, pets, house sitter, employees, etc.

Controlled Malfunction (CM): The alarm was caused by equipment malfunctions.

Controlled Other (CO): The cause for the alarm could not be determined.

Uncontrolled Environmental (UE): The alarm was caused by an earthquake, storm, wind, or other similar manner.

Uncontrolled Utilities (UU): The alarm was caused by a power outage, broken water pipe or similar manner.

Cleared (C): A call for service that was resolved at the scene by officers without an arrest, charges, or a report.

Gone on Arrival (G): The call for service cannot be located, and there is nothing available for officers to investigate.

Parties Settled (PS): If an officer finds that the parties of an auto collision have decided to settle the matter between them, the officer will advise Dispatch via the PS code and no report is required.

Report: Certain events require a field report to be written by officers, or officers may elect to write a report on a particular event. In such cases, officers will request report case numbers from Dispatch.

Supplement: The officer is going to prepare a supplemental report to the original report.

Unfounded (U): There is no legal merit to the reported incident (no law has been broken, and no police services are necessary).

Warning (W): Used as a disposition on calls involving infractions and some misdemeanor crimes that require a warning prior to making an arrest.

PROCEDURES

I. GENERAL

A. Overview: CAD takes a very simple view of the Department it serves; it sees all officers as either:

1. Being available to send on a call. Specifically:
 - a). Units are both "On" and 10-8.
2. Not being available to send on a call. A unit is not immediately available if:
 - a). It is "On," but not presently available for CAD to dispatch because:
 - i. The unit is on a police service activity, which CAD subcategorizes as either:
 - (1). A dispatched call for service, identified by officers as being "10-7"; or
 - (2). Involved in officer-initiated police activity
 - ii. On a non-police service activity. CAD recognizes two possibilities:
 - (1). Lunch ("10-80") or
 - (2). All other non-police service activities (vehicle maintenance, as an example). Officers inform Dispatch of these activities by advising "OS," and go back in service by advising "10-8."
 - b). It is "Off" which, for CAD only, includes:
 - i. Patrol officers who are not on their tour of duty; and
 - ii. Detectives, whether on their tour of duty or not; and
 - iii. Administrators, whether on their tour of duty or not.

II. INITIATING CALLS FOR SERVICE

A. General. Units handling a request for service are referred to as being "on a call," and are considered to be unavailable for all but emergency dispatches. The unit is made aware of requests for service generally from two sources; either as a dispatched call for service, or as an officer-initiated activity.

1. Dispatched requests for service, which usually start as telephone calls to Dispatch, and are processed as follows:
 - a). A call-taker in Dispatch records information provided by the citizen or other caller.
 - i. As soon as it is entered into CAD, incident numbers are assigned.
 - b). The dispatcher assigns the call to an appropriate unit(s).
 - i. Units not dispatched to calls will not respond without first advising Dispatch, unless doing so is tactically inappropriate.
 - c). Unit(s) arriving at a dispatched call will advise Dispatch by radioing, "10-7... (unit designator)."

- i. If the officer's investigation/case resolution requires leaving the scene, Dispatch shall be advised the unit is "LS" and the destination.
- ii. The primary unit also has the responsibility to advise Dispatch of any material corrections (corrections to addresses or call classification).

2. The second source of calls is Officer-Initiated activities (OI).

a). A major part of Patrol officers' duty obligation is that they actively look for situations requiring police service. Additionally, different sections of the Department (most notably Warrants and Detectives) routinely become involved in events requiring contact and coordination with Dispatch (traffic stops, criminal activity in progress, and other such occurrences). Recognizing that the police do more than merely respond to dispatched calls for service, CAD has been programmed to accept officer-initiated police activities.

i. Regardless of duty status, officers may conduct police business on their own initiative by advising Dispatch "OI", then the activity, then their unit designation.

(1). If "On", the unit designation is the area assignment, as would be normal with any radio traffic.

(2). If "Off", the unit designation would be the permanent designator (if one is assigned), Department Serial Number (DSN), or assigned Home Car designator as appropriate.

III. DISPOSITION OF CALLS

A. Call Disposition Procedure.

A call should not be considered finished by officers until all anticipated activity is done. Follow-up at hospitals, transports to the magistrate and jail and other similar actions are part of the case and should be done prior to going back into service.

When calling back into service, officers are required to inform Dispatch of two essential items:

1. Any corrections, the most common and important being:

a). Reclassification of the event from what was originally dispatched. If officers determine the event to be something other than what was originally dispatched, officers shall state the true call title.

b). Location corrections.

B. The Type of Disposition Only one disposition can be entered. Officers must select the single most descriptive disposition to the case.

There are several dispositions for calls, which are defined in the definitions. The types of dispositions are:

1. Report
2. Supplement
3. Gone on Arrival (G)
4. Unfounded (U)
5. Clear (C)
6. Warning (W)
7. Parties Settled (PS)
8. Alarms (Various Dispositions)
 - a). On receipt of this information, the dispatcher will:
 - i. Enter or confirm the exact nature of the call for service (for accurate statistical purposes, and for later tracking); then
 - ii. Put the unit back into service; which, in turn
 - iii. Clears the screen entirely of the event. Once the event is off the screen, officers must consult the computer for information regarding that call. This helps explain the importance of officers not going back into service prior to concluding all anticipated activities on that call.

Chapter 9

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.09.000-005	
Policy and Procedure Title Unit Coordination Barricaded Suspect and Hostage Situation	Effective Date 8/10/09	Page 1 of 11
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.09.000 Unit Coordination

3.09.005 Barricaded Suspect and Hostage Situation

PURPOSE

To advise all personnel of the policies and procedures governing incidents involving barricaded suspects and incidents where hostages have been taken.

POLICY

The policy of the Anchorage Police Department is to ensure the preservation of human life and the public safety. For this reason, it is imperative that personnel involved in the handling of barricaded subjects or incidents of hostage-taking are aware of procedures that will aid in bringing such incidents to a successful conclusion in the safest manner possible.

DISCUSSION

Any critical incident, but especially one involving the barricading of an armed and dangerous subject and/or the taking of hostages, requires collective effort drawing on all available resources of the Department and related agencies. History has demonstrated repeatedly that the taking of reasonable time and the using of the resources at hand to deal with such incidents most often results in concluding the incident without harm to any of the parties involved, be it hostages, officers or suspects.

It is essential that personnel not engage in independent action unless forced to do so by circumstances; individual initiative in these situations quite often results in injury or death, whereas collective action generally will not.

DEFINITIONS

Barricaded Suspect: Any person believed to be armed, who has committed a crime or threatened suicide, and who is secreted in a position that affords them a tactical or strategic advantage.

Special Weapons and Tactics (SWAT) Team: Those Department members assigned as tactical unit officers for high-risk enforcement procedures.

C.N.T.-Crises Negotiation Team: Those Department members assigned as Police Negotiators.

SWAT/C.N.T. Commander: Highest ranking SWAT member at the scene; generally the team's Lieutenant. The SWAT Lieutenant is also commander of the Crisis Resolution Unit and the Command Post Technicians.

Command Post Technicians: Those Department members assigned to operate and maintain the Incident Command Van.

First Responder: Any members of the law enforcement community who are the first persons to arrive at an incident scene.

Hostage: Any person who is unlawfully restrained by a suspect(s) in an attempt to gain an advantage or further an unlawful activity.

Incident Commander: The administrator assigned to run the Command Post and direct the overall operation; generally the Captain of Patrol. Incident command status is retained, even upon arrival of the Deputy Chief and/or Chief, unless specifically relieved.

Primary Participant: Those persons within the immediate confines of an incident scene, to include suspect(s), hostage(s), witnesses, and/or those within the span of control of or under immediate threat from the suspect(s).

Scene Commander: For purposes of this procedure, the ranking regular duty officer at the crisis scene, usually a Patrol Lieutenant. The Scene Commander controls everything in the initial stages, but is relieved of various responsibilities as specialized personnel arrive. Responsibility is generally retained for managing the outer perimeter and other Patrol functions for the duration of the incident.

PROCEDURE

I. DETERMINATION CRITERIA

A. First Responders may find themselves involved in a barricade or hostage-taking incident through a radio dispatch to a seemingly innocuous incident. They may also find that an incident such as a field-initiated activity rapidly becomes a barricade or hostage-taking incident. Rarely will the First Responder know precisely that a barricade or hostage incident is what he or she will have to deal with prior to arrival at the scene.

1. A barricade incident is indicated when the following criteria exist:

- a). The suspect(s) is believed to be armed, and
- b). has committed a crime or threatened suicide, and
- c). presents a significant threat to the safety of citizens or officers, and
- d). has a tactical or strategic advantage, and

e). refuses to submit to lawful police action.

2. A hostage-taking incident is indicated when the suspect, in addition to the conditions above, restrains another person(s) unlawfully in an attempt to gain an advantage or further an unlawful activity through the threat of violence.

II. FIRST RESPONDER RESPONSIBILITIES

A. Operationally Sensitive/Not for Publication. B. Once the First Responder(s) makes the determination that a barricade or hostage-taking incident exists, and immediate intervention is not required, they shall:

1. Notify Dispatch of the incident.
2. Request that a supervisor and/or command officer respond.
3. Select one officer as Scene Commander pending the arrival of a supervisor or command officer. This officer will have the responsibility and authority of Scene Commander until relieved by a superior.
4. Operationally Sensitive/Not for Publication. 5. Establish an outer perimeter for protection of the public, crowd control, and traffic control if needed.
6. Operationally Sensitive/Not for Publication.
7. Request an AFD paramedic unit to respond to the Command Post.
8. First Responders shall, when reasonably able to do so, gather the following information and relay it to the Incident Commander and/or the command subordinates, as well as a synopsis of the situation:
 - a). What, if any, crime(s) have been committed?
 - b). Have any shots been fired?
 - c). Has anyone been injured?
 - d). Has there been any contact with the suspect by any means?
 - e). Has the suspect been asked to surrender?
 - f). Is the area cordoned off?
 - g). Operationally Sensitive/Not for Publication
 - h). What is a good staging area for the media?
 - i). Operationally Sensitive/Not for Publication. j). What are the exact address, phone number, and physical description and orientation of the location?
 - k). Operationally Sensitive/Not for Publication. l). What weapons and equipment are available to the suspect?
 - m). Operationally Sensitive/Not for Publication. n). What is the suspect's mental state and background?

o). Operationally Sensitive/Not for Publication.

9. First Responders will request a secure, clear radio channel from Dispatch.

10. First Responders should use runners to communicate when possible, and must limit secure-channel radio traffic to essential communications only.

C. Once these preliminary steps have been taken, no further independent action will be taken by First Responders.

D. Operationally Sensitive/Not for Publication.

E. Once relieved from any of the above duties, First Responders will report to the Command Post for debriefing and reassignment, or release from further duties at the incident.

III. PATROL SUPERVISOR / COMMAND OFFICER RESPONSIBILITIES

A. Any of the responsibilities of First Responders above may be assumed by the responding Patrol supervisor or command officer.

B. The Patrol supervisor or commander responding shall assume the responsibility and authority of Scene Commander from the First Responder acting in that capacity. This shall be a positive transfer of authority.

C. Once a barricade or hostage-taking incident determination has been made, and concurred with by the responding supervisor or command officer, an authorization to Communications for a call-out of SWAT and CNT may be made by the supervisor or command officer.

1. No officer at a lower command level may make this authorization unless no supervisor or command officer is available to make the determination, and the circumstances warrant a call-out.

2. In all incidents where a barricade or hostage-taking incident has been determined, and SWAT has been authorized, CRU will likewise be activated.

3. Operationally Sensitive/Not for Publication.

D. The acting Scene Commander will contact and brief the Captain of Patrol prior to authorizing the call-out of SWAT and CRU. If this is not possible, then the Scene Commander will make notification as soon as the circumstances permit. The Captain of Patrol will be responsible for notification of the Deputy Chief and Chief for final approval. If the Captain cannot be reached, the Scene Commander will be responsible for contacting the Deputy Chief or Chief.

E. The Scene Commander, shall contact and brief the SWAT/CNT Commander as soon as possible after receiving the approval to call-out SWAT and CNT. All relevant information, to include primary incident scene deployment, safe approach lanes, current status of threat level and personnel

at the scene, and Command Post location will be relayed to the SWAT/CNT Commander.

F. The Scene Commander will be responsible for the establishment of perimeters and information-gathering activities at the scene, confirm the location of the Command Post site, safe access routes, direct personnel in deployment, and all other pertinent activities until relieved by the responding Incident Commander.

G. The Scene Commander, after being relieved by the Incident Commander, will be responsible for ensuring that information from First Responders and related sources is provided to the Command Post and Incident Commander as rapidly and completely as possible, once the Command Post has been established. The Scene Commander shall then direct the activities of First Responders at the direction and discretion of the Incident Commander.

IV. SWAT/C.N.T. COMMANDER RESPONSIBILITIES

A. After notification by the Scene Commander, the SWAT/CNT Commander will assess the SWAT/CNT needs, determine the appropriate personnel/resources to activate, advise the Communications supervisor of the specific needs of the team notifications, and confirm the Captain of Patrol has been notified.

B. After activating the SWAT/CNT response the SWAT/CNT Commander will respond to the Command Post and direct the operations of SWAT/CNT under the Incident Commander.

V. DISPATCH SUPERVISOR RESPONSIBILITIES

A. The Communications Supervisor will be responsible for ensuring the establishment of a secure radio channel as requested by the First Responders. Subsequent secure channels will be provided as required by the Incident Commander and subordinate commanders.

B. Once directed by the SWAT/CNT Commander, the Dispatch Supervisor will make or cause to be made the required notifications and calls to initiate the call-out procedure established in dispatch. The Supervisor will confirm that the Chief and Deputy Chief have been notified by calling them.

C. The Dispatch Supervisor will be responsible for ensuring that personnel directed to respond to the Command Post receive all relevant information necessary for their safe response and approach.

D. The Dispatch Supervisor will be responsible for ensuring that appropriate assisting agencies are notified and directed to the Command Post as requested. The supervisor will also confirm that a Paramedic Unit has been requested.

E. Upon the establishment of a Command Post, the Dispatch Supervisor will assign a dispatcher to respond to the Command Post.

1. The Command Post dispatcher will be responsible for:

- a). Radio communications between the Command Post and Communications.
- b). Radio communications between the Command Post and participating personnel as required.
- c). Radio communications relays between other involved agencies and the Command Post.
- d). Maintenance of a radio traffic log.
- e). Maintenance of an incident personnel log, to include all personnel's arrival and departure at the incident scene.

F. The Dispatch Supervisor will ensure that all relevant information received by or obtained through Dispatch is relayed to the Command Post.

G. The Dispatch Supervisor will be responsible for calling out replacement personnel as necessary at the direction of the Incident Commander.

VI. COMMAND POST TECHNICIANS' RESPONSIBILITIES

A. Technicians will be responsible for keeping the van in operation for the duration of an incident, to include:

- 1. Refueling as required.
- 2. Outside utility connection (electrical power and phones).
- 3. Lighting, radio, and general utilities maintenance.
- 4. Other services at the direction of the Incident Commander.

B. The technicians will be responsible for all electronic recording required and establishing and maintaining required communications links.

VII. OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION

VIII. SWAT RESPONSIBILITIES

A. All SWAT activities will be guided by the SWAT unit operating procedures.

B. SWAT will accept the responsibility of taking over inner perimeter positions originally held by First Responders to ensure the containment of the incident and suspect(s).

C. Once in place, SWAT will be responsible for the tactical aspects of the incident as directed by the Incident Commander, including but not limited to:

- 1. Inner perimeter and scene containment and control.
- 2. Operationally Sensitive/Not for Publication
- 3. Operationally Sensitive/Not for Publication.
- 4. Prevention of escape or flight by suspect(s).
- 5. Operationally Sensitive/Not for Publication.
- 6. Operationally Sensitive/Not for Publication.

D. Team Leaders will prepare a summary report at the conclusion of the incident. Any SWAT member making critical observations or taking an active role in the arrest or seizure of evidence will do a supplemental case report.

IX. DETECTIVE DIVISION RESPONSIBILITIES

A. In most barricaded suspect or hostage-taking incidents, unless determined to be unnecessary by the Incident Commander, the Captain of Detectives will be notified and shall assign the necessary personnel for the following:

1. Investigate the crime(s) committed.
2. Apply for necessary warrants.
3. Conduct interviews of suspect(s), witnesses and/or victims.
4. Assist the CNT intelligence officer in gathering of intelligence.
5. Take custody of arrested suspects.
6. Assume responsibility of the crime scene at the conclusion of the incident.
7. Pursue appropriate charges.

X. PUBLIC INFORMATION AND COMMUNITY RELATIONS UNIT RESPONSIBILITIES

A. Public Information and Community Relations Unit personnel responding to the incident will be responsible for keeping the media informed of the progress of the incident, at the direction and discretion of the Incident Commander, and shall direct and control the activities of the media present.

1. Public Information and Community Relations Unit will ensure that the media do not physically interfere with any aspect of the operation.
2. Public Information and Community Relations Unit will obtain the cooperation of the media in abiding by the directives of the Incident Commander relating to:
 - a). Efforts of the media to interview on their own initiative:
 - i. On-scene actively-involved personnel.
 - ii. Primary participants.
 - iii. Material witnesses.
 - b). Efforts of the media to photograph or film by any means, on their own initiative, any of the above.
 - c). Any action by the media required or prohibited by the Incident Commander.

B. At the conclusion of an incident, Public Information and Community Relations Unit will be responsible for:

1. Coordinating any post-incident media interviews, photography and/or filming by any means, as permitted by the Incident Commander.
2. Ensuring that any impact of the incident and resolving operations on the surrounding public is minimized through:
 - a). Coordinating the return of evacuated persons as rapidly as possible to affected locations as directed by the Incident Commander.
 - b). Making direct contact with persons incurring damage or loss to property, and providing claims information if requested.
3. Ensuring that appropriate parties receive official expressions of appreciation on behalf of the Anchorage Police Department.

XI. INCIDENT COMMANDER RESPONSIBILITIES

- A. The Incident Commander shall be the highest ranking Anchorage Police officer involved in the incident, and shall act as the agent of, and with the full authority of, the Chief of Police. The Incident Commander will have overall, encompassing, and final responsibility and authority for all operations at the incident, with the exception of the SWAT Commander who has sole responsibility for tactics, and may delegate such authority and responsibility as desired and where appropriate to the commanders of individual units involved. This responsibility and authority includes but is not limited to:
1. Operations of Patrol personnel.
 2. Operations of SWAT.
 3. Operations of CNT.
 4. Operations of Detective personnel.
 5. Operations of Communications.
 6. Operations of the Command Van.
 7. Operations of Municipal agencies involved.
 8. Operations of outside agencies involved, civilian or governmental, including those of the State of Alaska when their personnel are assisting in the incident. The Incident Commander may request and/or permit the involvement and assistance of other agencies in incidents occurring within the jurisdiction of, and/or falling under the authority of the Anchorage Police Department. This involvement shall be with the express understanding that the Incident Commander has final command authority and responsibility for the incident, and over all personnel and/or equipment involved.
 9. Authority over, and responsibility for the welfare of, civilians in and around the incident, to include those evacuated for their physical safety, as permitted by law.
- B. The Incident Commander has final responsibility and authority in determining the length of time negotiations or negotiation attempts will

continue, and in deciding the level of force that will be employed to effect resolution of the incident.

C. The rank of the Incident Commander can rise through the chain of command as necessary. At each change in Incident Command, the relieving Commander shall formally notify the former Commander of the transfer of responsibility and authority, in terms ensuring that no error can be made regarding such transfer. The relieved Commander shall formally acknowledge relinquishing the responsibility and authority of the position in the same unambiguous manner.

XII. CONCLUSION OF INCIDENT

A. Once the incident is resolved, personnel will be assigned by the Incident Commander or appropriate designee to secure the incident scene until it is properly investigated and all evidence gathered, whether by Patrol personnel, Detective personnel, or the Crime Scene Response Team.

B. Once operations are concluded, routine operating procedures shall be in effect for all personnel, at the discretion and direction of the Incident Commander.

C. Once relieved from incident-related duties, all personnel involved will report to the Command Post to be logged out of the incident scene by the dispatcher assigned or other designee prior to leaving the incident area for any reason.

D. Debriefings for SWAT and/or CNT personnel involved will be held as closely following the conclusion of an incident as possible, and shall be conducted at a suitable common area removed from the incident scene. Debriefings are necessary and important for a variety of reasons including training issues, case preparation, equipment issues and policy discussions.

1. Personnel in the above units are required to attend such debriefings, and shall not be assigned further duties at the incident scene or elsewhere until such debriefing has been conducted, unless absolutely unavoidable.
2. SWAT and CNT teams will initially debrief on an individual team basis, followed by a joint debriefing.
3. Joint debriefings may be attended by closely-involved parties, First Responders and other related personnel, including dispatchers.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.09.010	
Policy and Procedure Title High Risk Warrant Service	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.09.010 High Risk Warrant Service

PURPOSE

To advise all personnel of the policies and procedures governing high-risk arrests and warrant services.

POLICY

A fundamental policy of the Anchorage Police Department is the preservation of human life, including the lives of our officers. For this reason, SWAT will be deployed when the threat levels discussed in this procedure have been reached in the execution of high-risk arrests and warrant services.

DISCUSSION

High Risk Arrests-SWAT should be used in arrest situations where there is prior knowledge of a significant threat or danger to the public, police or suspect. In most investigations, officers have time to plan the arrest of violent suspects. Arrests of armed drug dealers and gang members, homicide and shooting suspects, robbery suspects and others who are likely to resist with deadly force, should if practical be handled by SWAT.

It is not the intent of this section to prohibit officers from responding to emergency calls for service where they are forced to arrest violent suspects upon arrival, such as robberies in progress or shootings.

High-Risk Search Warrants-Narcotics and undercover officers, as well as other detectives, often find themselves faced with having to serve search warrants at locations that are fortified or occupied with persons who are expected to be armed and likely to resist with deadly force.

Emergency teams are used successfully nationwide to provide police departments with the necessary resources to safely handle these high-risk enforcement situations. This reduces the risk to our officers as much as possible. For these reasons, high-risk search warrants will also be handled by SWAT.

DEFINITIONS

Barricaded Suspect: Any person believed to be armed, who has committed a crime or threatened suicide, and who is secreted in a position that affords them a tactical or strategic advantage.

Special Weapons and Tactics (SWAT) Team: Those Department members assigned as tactical unit officers for high-risk enforcement procedures.

SWAT Commander: Highest ranking SWAT member at the scene; generally the team's Lieutenant.

High Risk Arrest: An arrest where the suspect(s) are expected to be armed, have demonstrated a propensity for violence, have fortified their location, or have threatened resistance through deadly force.

Warrant Service: An arrest warrant, search warrant, or any other court-ordered service.

PROCEDURE

I. CRITERIA FOR USE

A. SWAT will be called and assigned the following high-risk arrests or warrant services when the suspect(s):

1. Are expected to be armed; or
2. Have demonstrated a propensity for violence; or
3. Are expected to have fortified their location; or
4. Have threatened resistance through deadly force; or
5. Any other warrant services requiring the use of specialized entry equipment and/or personnel.

II. REQUESTS FOR USE OF SWAT

A. The Division Commander shall be responsible for determining whether the criteria for using SWAT exists (Section A., above). If so, then the following procedure will be used:

1. The Division Commander shall contact and brief the SWAT Commander. The SWAT Commander will notify the Captain of the Crime Suppression Division, who will be responsible for notification of the Deputy Chief and Chief for final approval. In the event that SWAT is activated, the Division Commander should know that:
 - a). The SWAT Commander will notify the SWAT supervisor, who will allocate team resources based on the situation. A briefing will be scheduled as soon as possible.
 - b). If the requesting unit has an emergency arrest situation requiring SWAT, then the designated SWAT element will immediately deploy to a staging area for assignment.

2. Operationally Sensitive/Not for Publication.

III. USE OF SWAT UNIFORMS AND PROTECTIVE EQUIPMENT

A. SWAT members are not permitted to suit up for any detail not being directly supervised by one of the SWAT Team Leaders.

1. All personnel should keep in mind that if the threat level of a call or assignment causes enough concern to consider having on-duty SWAT personnel suit up, then the call probably warrants that SWAT be called out as outlined in SWAT Unit Coordination Procedure.
2. If the officers are dressed in tactical gear, their deployment will be viewed as a SWAT operation by the courts, suspects, witnesses, and press, regardless of sentiments to the contrary. SWAT leaders will thus be held accountable for the outcome of the deployment. They should be involved in any such decisions regarding team use.
3. SWAT leaders must be able to justify any deviation from this should team use result in damage, injury, or death. Because of these factors, SWAT leaders shall actively manage situations that involve their personnel becoming involved in hazardous activity.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.09.015	
Policy and Procedure Title SWAT Unit Coordination	Effective Date 12/14/2009	Page 1 of 7
Replaces Prior Policy: 8/10/09	Approved by: Acting Chief Stephen Smith	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.09.015 SWAT Unit Coordination

PURPOSE

To advise all personnel of the proper method of coordinating police activities with those of the Special Weapons and Tactics team (SWAT), by describing SWAT's role and its deployment standards and procedures.

POLICY

That SWAT is deployed whenever the standards discussed in this procedure are met so as to minimize risk to all lives and property according to the following priority:

- The lives of hostages
- The lives of citizens in proximity to violence
- Safety of officers
- Constitutional rights of the suspect(s)

DISCUSSION

The duties of a uniformed patrol officer are so wide and varied that it is difficult to be highly proficient in all areas at all times. Certain specialized situations, however, demand continued proficiency and unique equipment to ensure the safest resolution reasonable for all, including the suspect. The Anchorage Police Department has met this challenge by adopting a procedure shown successful in other jurisdictions; it has selected a group of sworn officers and, as a team, given them specialized initial and continued training, and provided them with unique equipment. This team is called the "Special Weapons and Tactics" team, (SWAT). Simply put, SWAT's mission is to save lives.

Virtually everything that SWAT undertakes is directed toward safety. The team strives to contain, defuse, and resolve sensitive situations with the least amount of injury and damage that is reasonable under the circumstances. To facilitate

the successful resolution of such sensitive situations, the rest of the department, and most especially uniformed patrol, must work in unison with SWAT.

DEFINITIONS

Special Weapons and Tactics (SWAT) Team: A team of sworn officers specially selected, trained, and equipped to handle specialized police situations in the safest reasonable manner. Answers to SWAT Commander.

Scene Commander: For purposes of this procedure, the ranking regular duty officer at the crisis scene. Usually a Patrol Lieutenant; sometimes a Patrol Sergeant. Supervises all aspects of the initial stages of an incident, but is relieved of various responsibilities as specialized personnel arrive. Generally retains responsibility for managing outer perimeter, and other patrol functions, for the duration of the event. Scene Commander answers to the Incident Commander (once that person arrives).

SWAT Commander: Highest ranking SWAT member at the scene; generally the team's lieutenant. [Note: The permanent SWAT lieutenant is also commander of the Crisis Negotiation Team (a.k.a. Hostage Negotiators) and the Command Post Technicians, groups which are also typically present at a crisis scene.] SWAT Commander answers to the Incident Commander.

Incident Commander: The administrator assigned to run the Command Post and direct the overall operation. Generally the Captain of Patrol retains incident command status even on arrival of Deputy Chief and/or Chief unless specifically relieved.

PROCEDURE

I. THE ROLE OF SWAT

A. Operating Philosophy. To achieve the goal of safety, SWAT has an operating philosophy based on the following techniques:

1. Careful planning and coordination; and
2. Discipline and teamwork, with commensurate physical ability; and
3. Progressive escalation of tactical responses.

B. Utilization. SWAT specializes in the following types of police activities:

1. Barricade situations
2. Hostage events
3. Acts of terrorism
4. High-risk warrant service
5. Protective assignments, including dignitary protection details
6. Demonstrations and/or acts of civil disobedience
7. Other assignments that lend themselves to the specialized training, equipment, and physical capabilities of SWAT

II. SWAT EMERGENCY CALL-OUT

A. Standards. Many duties are assigned to SWAT in advance for proper planning and detailing. However, certain situations require an emergency call-out. Standards have been set to guide employees in the decision to call SWAT. These standards are as follows:

1. SWAT shall be called out any time officers find themselves confronted by a situation in which all five of the following conditions exist. The suspect(s):

- a). Are believed to be armed; and
- b). Have committed a crime or threatened suicide; and
- c). Present a significant threat to the safety of citizens or officers; and
- d). Possess tactical or strategic advantage; and
- e). Have refused to surrender to the police.

B. Requests for SWAT by Outside Agencies. Requests for SWAT made by outside agencies shall be immediately referred to the Patrol Captain or SWAT Commander for consideration. That person shall evaluate the request based on the nature of the threat, and not upon the perceived ability or inability of the requesting agency to effectively react, nor yet upon the mere existence of a mutual aid agreement. Once a decision has been reached the Chief and Deputy Chief shall be briefed through the chain of command, and shall approve or disapprove the initial recommendation.

C. Emergency Requests for SWAT within APD Jurisdiction. Once the Scene Commander has established that the five criteria for emergency call-out have been met, the following procedure shall be followed:

1. The Patrol Captain and the SWAT Commander shall be contacted for approval. If approved, the Chief and Deputy Chief shall be immediately notified.

2. Operationally Sensitive/Not for Publication.

3. Make notification of SWAT by:

- a). Using the telephone for notifications (rather than radio) whenever reasonable.
- b). Having the SWAT supervisor through the SWAT team leaders or their designees handle the actual team call-up.
- c). Being prepared to answer the following questions when asked:
 - i. What is the situation?
 - ii. What crime(s) have been committed?
 - iii. What type of weapons are involved?
 - iv. Have any shots been fired?

- v. Has anyone been injured?
- vii. Are there hostages?
- viii. What is the recommended location for the Command Post?
- ix. What is the safest approach route?

d). The Scene Commander should be prepared to relinquish authority to the Incident Commander, normally stationed at the Command Post. The Incident Commander will direct both patrol and SWAT (as well as CRU, CP staff, Detectives, etc.), and the SWAT commander will have responsibility for tactics. The transfer of authority from the Scene Commander to the Incident Commander and or the SWAT Commander should be a clear and positive transfer of authority.

D. Coordination of Patrol & SWAT Efforts.

1. General. Once SWAT is deployed, patrol still plays a central role. The Incident Commander (at the Command Post) directs both the SWAT Commander and Patrol's Scene Commander, thus providing the first level of coordination between the two. Beyond that, Patrol personnel can expect to perform the specific duties discussed in the next paragraph.

E. Coordination of Patrol Efforts.

1. Specific Duties. The Scene Commander is responsible for the following:

a). Creation of an outer perimeter.

d). Witness/critical people control. The scene commander shall direct the identification and isolation of witnesses, family members, and other key people.

F. Miscellaneous Considerations for Patrol. Patrol officers are reminded of the following issues, which are critical to the successful coordination of a tactical response:

1. Communications. It is essential that the Command Post receive and understand all tactically significant information possessed by patrol units in the field. To this end it is important that patrol officers remember to:

a). Obtain a clear channel;

b). Exercise extreme radio discipline; limit traffic to essentials;

c). Report perimeter positions, observations, and actions in a clear and concise manner;

d). Use runners to deliver messages when reasonable (diagrams are extremely helpful);

e). Conduct nonessential radio traffic on other channels, and refer all requests (including those which are nonessential in nature) to the Scene Commander;

- f). Advise Dispatch Center when clearing a tactical channel.
2. Perimeter officer safety. Officers must balance their duty to observe the actions at the scene with their efforts to practice fundamental principles of officer safety.
3. Focus of Objectives. Know your role and keep the overall objective in mind.
4. Debriefing. Patrol officers should expect to report to the Command Post on being relieved. Many perimeter officers become witnesses, and will have to make statements to assigned investigators.

III. SWAT SCHEDULED (NON-EMERGENCY) DETAILS

A. Events. SWAT may be assigned tasks of a non-emergency nature, including:

1. Warrant Service where the suspect(s):
 - a). Are expected to be armed; or
 - b). Have demonstrated a propensity for violence; or
 - c). Are expected to have fortified their location; or
 - d). Have threatened resistance through deadly force;
2. Warrant Service requiring the use of specialized equipment and/or personnel to rapidly secure the scene (such as to prevent the destruction of evidence),
3. Dignitary protection details,
4. Demonstrations or acts of civil disobedience (including strikes, riots, sit-ins, etc.),
5. Any other duties deemed by the Chief to require the specialized training, equipment, or physical capabilities of SWAT.

IV. USE OF SWAT INDIVIDUALS

A. Use of SWAT Members to Handle Calls.

1. On duty SWAT personnel may be assembled by their regular supervisors and used for challenging situations (those in which training, discipline, and teamwork are particularly important), provided that:
 - a). Call-out criteria have not been met (Section B);
 - b). Scheduled detail criteria have not been met (Section C);
 - c). Special Weapons may be employed;
 - d). SWAT uniforms, team equipment and protective gear are not used.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.09.020	
Policy and Procedure Title Crisis Intervention Team		Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.09.020 Crisis Intervention Team (CIT)

PURPOSE

The purpose of this policy is to advise all personnel of the proper method of coordinating the activities of the Crisis Intervention Team (CIT) by describing CIT's role and its deployment standards and procedures. In addition, to advise those personnel assigned as police Crisis Intervention Team officers of their duties, authority, and responsibility.

POLICY

The policy of the Anchorage Police Department is to ensure the preservation of human life and the public's safety. For this reason, it is imperative that personnel involved in the handling of persons with a mental illness are aware of procedures that will aid in bringing such contacts to a successful conclusion in the safest manner possible. The special skills and training of the Crisis Intervention Team officers should be employed during intervention with those persons who have a mental illness, using the standards discussed in this procedure, so as to minimize risk to the lives of officers and the public, and to connect those in need with the services of the mental health community.

DISCUSSION

The duties of a uniformed patrol officer are so wide and varied that it is impossible to be proficient in all areas at all times. Certain specialized situations demand continued proficiency to ensure the safest resolution possible for all. The Anchorage Police Department has met this challenge by adopting an intervention approach shown to be successful in other jurisdictions. A group of sworn officers and Dispatchers have been selected and given specialized training in regard to handling calls with a mental health element, while they also continue to handle regular calls for police service. This team is called the Crisis Intervention Team (CIT), which is based upon the Memphis (TN) model established in 1988.

The Anchorage Police Department Crisis Intervention Team is composed of volunteer officers and Dispatchers who are specially selected and trained to provide an immediate response to crisis involving persons with mental illness and to work with the community to resolve each situation in a manner that shows concern for the individual's well-being. The officers are part of a community based partnership which includes consumers, their family members, and consumer advocacy groups such as the National Alliance for the Mentally Ill (NAMI), and mental health providers.

The mission of CIT is to provide a humane and calm approach to assisting people with mental illness and connect them with the services available through mental health providers. The goal is to reduce potentially violent emotional and physical confrontations with law enforcement and provide consumers with better patient care. Mental illness is a disease, not a crime. It is the desire of the Anchorage Police Department, through these community partnerships, to maintain community confidence in the ability of the police to provide a quality service to all citizens.

DEFINITIONS

Consumer: A term commonly used in the mental health field to identify a person who is the recipient of mental health services or is in need of mental health intervention.

Crisis Intervention Team (CIT): Those Department members assigned as CIT officers for crisis intervention with persons who have a mental illness.

Crisis Negotiation Team (CNT): Those Department members assigned as police negotiators.

Mental Illness: An organic, mental, or emotional impairment that has substantial adverse effects on an individual's ability to exercise conscious control of the individual's actions or ability to perceive reality or to reason or understand. Mental retardation, epilepsy, drug addiction, and alcoholism do not necessarily constitute mental illness, although persons suffering from these conditions may also be suffering from mental illness.

Special Weapons and Tactics (SWAT) Team: Those Department members assigned as tactical unit officers for high-risk enforcement procedures.

PROCEDURE

I. ORGANIZATION

Members of the CIT are both sworn and non-sworn personnel drawn from the Patrol Division and other units of the Department. CIT officers will respond to a call for service involving a person with a possible or known mental illness whenever available or requested and Dispatchers who take the original calls for service. CIT officers are not available to be "called out" while off duty without specific Commander and/or Supervisor approval. CIT officers may be asked to work with a specific consumer as a continuing assignment until appropriate measures are taken by the social services agencies.

II. TRAINING/IDENTIFICATION REQUIREMENTS

All CIT officers and Dispatchers will first obtain their certification after having attended a 40-hour course. After certification, CIT trained personnel are encouraged to apply for and attend continuing education regarding mental illnesses, medications and current methods. All CIT officers shall wear an approved insignia on their uniform in order to identify the specific training they have received.

III. DISPATCH CENTER RESPONSIBILITIES

A. Call Taker. Upon receipt of a call, the Call Taker should attempt to determine if there is an element of mental illness involved with the call. If so, the call taker should indicate those circumstances in the details of call, both in narrative form and by adding the three letter code "CTX" in the text of the call. The call priority should be assigned based upon available circumstances and the established dispatch priority guidelines.

B. Dispatcher. Once the call is received, the Dispatcher shall determine if there is a CIT Officer available to respond. A CIT officer will be dispatched to handle these calls whenever possible, regardless of area assignment. CIT Officers will be assigned to the calls first by beat, then by district, third by sector and finally city-wide. It is within this procedure to have a CIT Officer respond outside his or her beat or district for a call with a mental health element.

1. Mental Patient/Consumer Call for Service. A minimum of two officers should be dispatched when available, one of whom should be a CIT-Trained Officer. If no CIT officers are available city-wide, two officers will be dispatched.

2. Suicide Call for Service. If the call is in progress, a minimum of two officers, preferably, one of which is CIT-trained, should be dispatched based upon availability. The communications supervisor will be notified. If the attempt has already occurred, but the subject has not been transported for medical treatment, a minimum of two officers will be sent, one of which should be a CIT officer. An On-duty Patrol Sergeant will be notified.

3. Assigned Consumer Call for Service. If the subject of the call is a known mental health consumer who has an assigned CIT officer, it is preferable to dispatch the assigned officer, if available and on-duty, to the call.

IV. RESPONDING OFFICER'S RESPONSIBILITIES

A. Officers should respond to the scene of a CIT call as soon as available. CIT Officers are encouraged to monitor radio traffic to determine if they might be needed at a particular call. The response priority is to be determined by dispatch unless an officer has specific, articulable information to change the response priority.

B. Upon arrival to the scene, the CIT officer will make a determination about how the call is handled. The CIT officer on the scene of a mental crisis call has the responsibility for the scene and, if necessary, should request other officers to support a team effort or approach for a safe and appropriate disposition of the call. Additional resources, such as SWAT or CRU, can be summoned if needed. The CIT officer will maintain scene responsibility unless otherwise directed by a scene supervisor.

C. Officers, whether CIT-trained or not, have a responsibility to thoroughly investigate these calls for service and take all necessary actions to safeguard the officers and citizens involved. Consideration should be given regarding the need to possibly provide mental health services for the individual. Officers are encouraged to review the policy, Protective Custody – Persons with a Mental Illness, 3.02.105. This policy provides information regarding available options for mental health consumers.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.09.025	
Policy and Procedure Title Crises Negotiation Team	Effective Date 8/10/09	Page 1 of 12
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.09.025 Crisis Negotiation Team

PURPOSE

To advise all personnel regarding the duties, authority and responsibilities of those personnel assigned as police crisis negotiators with the Crisis Negotiation Team.

POLICY

That the negotiation skills and training of the Crisis Negotiation Team be employed during critical law-enforcement operations to minimize risk to the lives of officers and the public.

DISCUSSION

The Anchorage Police Department Crisis Negotiation Team is comprised of sworn officers specially selected and trained to work in conjunction with other officers and/or SWAT to defuse volatile situations involving barricaded subjects with or without hostages, employing their skills as negotiators to bring critical incidents to peaceful conclusions if at all possible. Although officers routinely possess communication skills necessary for their day-to-day efforts that many times resolve a dispute or incident before it becomes critical, the special skills and training of police negotiators are often extremely helpful when employed in urgent situations that might otherwise result in needless suffering and death if not given careful, specialized handling.

As the policy of the Anchorage Police Department is always to preserve human life and ensure public safety, it is imperative that specially trained officers be employed in critical incidents where their presence might make the difference in lives saved – whether that of criminal suspect, innocent victim, officers or the mentally-disturbed individual bent on self-destruction.

The purpose of this procedure, therefore, is to describe the organization, role, duties and requirements for Crisis Resolution Unit team members at the Anchorage Police Department.

DEFINITIONS

Barricaded Suspect: Any person armed with a weapon, explosive, or other destructive or dangerous device, who occupies and/or fortifies a fixed location and violently or by threat of violence, resists apprehension efforts by law enforcement officers. This may include those persons threatening suicide through the use of a dangerous weapon or instrument, and/or present a significant threat to the safety of law enforcement personnel and/or the public, and/or are likely to consummate the act of suicide if no intervention occurs.

Crisis Intervention Team (CIT): Those Department members assigned as CIT officers who have received specialized training to aid in the handling of a call for service for crisis intervention with persons who have a mental illness.

Crisis Negotiation Team (CNT): Those Department members assigned as police negotiators.

First Responder: Any member of the law enforcement community who is the first, or among the first persons to arrive at an incident scene. Generally, First Responders will be officers assigned to the Patrol division, or members of another law enforcement agency serving in a similar capacity.

Hostage: Any person seized, kidnapped, and/or otherwise unlawfully restrained by another, where the perpetrator threatens the life of, or threatens great bodily injury to, the person held with the intent to evade arrest, escape, obtain the release of persons in custody, obtain moneys or property, or attain any other objective.

Incident Commander: That officer in overall command and control of a critical incident. This overall command position typically rises in rank as higher levels of command structure arrive at an incident. Any sworn officer may serve as Incident Commander as circumstances warrant.

Police Negotiations: For the purpose of this procedure, police negotiations are those processes of verbal communication or “bargaining” between primary participants in an incident and specially-trained officers, in an effort to resolve all such critical incidents by non-violent means.

Primary Participant: Those persons within the immediate confines of an incident scene, to include suspect(s), hostage(s), and/or those within the span of control of and under immediate threat from the suspect(s).

Special Weapons and Tactics (SWAT): Those Department members assigned as tactical unit officers for high-risk enforcement procedures.

PROCEDURE

I. ORGANIZATION.

A. Unit Command. Members of CNT are sworn personnel drawn from all divisions, sections and units of the Anchorage Police Department, but as a unit serve under the command of the Captain of Patrol, with subordinate command under that division head in the Special Operations section by a

Special Operations commander if designated (having joint command over CNT and SWAT).

B. Incident Command. During the course of a critical incident in which CNT is employed in conjunction with SWAT and other sections or units, overall command of CNT is exercised by the Incident Commander or designated subordinate as CNT commander.

II. ROLE OF CNT.

A. Utilization. Generally, CNT may be employed in any situation where their skills will enhance the First Responders ability to resolve a crisis, or when an incident is of such gravity or magnitude that specially-trained negotiators should be employed to ensure the highest possibility of successful resolution without loss of life. CNT specializes in providing negotiation skills in incidents involving:

1. Barricaded subjects, whether criminal or other.
2. Hostage taking.
3. Mentally disturbed persons where there is an immediate threat of injury to themselves or others.
4. Suicide intervention, especially when a weapon or other immediate threat of injury is involved.

B. Function. CNT concentrates its involvement in situations by verbally contacting barricaded subjects, hostage takers, and persons threatening suicide or the like, with the purpose of convincing these persons to submit to lawful authority or appropriate care as necessary. Throughout such verbal communication, the aim of CNT is to defuse critical situations through the use of interpersonal communication skills built up through practice and training. Further, CNT uses those communication skills along with common-sense to affect a willingness on the part of the primary participant "talked with" to agree that the suggestions and advice of the negotiator are in his or her best interest and to be complied with, or even accepted as their own.

CNT negotiators will communicate with suspect(s) and/or primary participants by any means necessary. Although extraordinary situations may dictate communication in writing (by relayed notes) or by sign, verbal communication is by far preferred, due to the strong positive psychological impact of such personal contact between negotiator and primary participant. In order of preference, verbal negotiations will be conducted:

1. By normal telephone connection (installed utility).

Direct utility-installed telephone contact is preferred due to its almost universally being already in place for use, its ease of operation, and the safety its use offers to police personnel. Telephone use also significantly increases the positive aspect of contact through familiarity with the device and its generally clear, personal tone – "almost like being there."

2. By cellular telephone.

The cellular telephone is second in preference due to its increasing availability and the safety its use offers to police personnel. Officers should be aware of the lack of ability to control outgoing calls.

C. Operation. The CNT negotiators may operate in conjunction with patrol personnel on incidents of minor scope, such as suicide-intervention situations or those involving limited threat levels, in teams of two negotiators. In major incidents involving multiple-unit responses including SWAT, negotiators operate in teams of three or four. Being trained to function as negotiators as a specialty, CNT members will not become tactically involved in an incident situation unless:

1. Directly ordered to do so by an Incident Commander;

-OR-

D. Scope of Negotiations. Negotiations conducted by CNT will include all 'bargaining' with primary participants for all agreements, terms, actions and items, subject to the direction and discretion of the Incident Commander.

1. Negotiations will be conducted while taking into consideration the following:

Operationally Sensitive/Not for Publication.

7. All active negotiations conversation between primary negotiator and primary participants shall be tape-recorded, when possible.

III. CALL-OUT AND ACTIVATION PROCEDURE.

A. Notification. CNT members will be notified of the call-out of their unit and/or team ordering their response to an incident by the Incident Commander or CNT /Special Operations Commander. Notification will be made by the CNT /Special Operations Commander or his designee by any of several means, to include:

1. Telephone. CNT personnel must keep Dispatch apprised of any changes in contact numbers and provide cell phone numbers to the CNT/Special Operations Commander for inclusion in Dispatch lists.
2. Pager. CNT personnel must carry their pagers with them at all times during their on-call intervals, and also when they are otherwise available for duty.

CNT personnel are required to be available for duty at all times while on-call except when on leave or, during off-duty periods, beyond a reasonable distance to respond to incidents within the Anchorage area, unless prior arrangements have been made with a unit Supervisor.

3. Radio. If telephone or pager contact with a team member is not successful, Dispatch personnel will notify team members of call-out by

radio. Team members must monitor police radio channels at all times when in a vehicle so equipped, or when a police portable radio is carried during duty or on-call periods. CNT personnel are encouraged to make their availability known, whether on or off duty, to an Incident Commander upon monitoring radio traffic indicating that an incident possibly requiring their services is in progress, and may respond at the Incident Commander's request without the formal call-out procedure being initiated.

B. CNT Team Member Response. Once notified of call-out by whatever means, negotiators so directed will respond immediately as directed with all required equipment.

1. Required equipment will include the team member's:

- a) Police badge and identification card.
- b). Authorized handgun, either of on or off-duty type as appropriate.
- c). Operationally Sensitive/Not for Publication. d). Portable radio.
- e). Flashlight.
- f). Cellular Telephone (if issued).
- g). Audio Recorder.
- h). Negotiator jacket or parka with 'POLICE NEGOTIATOR' logo.
- i). Appropriate clothing for anticipated weather conditions. Team members are recommended to keep their logo outerwear and/or foul weather gear in their assigned vehicles.

2. Team members unable to respond for any reason when called out shall immediately notify Dispatch and the CNT /Special Operations Commander or another responding CNT member if the unit commander is unavailable.

C. On-Duty Response to Incidents. CNT team members who are on-duty are always available to respond to incidents where a full call-out procedure is not initiated. CNT team members are encouraged to monitor the police radio and make their availability known to respond to incidents where their specialized training and skills could be utilized. Many incidents may be resolved by the utilization of on-duty team members.

D. CNT Incident Initiation. Upon their arrival at an incident, CNT team members will immediately report to the Command Post or Command Van, as applicable, to contact the Incident Commander or the CNT /Special Operations commander if so designated, for detailed briefing and assignment. In the case of a lesser incident, the CNT team member will make contact with the scene Supervisor or First Responder.

1. The first negotiator to arrive at an incident will receive a briefing by First Responders, witnesses, or any other parties with information on any aspect of the incident, to obtain a clear overview of the incident.
2. The first responding negotiator, if time permits, or subsequently arriving negotiators as necessary, will ascertain where and tentatively by what means communications will be established, considering the nature and circumstances of the incident, and make recommendations to the Incident Commander if necessary regarding possible processes and strategy of the negotiations from the preliminary information then known.
3. Subsequent team members shall report to the first negotiator, or negotiator team leader if present, for briefing and assignment to specialized duties during the incident.
4. Team members will commence the duties of their specialized assignments when and as directed by the Incident Commander or designee and shall continue them until directed otherwise.
5. The location and method used for establishing communications will be dependent on circumstances at hand, and may change as the incident progresses.
 - a). Communications may be opened from any Command Post with or without the Command Van facilities.

F. Outside-Agency Requests. Requests for CNT assistance made by outside agencies may be honored after being referred to the Patrol division commander for review and approval. Approval being granted, the CNT/Special Operations commander will cause the appropriate team members to be directed to respond to the incident location specified.

1. CNT members so assigned will be guided by the CNT unit procedures in effect at the time for their operating instructions.
2. Team members may work in conjunction with outside-agency CNT personnel, or as sole CNT personnel in an incident.
 - a). If teamed with outside-agency CNT personnel, APD CNT members will abide by the policies and procedures of the agency in jurisdiction, unless such policies and procedure come into direct and serious conflict with current APD policy and procedure, or are in violation of any rule of law.
 - b). If used as the sole CNT for any related duties in an incident, APD CNT members will be governed by APD policy and procedure.

IV. CNT TEAM MEMBER DUTY ASSIGNMENTS

A. Duty Assignment Selection. Individual CNT team members are assigned specific, specialized duties during an incident dependent on the tactical and strategic requirements of the incident, and by the direction of the Incident Commander.

Either the first negotiator or negotiator team leader, if designated, may assign specialized incident duties. Team members are generally considered to be equally qualified to perform all of the duties of a negotiator.

1. Normally, assignment to each specialized duty will be decided for each incident on a volunteer basis, with a consensus of the team members responding to that individual incident.
2. An informal rotation of assignments will be maintained to assist all members in becoming equally proficient and experienced in all tasks.
3. Operationally Sensitive/Not for Publication.
4. Should disputes arise for any reason, assignments to duty shall be made by the negotiator team leader or first arriving negotiator if some urgency dictates.
5. Assignment will not be based upon departmental position, unit seniority, or rank.

The team assigned for an incident without SWAT will consist of a primary and secondary negotiator only, unless directed by the Incident Commander.

V. CNT TEAM MEMBER SELECTION

A. CNT Unit Staffing. A minimum of eight (8), with a preference of twelve (12) officers and two (2) Supervisors shall be maintained as active CRU members both for adequate staffing of teams and to provide a sufficient relief pool of trained negotiators for call-outs of long duration.

Recruitment for CNT will be opened as necessary for staffing requirements. A list of qualified applicants will be maintained for the following twelve month period.

B. Selection Criteria. The position of negotiator with CNT is strictly voluntary and is open to all sworn members of the Anchorage Police Department with a minimum of three years police experience. Final selection for membership in CNT will be made by the Patrol division commander. C. Selection Process.

Applicants will be required to make written application for membership in CNT; the application listing their qualifications, experience, reasons for their interest in the position, and why they feel their addition to CNT would benefit the unit. All persons applying and otherwise qualified will be required to:

1. Appear before an oral board composed of the Patrol commander and/or CNT commander, and at least two (2) serving CNT team members; the board striving to select the best candidate based upon:
 - a). Experience.
 - b). Communication skills.
 - c). Prior training, if any.
2. Pass a psychological examination limited to inquiry into their psychological fitness for the duties of negotiator.

3. Other testing or evaluations as deemed necessary by the Special Operations Commander or CNT supervisor.

D. Post-Selection Training. All persons selected for CNT following the oral board and psychological examination will be required to pass a 40-hour formal training course in negotiations history and background.

E. Team Member Recognition. All serving CNT members are required to wear the current CNT insignia on their outer garments, excepting the negotiator jacket or parka unless desired, as directed by the general procedures manual.

VI. CNT TRAINING/DEBRIEFING REQUIREMENTS

A. CNT Training Schedule. Training for CNT team members, past the original 40-hour formal course for selection, will be held once every month. Such unit training will consist of updates in procedures, discussions of incidents occurring in the interim involving CNT, and participatory scenarios including role-playing exercises.

1. SWAT members and representatives of the mental-health profession will be encouraged to participate in CNT training sessions.
2. On-going training will include analysis and reviewing of incident negotiations tape-recordings.

B. Critical Incident Joint Exercises. Joint-unit training exercises will be conducted on a yearly basis, including the Command staff, and all CNT, SWAT, and Mobile Command Post operators, to allow cohesive operations training between those units necessary for a critical incident.

C. Attendance Requirement. All team members are required to attend training sessions and debriefings by team and unit unless excused by the CNT supervisor or lead negotiator. Unexcused failure to attend training could result in suspension from active participation in negotiation incidents until the next training session or possibly removal from the CNT entirely.

D. Training Coordinator/Historian. The CNT training coordinator/historian is responsible for coordinating and organizing each training session, as well as for keeping records on CNT activities and incidents.

1. The training coordinator/historian will keep current the files on each team member, including records of training, and determine any additional training needs.
2. The training coordinator/historian will solicit other team members to assist with the planning and organizing of training sessions.
3. The training coordinator/historian will compile reports and negotiator's notes from CNT -involved incidents for the following debriefing and/or training session.

4. Records of CNT team member training and experience will be maintained by the training coordinator/historian, with correct input into the team member's master training file in the departmental training section.

E. Debriefing Requirements. All CNT team members participating in incidents as negotiators will attend all post-incident debriefings both by team and jointly with SWAT, if applicable. Additionally, team members will debrief following an incident:

1. As a unit with all other CNT team members for the benefit of training and discussion at the next training session following the incident.

2. An Incident Report form shall be completed for all incidents in which a CNT member is utilized in the capacity of a negotiator regardless of whether or not it is the result of a formal callout. A copy shall then be forwarded to a CRU Supervisor and/or Special Operations commander for review, and then to the Patrol Commander. Once reviewed by the Supervisor or Commander, it will be forwarded to the Training Coordinator/Historian for recording.

Anchorage Police Department Regulations and Procedures Manual	Administrative Procedures 3.09.030	
Policy and Procedure Title Traffic Unit Coordination	Effective Date 7/26/2012	Page 1 of 4
Replaces Prior Policy: December, 2010	Approved by: Chief Mark T. Mew	

This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.09.030 Traffic Unit Coordination

PURPOSE

To advise all personnel of the proper method of coordinating traffic collision investigations with the Traffic Unit, by describing the Traffic Unit's role and its deployment standards and procedures.

POLICY

The Traffic Unit Supervisor will be notified of any collision resulting in a fatality. A Traffic Unit Collision Investigator *may* be called to any collision where there is serious physical injury and one or more drivers could be charged with a felony criminal offense, or to any collision where there is serious physical injury and where drugs/alcohol have or are suspected to have been used. The Traffic Unit will review all collisions involving serious physical injury and may assign follow up according to this procedure.

The Traffic Unit may be called out in unusual circumstances with the approval of the Chain-of-Command.

The Traffic Unit will be notified and the Traffic Unit will be called out for any collision that is a result of a police vehicular pursuit.

Every effort will be used to utilize on-duty resources, however, if this cannot be accomplished, the Collision Investigator will request a Traffic Unit call out from the Traffic Supervisor. Traffic Unit officers will be called out on an "as needed" basis to assist with the investigation. Unit call out will be conducted by the Traffic Unit Supervisor according to established unit procedures.

DEFINITIONS

Fatal collision- Any vehicle collision where one or more persons are immediately killed, or death appears to be imminent, as a result of the collision.

Physical injury- As defined by Alaska Statute 11.81.900 (b)- “physical injury means a physical pain or an impairment of physical condition.”

Serious physical injury- As defined by Alaska Statute 11.81.900(b)- “physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy.”

PROCEDURE

- I. Collisions involving one or more Fatalities or as a result of a pursuit.
 - a. A Patrol Supervisor will contact the Traffic Unit Supervisor. The Patrol Supervisor will inform the Traffic Supervisor of the location, number of people killed or injured, status of the scene, location of drivers and injured persons, and any other relevant information.
 - b. The Patrol Supervisor is to ensure the integrity of the scene until relieved by the Traffic Unit Supervisor or the Collision Investigator. The Patrol Supervisor will coordinate with the Traffic Unit Supervisor or the Collision Investigator in the event additional resources are needed such as traffic control or transport of involved persons to the hospital or police station.
 - c. A Traffic Unit callout will be initiated for collisions that are a result of a pursuit, unless the involved shift commander approves no callout being made.
 - d. Incidents involving a single vehicle, where the driver has died, *may* result in a full Traffic Unit callout, but will be evaluated on a case by case basis. A Collision Investigator may be sent to the scene to determine the extent of the investigation.
 - e. In collisions involving a fatality a Drug Recognition Expert will evaluate the drivers according to the DRE program’s established protocol and training.
 - f. Fatal crashes involving wildlife, such as moose/vehicle collisions, may result in a full Traffic Unit callout. A Collision Investigator may be sent to the scene to determine the extent of the investigation.
 - g. The Collision Investigator who responds to the scene will be responsible for all follow up investigation related to these cases.

II. Collisions Involving Serious Physical Injury

- a. A Patrol Supervisor should respond to the scene and establish that the injury level meets the criteria of this procedure. If it does, the supervisor will then contact the Traffic Unit Supervisor who shall determine if a call out is necessary. If the criteria for call out are met, the Traffic Unit Supervisor will call out the Collision Investigator.
- b. The Collision Investigator will respond to the scene and assess the resources to process the scene, interview witnesses, passengers and drivers. If the Collision Investigator determines the need for additional resources, or more technical assistance, they will contact the Traffic Unit Supervisor who may request additional Traffic Unit officers.
- c. The Collision Investigator who responds to the scene will be responsible for any follow up investigation.

III. Serious Physical Injury Collisions with Drug/Alcohol Involvement-

- a. In any collision where one or more drivers have used drugs or alcohol, where serious physical injury has occurred, the Patrol Supervisor will contact the Traffic Unit Supervisor and request a Collision Investigator.
- b. The Collision Investigator will respond to the scene and assess the resources to process the scene, interview witnesses, passengers and drivers. If the Collision Investigator determines the need for additional resources, or more technical assistance, s/he will contact the Traffic Unit Supervisor who may request additional Traffic Unit officers.
- c. The Collision Investigator who responds to the scene may be responsible for all follow up investigation related to these cases if the Traffic Unit Supervisor elects to adopt the case for investigation.

IV. Physical Injury or Non-Injury Collisions-

- a. If an injury crash occurs and it does not meet the criteria above, then the responding Patrol Officers are responsible for the initial traffic collision investigation. The Collision Investigator will not be called out.

V. At Scene Actions

- In all serious physical injury or fatal collision cases ensure the following is done:
- Secure the scene.

- Secure all drivers, passengers, witnesses and separate them for interviews or DUI/OUI testing.
- Coordinate with Traffic Unit Supervisor.
 - Begin blood draw procedure from surviving drivers.
- If the deceased have not been transported by medics, leave them in place.
- Photograph the bodies prior to covering them if required due to onlookers or media presence.
- Ensure the documentation/photographing of any evidence which could be lost to weather or other circumstances.
- Prepare to detail officers to take photos, collect evidence, complete a diagram, and deal with the driver(s) if the Collision Investigator is the only one called out.

VI. Use of On Duty Traffic Officers in Traffic Collisions

a. Fatality cases-

- i. On-duty Traffic Unit Officers should be dispatched to the scene immediately. The Traffic Supervisor shall be notified if on-duty Traffic Officers are on scene to avoid duplication of resources. The Traffic Unit will assume responsibility for the case and any related follow up. Patrol officers may be used to assist the Traffic Unit as needed.

b. Serious Physical Injury cases-

- i. Once a Patrol Supervisor has established that the crash meets the criteria for a serious physical injury crash, on-duty Traffic Unit Officers should be dispatched to the scene and the Traffic Supervisor shall be notified. The Traffic Officers will be responsible for processing the scene until the Traffic Unit Supervisor has been notified of the crash and the Collision Investigator is detailed to the scene.

VII. Weather related crashes-

- a. In extreme weather conditions where there is a large volume of collisions, such as the first snow day, Traffic Officers may be detailed to assist with collisions. The on-duty Patrol Supervisor shall notify the Traffic Unit Supervisor of the need for the officers and the Traffic Officers may be detailed as they become available.

*End of Document

Chapter 10

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.000-005	
Policy and Procedure Title General Operations Automatic External Defibrillators (AED)	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.000 General Operations

3.10.005 Automated External Defibrillators (AED)

PURPOSE

To advise all personnel of the approved method for use of the automated external defibrillators.

POLICY

That the use of automated external defibrillators (AEDs) be consistent with the principles of safe, expedient emergency care.

PROCEDURES

I. AED EQUIPMENT MANAGEMENT

A. AEDs will be distributed 24 hours per day. In order to ensure constant distribution, officers shall follow the established guidelines.

1. All AED trained and currently certified Officers shall obtain an AED at the beginning of each shift.
2. Employees are responsible for ensuring their AED is fully stocked and that the supplies are not expired. Employees will not open electrode packages except during patient treatment. If there are deficiencies in the supplies, the employee shall notify their shift supervisor.
3. The shift supervisor shall monitor distribution to confirm that all AEDs are distributed appropriately.
4. Officers in possession of an AED shall return the AED at the end of shift to the designated storage area or deliver the AED to an officer assigned to the following shift.
5. Each AED has a service due date. In the event that the service due date is past due and/or the low battery or service symbols are illuminated,

the officer will deliver, or cause to be delivered, the AED to the radio shop and retrieve the AED as soon as the maintenance check is completed.

6. Ensure the AED is kept within the heated area of the vehicle. AEDs are not to be stored in the trunk during the winter months. The AED must be maintained at room temperature (approximately 68 degrees) for one hour prior to use. If temperatures outside are below room temperature, officers will ensure the vehicle maintains room temperature. During winter months, officers who have a permanently assigned AED will ensure that the AED is protected from freezing when they are not on duty.

II. AED USE

A. Only trained employees will use the AED. Responding employees will use AEDs in a manner consistent with American Heart Association training received from the Department. AEDs will only be applied to patients, older than 12 months of age, who are unconscious, unresponsive, not breathing, have no signs of circulation (no pulse), and the employee has performed 5 cycles of CPR.

1. The only exception for the AED being applied before 5 cycles of CPR is, if the victim is older than 12 months, unconscious, unresponsive, not breathing, has no signs of circulation (no pulse), and the rescuer (who is a certified BLS Healthcare Provider) witnessed the victim collapse and the rescuer has an AED immediately available. If all these criteria are met the AED can then be applied prior to the 5 cycles of CPR.

2. If the AED pads cannot be placed in the correct position on the patient's body without overlapping, then the pads may be applied in the anterior/posterior position. Do not use this method if the patient's circumference is so small that the pads overlap. In this case, use CPR only.

B. When two rescuers are available, and the situation allows it, one should provide airway management (breaths) and the other provide chest compressions. After every 5 cycles, officers should switch roles.

C. Upon receipt of the AED, the officer will:

1. Ensure the service symbol (in the shape of a wrench) or low battery symbol are not illuminated. It isn't necessary to turn on the AED to perform this check.

2. Ensure the AED service due/inspection date has not passed.

3. Ensure the AED is equipped with the following items:

- a). two sets of electrode patches
- b). one CPR mask
- c). one pair of scissors
- d). one cloth or gauze pad

e). one disposable razor

D. After any AED use ('use' is defined as applying electrode patches and turning the AED on), the officer who used the AED shall:

1. Attempt to replenish the used electrode patches from the Anchorage Fire Department employees.
2. Completely document the circumstances of the AED application and/or use to include:
 - a). The patient information
 - b). The circumstances of the medical emergency
 - c). Whether CPR was performed by any bystanders
 - d). Whether no shock was advised and if a shock was advised, the number of shocks given
 - e). If a shock was given and whether it had an effect on the patient
 - f). Which hospital the patient was transported to for further care
3. Notify a Supervisor of the AED use and coordinate the data retrieval from the AED. This can be accomplished by placing a tag on the AED indicating the need for a download and a copy of the report attached to the AED. An e-mail, providing notification of the use should also be sent by the officer to the AED control officer.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.10.010	
Policy and Procedure Title Chaplaincy Program		Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.010 Chaplaincy Program

PURPOSE

To advise all personnel of the services provided by the Anchorage Police Department's Chaplaincy Program, and how these services are made available to the individual members.

POLICY

That members of the Department be afforded every reasonable facility and opportunity to maintain good mental health.

DISCUSSION

Many issues arise in the personal lives of employees that directly affect job performance, and people often find resolution of these issues is enhanced with the aid of a cleric. The Department, therefore, has incorporated a Chaplaincy Program to make access to such services more immediate. The following procedure describes the Chaplaincy Program.

DEFINITIONS

Departmental Chaplain: A full time paid position. Serve the needs of the Police officers, personnel and oversee the program.

PROCEDURE

I. DUTIES OF THE DEPARTMENTAL CHAPLAIN

- A. The Chaplains primary role is to provide services, support and resources to the Police Officers, their families or any departmental personnel on a confidential basis.
- B. Assist, when requested, officers making death notifications, or to assist at the scene of a fatality, death or any critical incident.
- C. Assist, train and participate in Critical Incident Stress Management services for all Law Enforcement personnel.

D. Attend and provide invocations at Department functions, graduations, retirement or award functions and memorial services as requested.

E. Oversees recruitment, training and placement of volunteer chaplains from the community representing a diversity of faiths to assist with the mission of the program.

II. DEPARTMENT TRAINING

A. Chaplains are encouraged to attend and participate in any training classes at the Police Academy that may be helpful in their role as a chaplain, including firearms and sworn in-service training.

III. UNIFORM

A. All Chaplains will comply with the Anchorage Police Departments Uniforms, Appearance, and Equipment Policy for Chaplains.

IV. BUILDING AND ACTIVITY ACCESS

A. Access to the building past the front counter will be granted any time.

B. Attendance of any regular shift briefings is allowed, and encouraged.

C. Riding on patrol by invitation of an individual officer or Supervisor is permitted and encouraged.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.10.015	
Policy and Procedure Title Cold Alert		Effective Date 8/10/09	Page 1 of 2
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

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3.10.015 Cold Alert

PURPOSE

To advise all personnel of the elements of the Department's "Cold Alert" program, and to instruct how it is implemented.

POLICY

The Department's primary responsibility of protection of life includes special awareness of the hazards of cold weather to those citizens who are incapacitated by poor health or chemical abuse. This protection shall be in the form of actively seeking vulnerable populations and transporting them to warm shelter during periods of extreme cold.

PROCEDURE

I. IMPLEMENTING A COLD ALERT

A. Temperature. When the temperature or wind chill factor reaches 0 degrees Fahrenheit (-18 degrees Celsius), the Anchorage Police Department will be placed on Cold Alert.

B. Other Circumstances. Nothing herein shall preclude the shift's highest ranking uniformed officer from initiating a Cold Alert for exigent circumstances, regardless of actual temperature or wind chill. That person, however, is individually responsible for cancelling the Alert, and/or relaying all pertinent information to the oncoming shift.

II. RESPONSIBILITIES

A. Dispatch Center's Responsibilities.

1. The Dispatch Center shall, on its own initiative or by instruction from a shift supervisor, maintain contact with the National Weather Service to ascertain if the temperature or wind chill factor reaches 0 degrees Fahrenheit (-18 degrees Celsius).

2. The Dispatch Center shall broadcast over the main channels when Cold Alert standards are reached and obtain an acknowledgement from a shift supervisor.

B. Shift Commander and/or Supervisors. The highest ranking uniformed officer of the shift who becomes aware of conditions approaching Cold Alert standards shall:

1. Notify or cause the notification of the Community Services Patrol, and request their assistance in placing any person(s) located.

C. Patrol Officers Responsibilities. Individual officers on regular patrol always have the responsibility of being alert to public safety issues, including protective custody when appropriate. However, during a Cold Alert, the patrol must become more focused and intensive. When advised of Cold Alert status, officers shall:

1. Aggressively seek vulnerable populations exposed to the cold. When found:

a). If the person is not incapacitated, that person will be offered transportation to the Brother Francis Shelter (or other appropriate, designated shelter) if there is no other place for that person to go.

b). If the person is incapacitated or unconscious, or if symptoms of hypothermia or other medical problems arise, that person shall be furnished medical attention. If a medical determination is made that the subject is intoxicated only, then the officer shall take the subject into protective custody as delineated in AS 47.37.170 (see "Protective Custody--Non-Criminal Commitment").

III. CONTINUING AND TERMINATION OF A COLD ALERT

A. Dispatch Center's Responsibilities.

1. Dispatch Center will monitor temperatures through the National Weather Service and broadcast over main channels if the temperature rises above 0 degrees Fahrenheit, thus cancelling the cold alert status.

2. Should the temperature remain colder than 0 degrees Fahrenheit throughout the shift, the Dispatch Center will enter the Cold Alert status on the daily bulletin to inform oncoming shift(s), as well a periodically re-broadcast the Cold Alert Status.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.10.020	
Policy and Procedure Title Deaf/Hearing Impaired		Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.020 Deaf/Hearing Impaired

PURPOSE

To advise all personnel of the options and facilities available when dealing with deaf or hearing impaired subjects.

POLICY

That persons who are deaf or hearing-impaired not have that handicap impede satisfactory communications with members of the Anchorage Police Department.

DISCUSSION

A deaf or hearing-impaired person trying to relate emergency information to the police can be an especially stressful situation, both for that subject and the police. Officers can help, however, by being familiar with the various options and facilities available to assist in communication. This procedure is designed to aid the officer in dealing with a deaf or hearing-impaired person.

DEFINITIONS

TTY—Teletype: Trade-named abbreviation for original telephone carried teletype messages.

TDD: Telecommunication Device for the Deaf.

PROCEDURE

I. IDENTIFICATION OF THE DEAF

A. Indications. Usually, a deaf person will indicate the handicap by pointing to his/her ears and/or shaking his/her head to indicate no understanding. Often, a deaf person will reach into a pocket for paper and pencil.

B. Verification of Deafness. A deaf person will often carry identification showing membership in an organization for the deaf. Relatives, friends, and ministry can help verify deafness if other methods fail.

II. AREAS OF MISUNDERSTANDING/MISCONCEPTIONS

A. Officer Misinterpretations.

1. The movement to get paper and pencil will be natural for that person. This can be misinterpreted by officers as a move for a weapon.
2. A deaf person will normally nod in agreement, even though he/she might not understand what is being communicated. Officers can accidentally "lead" the conversation in this way.

B. Misconceptions of the Deaf.

1. Deaf people are rarely fluent in lip-reading and even the best can discern only about 1/3 of the words spoken. Do not rely on this method for communication.
2. Not all deaf people are mute, though most will have defective speech as a result of not being able to hear what they are saying. True muteness is only when the physical apparatus for speech is defective.

III. LEGAL ENTITLEMENTS AFFORDED THE DEAF

A. Miranda Warnings. If the criteria are met for requiring the Miranda warning, that warning must be communicated and understood by that person, regardless of deafness or other handicap/impediment. When working with the deaf:

1. Show the warnings in print--do not read them aloud.
2. Indicate in writing that the warnings apply to anything written or communicated in any fashion.
3. Ensure the subject is aware that interpretive services can be provided, either through his/her own attorney or through other facilities.

B. Telephone Communications. The deaf suspect, like any other, is entitled to communication with attorneys and, in some instances, with family and/or friends. It is the officer's duty to provide reasonable opportunity for this, normally by either placing this call for the subject, or providing TTY/TDD telephones.

C. Field Methods. When officers encounter a deaf or hearing-impaired subject with whom communication is necessary, the following methods should be considered:

1. Writing. In the majority of cases, the subject will readily write the information sought, but at his/her own skill level.
2. Signing. Though several different sign languages exist, the American Manual Alphabet (finger spelling) is by far the most common. For assistance in signing, officers should follow the procedure below:
 - a). Contact the Dispatch Center to determine if any on-duty personnel are proficient in signing. If there are none, then:
 - b). Request the Dispatch Center research other available facilities, such as a volunteer call-out list, Crisis Line services, and the like.

D. Telephonic Methods. Officers should be aware that a method exists for deaf people to communicate by telephone. This facility is known as "TTY" and "TDD" communications. A person may call for police/fire/paramedics from a TTY or TDD telephone unit, and the person receiving the call will hear a distinct tone. This alerts the call-taker that a TTY/TDD call is on line. The machine receives typed-in messages, and call-takers can transmit typewritten responses. Although the individual officer may not ever have occasion to use a TTY/TDD facility, this information may be helpful to relay to persons affected, yet unaware of these important facilities.

IV. ADDITIONAL CONSIDERATIONS

A. Interpreter Identification. Officers should realize that a sign language interpreter must comply with a set of ethics. The interpreter should keep all assignment-related information strictly confidential. He/she should render the message faithfully, conveying the content and spirit of the speaker, and using language most readily understood by the person(s) whom they serve.

Staff from the Center for Deaf Adults may be called for further assistance and services. CDA staff can perform a broader role than sign language interpreters. They can do a significant amount of explaining and paraphrasing, while the sign language interpreter has a strict duty to act as an utterly neutral agent. Since questions of understanding rights and the like can surface, officers should fully identify the sign language interpreter and/or CDA staff used for possible testimony in court.

B. Videotaping Interviews. When circumstances allow, nothing precludes officers from videotaping interviews to achieve the equivalent of tape recording conventional interviews.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.025	
Policy and Procedure Title Digital Imaging	Effective Date 8/10/09	Page 1 of 7
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.025 Digital Imaging

PURPOSE

To establish departmental policies and procedures for capture, storage and processing of digital images.

POLICY

It shall be the policy of the Anchorage Police Department to capture, store, and process all analog and digital images in a professional manner in accordance with established procedures in order to maintain a high standard of preservation for this type of evidence.

DEFINITIONS

Definitions are abstracted and adopted from Scientific Working Group on Imaging Technologies and Webster's Dictionary. These definitions are intended to facilitate discussion and any necessary testimony. The following definitions are widely accepted and recommended.

Capture: The process of recording an image.

Capture Device: A device used in the recording of an image.

Compression: The process of reducing the size of a data file.

Digital Image File: A record that includes image data and related data objects.

File Format: The structure by which data is organized in a file.

Fourier Transform: Technique for expressing a waveform as a weighted sum of sines and cosines.

Image: An imitation or representation of a person or thing, drawn, painted, photographed, etc. (Webster's New World Dictionary, Third College Edition)

Image Analysis: The extraction of information from an image beyond that which is readily apparent through visual examination.

Image Enhancement: Any process intended to improve the visual appearance of an image.

Image Output: The means by which an image is presented for examination or observation.

Image Processing: Any activity that transforms an input image into an output image.

Image Processing Log: A record of the steps used in the processing of an image.

Image Transmission: The act of moving images from one location to another.

Image Verification: A process by which an individual identifies an image as being an accurate representation.

Imaging Technologies: Any systems and/or methods used to capture, store, process, analyze, transmit, or produce an image. Such systems include but are not limited to film, electronic sensors, cameras, video devices, scanners, printers, and computers.

Intermediate Storage: Any media or device on which an image is temporarily stored for transfer to permanent or archival storage.

Legacy File Management: A methodology for preserving data and images so that they are retrievable as technology changes.

Lossless Compression: Compression in which no image data is lost and the image can be retrieved in its original form. Lossless file types include but are not limited to .tiff, .png, .raw, .psd.

Lossy Compression: Compression in which image data is lost and the image cannot be retrieved in its original form. Lossy file types include but are not limited to .jpg, .tiff.

Native File Format: The file format of the primary image (original image).

Source Code: The list of instructions written in a standard programming language used to construct a computer program. This information is not usually provided absent a court order or prior contractual agreement.

Storage: The act of preserving an image.

Storage Media: Any object on which an image is preserved.

Original Image: An accurate and complete replica of the primary image, irrespective of media. For film and analog video, the primary image is the original image.

Preserving Original: Storing and maintaining the original image in an unaltered state. This includes maintaining original digital images in their native file format.

Primary Image: The image captured at a scene – of the item being documented. This image is also called an Original and it is archived without change in content or format as an exact duplicate of the primary image.

Working Image: Any image subjected to processing.

PROCEDURE

OPERATIONALLY SENSITIVE/NOT FOR PUBLICATION

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.030	
Policy and Procedure Title Digital Audio Recording Policy	Effective Date 5/17/2010	Page 1 of 4
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.030 Digital Audio Recording Policy

PURPOSE

To establish departmental policies and procedures for capture, storage and processing of digital recordings.

POLICY

It shall be the policy of the Anchorage Police Department to capture, store, and process evidentiary digital recordings in a professional manner in accordance with established procedures in order to maintain a high standard of preservation for this type of evidence.

DEFINITIONS

Audio Recording: to cause sound to be registered on something (as a disc or magnetic tape) in reproducible form.

Audio Recording Enhancement: Any process intended to improve the audible quality of a recording.

Audio Recording Processing: Any activity that transforms an input recording into an output recording.

Audio Recording Technologies: Any systems and/or methods used to capture, store, process, analyze, transmit, or produce an audio recording.

Capture: The process of creating an audio recording.

Capture Device: The equipment used to capture the audio recording.

Data Objects: Objects or information of potential probative value that are associated with physical items. Data objects may occur in different formats without altering the original information.

Digital Audio File: A record that includes audio data and related data objects.

File Format: The structure by which data is organized in a file.

Intermediate Storage: Any media or device on which a recording is temporarily stored for transfer to permanent or archival storage.

Primary Recording: The recording captured at a scene of the subject being documented. This recording is also called an Original and it is archived without change in content or format as an exact duplicate of the primary recording.

Storage: The act of preserving an audio recording.

Storage Media: Any object on which an audio recording is preserved.

Source Code: The list of instructions written in a standard programming language used to construct a computer program. This information is not usually provided absent a court order or prior contractual agreement.

Working Recording: Any recording subjected to processing

REFERENCES

Rules of Evidence

Federal Rules of Evidence: Article X (Contents of Writings, Recordings, and Photographs)

State of Alaska Rules of Evidence: Article X, Writings

PROCEDURES

All personnel utilizing digital audio technologies shall be knowledgeable and proficient in accordance with standard operating procedures and the operation of the relevant digital audio technologies. No employee shall make use of digital audio technology in which they cannot demonstrate proficiency. No employee shall process any recording without following the established procedures for documentation and preservation of the processed recording. The equipment user is responsible for having become sufficiently familiar with the equipment, instruction manuals, standard operating procedures, and APD Digital Audio Recording Policy to properly utilize and maintain the proper functioning of the equipment.

Digital Audio training is required and will be coordinated through the Anchorage Police Department Information Technology Unit or other authorized personnel.

When a digital audio recording device is used for evidentiary documentation, no options will be used to alter the recording in such a way that the recording does not accurately represent the subject of the recording or some aspect of the subject. If digital options are needed and utilized for a specific purpose, which cause the recording to be distorted in some fashion, that specific purpose and the effect of utilizing the digital option must be documented.

- A. Preserving Original: Each original recording captured during an investigation, at a crime scene or contact with the public shall be preserved; regardless as to whether an error in procedures may have caused the recording to be taken inadvertently or in a manner that causes

it to be valueless. Any recording that an officer determines to not be part of a criminal investigation must be submitted to the DIMS generic folder assigned to the officer. No recording will be deleted prior to submitting it into the digital evidence system.

Once the file has been archived, the chain of custody shall document the identity of the individuals and groups who had custody and control of the archive recording.

NOTE: Once recorded, it will be down loaded. No deletions from the recorder are allowed until all contents are downloaded successfully.

- B. Condition of recording: The original recording will be stored and maintained in an unaltered state. This includes maintaining original digital recordings in their native file formats. Duplicates or copies will be used for working recordings when applicable and as authorized by the chain of command. All edits must be documented with stated purpose. The original will be available as needed. No original recording will be altered in any way from how it was captured and will stay in the same digital format as it was captured.

- C. Timely Submission: Audio Recordings shall be submitted, like all evidence, prior to the completion of the officer's shift, including overtime and extra detail shifts.

Once the audio recordings have been submitted as evidence or non-evidence, a copy of the audio recording shall be maintained on the officer's work computer for six (6) months unless the downloading officer takes specific steps to assure that proper submission has occurred.

In the case of off duty contact tapes, supervisor authorization is required to incur overtime to accomplish the download. Otherwise, down load of the audio recording is required within three (3) days or the first shift back to work.

When the audio recording is properly downloaded, clear the recorder.

The saving of digital voice recordings will be clearly noted in the associated police report.

- D. Storage and retrieval: Digital Audio Recordings will be saved to the Digital Evidence server maintained by the Information Technology unit. Officers will follow the steps outlined in the system for storage and verification of the audio file before final submission to the system.

When audio file copies are required for court, etc, the Evidence unit personnel will provide copies as requested.

- E. Verification of Original and Processed Recordings: Personnel who captured the original recording or were present at the time the original recording was captured will verify that the recording is a true and accurate representation for court purposes.

- F. Retention: The Property and Evidence Unit will be responsible for maintaining the infrastructure that preserves the evidentiary files and documents the chain of custody, with the assistance of the Information Technology unit.

Files will be stored on the server for the same length of time as physical evidence is maintained following retention and disposal procedures adopted by APD. Periodically, as determined by the level of the technology used, the files will be converted to a long term storage media and will be stored by property and evidence.

- G. Guidelines for Software: The purchase of all software will be vetted through the Information Technology Unit.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.035	
Policy and Procedure Title Diplomatic Immunity and Consular Notification for Foreign Nationals	Effective Date 10/11/2011	Page 1 of 5
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.035 Diplomatic Immunity and Consular Notification for Foreign Nationals

PURPOSE

To provide guidance to officers who come in contact with foreign nationals during the performance of their official duties.

POLICY

The Anchorage Police Department will make every reasonable effort to abide by the terms and conditions ratified by the Vienna Convention on Consular Relations concerning the arrests, detentions and deaths of foreign nationals and the appointment of guardians for minors or incompetent adults who are foreign nationals.

DEFINITIONS

Foreign National: An individual who is a citizen of any country other than the United States. (U.S. Department of Homeland Security)

DISCUSSION

These treaty obligations are the law of the land under the Supremacy Clause of the U.S. Constitution. Consular notification requirements and conditions of Diplomatic Immunity also apply to American citizens living and traveling abroad. Therefore, officers should treat foreign nationals as we would want an American citizen to be treated in a similar situation in a foreign country. This means prompt notification to the foreign national of the possibility of consular assistance, and prompt notification to the foreign national's nearest consular officials so that they may provide whatever consular services they deem appropriate. Therefore, when officers are presented with situations involving persons who may fall into one of the above mentioned categories, reasonable efforts must be made to investigate that person's citizenship.

PROCEDURES

I. DIPLOMATIC IMMUNITY

A. When a person with known or potential diplomatic immunity is encountered, employees shall notify their supervisor as soon as possible.

B. Foreign nationals with diplomatic immunity are issued an official Identification Card by the Department of State.

1. The degree of immunity is detailed on the back of the ID card. Police employees should be sure to read and document the degree of immunity granted prior to taking further action. It is important to note that not all foreign nationals are granted FULL immunity from detention, arrest and/or prosecution.

2. Additionally, supervisors should contact the Department of State to verify the immunity status of the foreign national and seek further guidance.

C. When a foreign national with full diplomatic immunity is involved and the safety of the public is in imminent danger or it is apparent that a grave crime may otherwise be committed, police authorities may intervene to the extent necessary to halt such activity.

This intervention may include use of force and/or arrest if otherwise justified according to existing policy. The Department of State must be contacted immediately in these cases.

Foreign nationals may be stopped for investigation (Terry Stop) or stopped and cited for traffic violations regardless of their diplomatic immunity.

1. A traffic stop is not considered to be an arrest or detention as it relates to diplomatic immunity.

2. If the officer determines the individual is too impaired to drive safely, the officer should not permit the individual to continue to drive (even in the case of diplomatic agents). Immunity may not prevent Diplomats from certain administrative actions, such as vehicle impoundment.

D. When a foreign national with full or any other level of diplomatic immunity is suspected of committing a crime, obtain as much information as possible during the initial investigation and thoroughly document it in a Police Report. Then, a supervisor shall contact the U.S. Department of State for assistance.

II. CONSULAR NOTIFICATION

A. General Guidelines: The arresting officer must first determine the foreign national's country of origin. In the absence of other information, officers should assume this is the country listed on the passport or other travel documents held by the foreign national. If the foreign national's country is not on the mandatory notification list, (*see below) officers should offer to the foreign national without delay, to contact his or her consular official. This should be done as soon as practical following the arrest/detention.

1. Officers will advise the arrested/detained foreign national of the following:

“As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country’s consular officers here in the United States of your situation. You are also entitled to communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your consular officers at this time?”^{1[1]}

2. The advisement will be audio-recorded on digital media and documented by requiring the arrested/detained subject to indicate his/her choice. Officers will then document the request in a police report.

3. Depending on the circumstances, a qualified interpreter may be used with non-English speaking or hearing impaired individuals.

4. Officers should advise the booking officer (or similar staff) at the place of detention or medical facility of the person’s status.

B. Notification Requested by Detainee: If the arrestee/detainee does not want his consular officials notified, do not inform the consulate, but do make a note in the detainee’s file. If the arrestee/detainee requests notification, a supervisor will contact the nearest consular official “without delay” to make the notification. The Dispatch Center Supervisor will assist in this. Updated contact information can be found on the Department of State’s website at: <http://travel.state.gov/law/notify.html>. Dispatch Center Supervisors will maintain current contact numbers in order to facilitate these notifications.

1. The State Department defines “without delay” to mean there should be no deliberate delay and notification should occur as soon as reasonably possible under the circumstances.

2. To make the notification, Dispatch Supervisors will use the suggested fax sheet provided by the Department of State’s “Consular Notification and Access” publication. A copy will be attached to the police report.

C. Mandatory Notification: In some cases, the nearest consular officials must be notified “without delay” of the arrest or detention of a foreign national, in some cases it is mandatory, regardless of the national’s wishes. These mandatory notifications must also be made without delay.

D. Officers arresting/detaining foreign nationals in cases of mandatory notification will advise the subject:

“Because of your nationality, we are required to notify your country’s consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you are entitled to communicate with

^{1[1]} Recommended Advisement, Bureau of Consular Affairs, United States Department of State, Summer 2004.

your consular officers. You are not required to accept their assistance, but your consular officers may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things.”¹

E. The list of countries that require mandatory notification to consular officials when one of their citizens is arrested/detained is extensive. To make this determination, officers should seek assistance from the Dispatch Supervisor or other resources.

F. Death of Foreign Nationals: Consular officials must be notified when a government official becomes aware of a death of a foreign national. This notification will permit the foreign government to make an official record of the death for its own legal purposes. Such notice will help ensure that passports and other legal documentation issued by that country are canceled and not reissued to fraudulent claimants. In addition, it may help ensure that the foreign national's family and legal heirs, if any, are aware of the death.

G. Guardian and/or Trustee Issues: Consular officials must be notified when a court considers appointing a guardian or trustee with respect to a foreign national minor or an individual who is incompetent. The legal procedures for appointment of a guardian or trustee can proceed but the consular authorities should be permitted to express any interest their government might have in the issue.

H. Other circumstances: The Department of State can provide further guidance on any issues regarding consular notification and access procedures. During normal business hours, officers may call (202) 647-4415. After hours and on weekends and holidays, officers should call the State Department Operations Center at (202) 647-1512. The Department's email address is consnot@state.gov. Additional information and training materials are available on the Department's website at: <http://travel.state.gov/law/notify.html>.

III. REQUIRED REPORTING

A. The Anchorage Police Department will maintain records and reports in relation to notification requirements. It will be the responsibility of the arresting officer to write a report containing the following information:

1. All information pertaining to a Diplomat's station, immunity and identification.
2. All notifications to foreign consular representatives including name, date, and time.
3. In cases where notification is not mandatory, information should be recorded to indicate that the foreign national was informed of the option of consular notification, the date and time the foreign national was informed, and whether or not the foreign national requested that consular officials be notified. In addition, all notifications to foreign consular representatives including name, date, and time must be documented.

4. If a confirmation of receipt of notification is returned by the consular representative, it should be attached to the incident report.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.040	
Policy and Procedure Title Drug Endangered Children	Effective Date 8/10/09	Page 1 of 6
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.040 Drug Endangered Children

PURPOSE

The purpose of this policy is to instruct all members of the Anchorage Police Department on the procedures regarding the investigation of drug-endangered children.

POLICY

The policy of the Anchorage Police Department is to thoroughly identify and investigate cases involving Drug Endangered Children (DEC) and to ensure successful prosecution of those who place these children in harm's way.

The protocol outlines two different levels of response by the Anchorage Police Department and is coordinated with efforts from the Office of Children's Services (OCS), as well as medical staff, the District Attorney's Office, and the Office of the Attorney General.

A Level I response is mandated for cases involving a drug lab. A lower, Level II response is designed for cases in which the risk of exposure to the child is considered to be less acute.

The focus of the Anchorage Police Department law enforcement officer is to collect evidence for purposes of criminal prosecution and ensure the safety and well-being of those present. The investigating officer/detective will be responsible for the evidence collection relative to the controlled substances, child endangerment, living conditions, health hazards, firearm violations, and other relevant crimes.

A Crimes Against Children detective will conduct the forensic interview of the child victim to establish the elements of child abuse and to conduct the child crimes investigation.

The Records division is responsible for ensuring all DEC reports are delivered to OCS for review. An electronic copy will be delivered to OCS via Packetwriter Report Distribution Manager (RDM).

DISCUSSION

Innocent children are sometimes found in environments where methamphetamine and other illegal substances are produced, sold, or used. This exposure can harm anyone, but is particularly dangerous to children. The dangers include chemical contamination, fire and explosions, child abuse and neglect, hazardous living conditions, and other social problems.

One of the greatest dangers of a methamphetamine lab is contamination. Contamination can occur in a number of ways- through the skin, soiled clothing; household items used in the lab, second hand smoke and ingestion. Children living in methamphetamine labs are more likely than adults to absorb more of the chemicals into their bodies because of their size, and higher rates of metabolism and respiration.

Many methamphetamine labs are discovered as a result of fires or explosions. Young children are less likely than adults to escape from or survive a methamphetamine lab related fire or explosion due to their age, lack of mobility, and the fact that their caretakers are often under the influence of controlled substances.

The presence of methamphetamine manufacturing is often accompanied by increased risk of other problems such as domestic violence; severe physical neglect, (i.e. lack of food, medical and dental care and appropriate supervision); emotional neglect, and physical and sexual abuse. Many children who live in drug labs are also exposed to pornographic material and overt sexual activity.

Hazardous living conditions and filth are common in home-based drug labs. Rotten food, used needles, dirty clothes and dishes, animal feces, and drug paraphernalia such as razor blades, needles, and pipes are often within a child's reach.

Holding adults criminally accountable for Drug Endangered Children is extremely important as an initial deterrent to these actions. Criminal accountability is best achieved through successful investigation and prosecution of child abuse charges. To that end, the development of standardized investigations and evidence gathering protocols should be established for use.

The investigating police officer shall document, photograph, and report the evidence of DEC for purposes of criminal prosecution. The investigating officer should also ensure that OCS is contacted, in situations where it is warranted (a Level I response,) responds to take custody of the child for purposes of a medical exam and to determine placement of the child. In situations where an immediate danger to the health and well-being of the child is not evident (a Level II response,) the investigating officer shall write and turn in a police report to OCS, CACU, and the Drug Enforcement Unit. This report will be forward electronically via Packetwriter Report Distribution Manager (RDM) system.

DEFINITIONS

Level I Response: Children who live in or frequent clandestine drug laboratories or other drug manufacturing operations. The highest priority of this response is

to determine and address the acute health and safety concerns of children as a result of exposure to drugs, toxic chemicals, and physical or sexual abuse.

Level II Response: Children exposed to the sale, use or possession of controlled substances. Although the same priorities and concerns as Level I DEC exist, the urgency may be diminished.

Child Abuse: The physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened.

Child Neglect: Means the failure of a person responsible for the child's welfare to provide necessary food, care, clothing, shelter, or medical attention for a child.

Drug Endangered Child: A child who is exposed to an environment where adults are manufacturing, selling, or using drugs.

REFERENCES

AS 11.71.020a2- Manufacturing Methamphetamine

Anchorage Police Department Clandestine Laboratory Enforcement Regulations and Procedures Manual

Curry County Drug Endangered Child Protocol- as found at <http://www.oregondec.org>

Drug Endangered Children Multi-Disciplinary Response Protocol Washington County, Oregon as found at <http://www.oregondec.org/WashingtonCountyProtocol.pdf>

Drug Endangered Children (DEC) Jackson Country Response Protocol as found at <http://www.oregondec.org/JacksonCountyProtocol.pdf>

Drug Endangered Children Program (DEC) as found at <http://www.capc-coco.org>

Arizona Drug endangered Children DEC Multidisciplinary/Integrated Protocol as found at http://www.azag.gov/DEC/DEC_protocol.pdf

Guidelines for Managing Children Found at Clandestine Methamphetamine Laboratory Sites as found at http://www.georgiadec.org/docs/Guidlines_for_managing_children_found_at_meth_labs.pdf

PROCEDURE

I. LAW ENFORCEMENT LEVEL I RESPONSE:

A. Patrol Officer's Responsibilities:

1. Secure the scene and ensure the safety of the initial responders and civilians present while attempting to preserve evidence.
2. Together with EMS and OCS, assess children for signs of obvious injury or illness and the necessity for immediate gross decontamination prior to transport to the hospital for emergency care.

a). If children are in acute medical distress, emergency decontamination shall be performed by the responding EMS personnel to the extent necessary for EMS transport, with due regard to the physical and emotional effects such decontamination will have on the children.

3. Officers should recognize that in some cases, older children may also have some culpability in the crime. Possible charges against a minor in the juvenile justice system may impact the application of this protocol.

B. Patrol Supervisor's Responsibilities:

1. Notify the Drug Unit Supervisor, if not already involved, who shall initiate a Drug detective call-out for a DEC investigation.
2. Notify a Crimes Against Children (CACU) supervisor of the need to initiate a CACU detective call-out.

C. Drug Unit Supervisor Responsibilities:

1. Initiate a Drug investigator call-out to begin a DEC investigation.
2. When possible, notify an OCS intake supervisor in advance of serving a warrant on a lab where children are known to have been present. If this is not done, contact OCS and request that a caseworker respond to the scene at the time the warrant is served, bearing in mind that non-law enforcement personnel will not be allowed into a crime scene.

D. Drug Investigator Responsibilities:

1. Examine the scene for evidence that indicates the presence of children.
2. Take measurements comparing the height and reach of the children in relation to the location of the lab items and chemicals/equipment.
3. Document and video or photograph the scene giving particular attention to the following risk factors:
 - a). Children's accessibility to drugs, chemicals, syringes, and drug paraphernalia
 - b). Proximity of hazards to children's play and sleep areas
 - c). Non-drug hazards and other indications of neglect
 - d). Access to pornography
 - e). Access to weapons
 - f). Food quantity and quality
 - g). Sleeping conditions
 - h). Sanitary conditions
 - i). Swab a sample of child-accessible areas for drug contamination
4. Photograph the children at the scene and document the following:

- a). Injuries
- b). Cleanliness and dress
- c). Signs of neglect
- 5. Interview neighbors and other witnesses
- E. Crimes Against Children Supervisor Responsibilities:
 - 1. Initiate a CACU Detective call-out if applicable
- F. Crimes Against Children Investigator Responsibilities:
 - 1. Interview the children
 - 2. Collection of evidence during medical evaluation of the children
 - 3. Assist OCS, if necessary, with placement of the children

II. LAW ENFORCEMENT LEVEL II RESPONSE

A. Patrol Officer's Responsibilities:

- 1. Request EMS if children have obvious injuries or illness.
- 2. Evaluate the children's access to controlled substances, physical condition, and the level of care being provided. If emergency placement is necessary, placement of the child is to be coordinated through OCS- the child will not be released to a relative or guardian without authorization from OCS.
- 3. Write a police report classified Drug Endangered Children to be forwarded for screening by OCS (This report will be forwarded to OCS via Packetwriter Report Distribution Manager- RDM). This should be done even if the children are not currently present in the home, but there are indications that children live there.
 - a). The detail of the police report, should include but not be limited to:
 - i. The description of the reported address
 - ii. The number, identity, and/or descriptions of responsible adults in the residence
 - iii. The number, identity, and/or descriptions of the endangered children
 - iv. The presence and frequency of chemical odors
 - v. Chemicals observed at the location and their accessibility to children
 - vi. Specific observations of drug activity
 - vii. Information concerning the presence of weapons
 - viii. Any other dangers observed by the reporting party

B. Record's Supervisor Responsibilities:

1. Ensure all DEC classified police reports were provided to OCS, CACU, and DEU as soon as possible.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.045	
Policy and Procedure Title Gang Intelligence	Effective Date 8/10/09	Page 1 of 9
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.045 Gang Intelligence

PURPOSE

This policy provides guidelines for identification, classification, validation, intelligence storage, and purge criteria for gangs, and gang members. This policy designates a chain-of-command for the Intelligence Unit.

POLICY

Information regarding gang members or gang associates who are reasonably suspected of being involved in criminal activity will be submitted and maintained in the Crimintel Gang Database, which is hosted and maintained by the State Law Enforcement Intelligence Center (SLEIC). All police reports and FI cards that are gang related will be forwarded to the Intelligence Unit. The Intelligence Unit will then complete a Gang Validation Card for each individual suspected of being a gang member/gang associate and entered into the APD Filemaker Pro, "Gang Validation Card" database. After a gang or gang member/associate is validated the gang or gang member/associate will be added into the SLEIC State wide system for access by other participating agencies. All entries into this system will be done by an Intelligence Unit/Gang Specialist who has attended CFR 28 part 23 training and has been approved by the Chief of Police and will ensure information provided to the database is compliant with Title 28 CFR Part 23. The Intelligence Unit (IU) personnel who have attended CFR 28 part 23 training and have been approved by the Chief of Police will input information and all individuals classified as a gang member/gang associate into the Crimintel Gang Database. IU personnel who have attended CFR 28 part 23 training will be the only designated classifiers for this information. Only IU personnel will have direct access to the Gang Intelligence Files stored in the IU office. All other authorized users who have attended CFR 28 part 23 training and have been approved by the Chief of Police will have access to gang information stored in Crimintel for viewing purposes only.

DEFINITIONS

Gang: A group of three or more persons who have in common a name or identifying sign, symbol, tattoo or other physical marking, or style of dress; and whose members individually or collectively are reasonably suspected of involvement in, or are planning to become involved in, a pattern of criminal activity. Any group including outlaw motorcycle gangs, prison gangs, posses, taggers, party crews, car clubs, clicks, subversive groups and their associated membership can qualify under the definition of a gang and may be maintained in the gang intelligence files.

Set: A set, sometimes referred to as an umbrella group, is an association of multiple gangs. Sets are based on ideological similarities and sometimes geographic regions as well. Crips, Bloods, Folk Nation, and People Nation are all examples of Sets or umbrella groups.

Gang Member: A juvenile or adult who has been identified and documented as an active participant in a gang by IU personnel under the Department approved criteria requirements.

Gang Associate: A juvenile or adult who has been identified and documented by IU personnel as one who associates with a gang and is involved in its criminal activity, but is not necessarily identified or recognized as a full member.

Reasonable Suspicion: Reasonable suspicion is established when information exists which establishes sufficient facts to give a trained law enforcement or criminal investigative agency officer, investigator, or employee a basis to believe that there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise (28 CFR Part 23). 28 CFR 23.3(b) (3) states that criminal intelligence information that can be put into a criminal intelligence sharing system is "information relevant to the identification of and the criminal activity engaged in by an individual who or organization which is reasonably suspected of involvement in criminal activity, and meets criminal intelligence system submission criteria. Further, 28 CFR 23.20(a) states that a system shall only collect information on an individual if "there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity." 28 CFR 23.20(b) extends that limitation to collecting information on groups and corporate entities.

Gang Specialist Officer: An officer or detective assigned as a specialist in gang investigations and has attended a gang investigation course and has attended 28 CFR Part 23 training or has comparable, practical experience from previous assignments.

Gang Related Crime: Crimes in which the suspect or victim is a gang member or gang associate, or when the crime is consistent with gang activity based on the surrounding circumstances. This may include, but not limited to incidents when:

1. Suspect or victim has a gang tattoo(s)
2. Suspect or victim has a gang moniker
3. A statement indicating gang involvement was made
4. The suspect or victim demonstrated gang behavior, or
5. Multiple suspects and gang modus operandi (MO) were involved.

A Gang Specialist Officer, along with the IU, shall approve the gang-related crime classification. In the rare circumstance when the classification cannot be determined at this level, the chain of command will be a designated Lieutenant, the Captain of Patrol and/or Detectives, and then the Deputy Chief of Operations to make the final determination.

Gang Motivated Crime: Any crime committed at the direction of, for the benefit of, or in association with a street gang.

PROCEDURE

I. GAND VALIDATION PROCEDURE

A. Police Reports and FI Cards: The IU will review all gang related Police Reports and FI cards. Once an FI card(s) or Police Report(s) on an individual has been received and there is reasonable suspicion that the individual is involved in gang activity a Gang Validation Card will be activated. This card is generated from the Filemaker Pro, "Gang Validation Card" database. This card will be used to validate an individual's status as a gang member/gang associate.

B. Completion: Completion for this card will be tasked to the IU. The IU will initiate this card once an FI card or Police Report on an individual has been received and there is reasonable suspicion that the individual is involved in gang activity. Future FI cards, police reports, or information obtained from other law enforcement agencies on the individual will be used to update the Gang Validation Card.

C. Time to Complete: The IU will have 2 years to validate the card from the date the card was initiated.

D. Validation: All Police Reports and FI cards which are gang-related will be reviewed by the gang specialist officer for verification, classification, and validation. The IU Commander will sign all validation cards in the space provided once gang membership or association by an individual has met the validation criteria (described in section E).

E. Distribution: Printed copy, filed in the IU's files. The validated gang or gang member/associate will then be submitted to the state wide SLEIC database by an IU Officer, designated by the Deputy Chief of Operations, who has attended 28 CFR Part 23 training.

II. GANG-RELATED STATISTICAL CRIMES

The following is a list of crimes which will be monitored statistically by the Department to assess the level of gang crime in the area:

AS 11.41 series (Offenses Against the Person)

AS 11.46 series (Offenses Against Property); or any felony offense

Crime Classifications will be divided into two categories (see definitions)

1. Gang Related

2. Gang Motivated

III. GANG VALIDATION FILE

A. The Gang Validation File will consist of gang validation cards and individual photos (if available). Related reports which are deemed necessary to keep in hard copy format can be stored in the file as well.

B. The APD Gang Validation file will be the only Department-authorized hardcopy file that contains detailed information which establishes an individual's gang membership or association.

C. All APD Gang Validation Card hard copies will be maintained and secured in the IU office by the assigned personnel.

IV. CRITERIA FOR GANG MEMBER/GANG ASSOCIATION VALIDATION

A. The following criteria have been established for identifying an individual as a gang member or gang associate.

1. Indicators of gang membership:

a). Individual admits to criminal gang membership at the time of arrest or incarceration

b). Individual admits to being a gang member in a non-custodial situation

c). Individual has been identified as a gang member by a reliable informant or source

d). Individual has been identified as a gang member by an untested informant or source with corroboration

e). Individual has been seen displaying gang hand signs or symbols

f). Individual has gang tattoos

g). Individual openly associates with documented gang members

h). Individual has been arrested, alone or with known gang members, for a crime consistent with gang activity

i). Possesses documents, which contain gang style literature, symbols, or pictures

2. Self-Admission Criteria: a or b is sufficient enough to validate the individual as a gang member if the gang/group the individual is admitting to have been validated by the APD IU as a gang and there is a reasonable suspicion the individual is involved in gang activity. If the group is classified as a gang at a later date (not to exceed the allowable 2 years to validate individual) by the IU, any individuals who admitted membership to this gang can then be validated as gang members.

3. Gang Membership Criteria: When two or more of these criteria are met and there is a reasonable suspicion of gang involvement, the IU will validate the individual on a Gang validation card as an active member of a specific gang. The criteria can be cumulative over time, a maximum of 2 years.

4. Gang Associate Criteria: When an individual meets at least one of the above criteria and is linked to a documented gang member, he/she may be designated as a gang associate provided the individual is reasonably suspected of involvement in the criminal activity of the gang

5. State-hosted Gang database for APD: The state-hosted database came on line in early 2006. It resides at <http://sleic.dps.state.ak.us/crimintel/>. A user name/password is required. Gang-related police reports will be entered into the APD Gang database, which will be known as Crimintel. Crimintel will be utilized to assist in validation of street gangs, gang members and gang associates.

V. INTELLIGENCE UNIT RESPONSIBILITIES

A. The accuracy of the state-hosted Crimintel is based entirely on the accuracy and the timeliness of the information entered into it. The IU will:

1. Confirm information on FI cards or police reports before classifying anyone as gang members/gang associates as per APD policy and applicable state law;
2. Input, update records and remove outdated records in Crimintel;
3. Enter gang-related police reports and FI cards into the Crimintel database;
4. Add suspected gang members and gang associates into the APD Filemaker Pro, "Gang Validation Card" database for possible validation. Ensure information provided to the database is compliant with Title 28, CFR Part 23;
5. Add suspected street gangs into the APD Filemaker Pro, "Gang Validation Card" database for possible validation;
6. Assist Gang Specialists, SRO's, and Detectives by providing gang related investigative leads;
7. Provide periodic updates to patrol during fall-outs;
8. Provide periodic training for officers/detectives concerning gang intelligence and the Department gang policy. Gang Intelligence personnel will use verbal, visual displays (i.e. maps, posters), and multimedia methods to conduct training;
9. Coordinate with outside agencies (i.e. probations, corrections) facilities for updates and new information on gangs;
10. Maintain an Intelligence Library consisting of manuals, periodical, publications, photos, training videos/DVDs, etc;
11. Compile periodic gang crime statistics;
12. Provide community presentations on gang topic using general information which has been approved by the unit supervisor.

VI. CONTACTS WITH GANG MEMBERS

A. Investigations and Arrests: When the arrest or preliminary investigation reveals that the crime is possibly gang-related, the reporting officer will write "Gang-Related" on the front of the arrest report or incident report. The investigating officer will ensure that the narrative fully explains the rationale for determining that the arrest or investigation is possibly gang related. Further, if an officer/detective has reasonable suspicion to believe possible gang involvement by any individual contacted during the course of an investigation, the officer/detective should write "gang membership" in the "suspected of" field- i.e. under the "Additional Name Report". Suspected gang membership information should be further investigated by contacting a gang specialist.

B. Field Identification: Officers who contact a suspected gang member or gang associate and determine that the completion of a FI Card or police report is appropriate, will document the following additional information:

1. Approved criteria for suspecting gang involvement (i.e., admits to gang membership, tattoos, attire, etc)
2. The specific type of gang activity involved and
3. The words "POSSIBLE MEMBER" or "POSSIBLE ASSOCIATE" in the narrative portion of the FI Card or police reports, based on the criteria documented by the officer. Note: Only IU/ gang specialist personnel who have attended CFR 28 part 23 training and have been approved by the Chief of Police will enter gang information into Crimintel. This assures quality control, security, and uniformity.

VII. MAINTAINING INTEL UNIT GANG FILES

A. Crimintel: The IU / Gang Specialist Officers who have attended CFR 28 part 23 training and have been approved by the Chief of Police will be responsible for submitting those subjects who have met 28 CFR Part 23 submission criteria. The Intelligence Unit will be responsible for maintaining compliance with 28 CFR Part 23. Under 28 CFR Part 23.20 (g), information shall be labeled to indicate levels of sensitivity, levels of confidence, and the identity of submitting agencies and control officials.

B. Hard Copy Files: Hard copy files refer to gang history books, organizational charts and gang photograph books. These files contain information on street gangs, their members and affiliates who are, have been, or are likely to be involved in criminal activity and shall only be possessed outside the IU by personnel authorized by the Deputy Chief of Operations. A document sign out log will be completed by that person and that log will be maintained in the secure Intel Office.

C. Hard Copy File Organization: The Department hard copy files will be organized as follows:

1. The Gang Validation Card can be attached with a current photograph of the gang member/ gang associate if available.

2. The Gang Validation Cards will be filed in alphabetical order.

3 In addition, a file for each gang will be maintained. In this file, a listing of all current members will be listed. This will be updated as new members are identified to their respective gangs.

4 Validation Cards will be kept on file for a maximum of 5 years from the most recent entry of validating information, i.e. information which illustrates continued gang activity by the subject.

D. Gang Associated Reports: Reports which involve gang related or motivated activity should be forwarded to the IU by the investigating officer and/or classifying.

E. Gang Validation Card Completion: The IU will list all available identifying information on the suspected gang member/gang associate. All applicable validation criteria boxes will be checked. Detailed information on tattoos, graffiti, and clothing will be provided. Explanations for each applicable check mark will be written in the space provided below the area. The IU Commander will sign and date the card in the space provided.

F. Updating Gang Validation Cards: Each gang member/gang associate will have a Gang Validation Card in the Intel files. Any and all FI cards and Police Reports on an individual which already has a Validation Card on file will be used to update the Gang Validation Card with any new or different information. The new information will then be updated in Crimintel.

VIII. CRIMINTEL AND GANG FILE SECURITY

A. Confidentiality: All Department personnel are reminded that it is not a crime in and of itself to be a gang member. It is the responsibility of everyone in the Department to protect the confidentiality of Crimintel and the Department gang files, and to safeguard the Constitutional rights of those identified. As such, access to hard copy gang files will be restricted to the IU and Gang Specialist Officers as well as personnel who have met the "need to know, right to know" criteria. Furthermore, only the IU personnel who have attended CFR 28 part 23 training and have been approved by the Chief of Police will be able to add, update, and delete information in the Crimintel database.

B. Retrieval of System Files and Photocopies: Printouts and/or copies of gang validation cards shall not be used as addenda's to reports (e.g., search warrants, arrest warrants, etc.). They will not be placed in personal ready reference files, investigative notebooks, case packages, or homicide books.

C. Release of Information: Whenever a law enforcement agency or law enforcement personnel, that have not been through 28 CFR Part 23 training, with a "need to know or right to know" make in inquiry of the APD Gang data base an entry will be made into Crimintel, by the IU/gang Specialist Officer, as a Audit/RFI (Request For Information) with the date of the request and the name of the person and agency into Crimintel for tracking purposes.

1. Any hard copy lists generated with validated gangs and gang members will only be given to other law enforcement personnel with the permission of the Deputy Chief of Operations and a Document Sign-Out Log will be completed by the person taking the list out of the Intel office. This log will be maintained in the secure Intel Office.

D. Discovery Motions and court Requests for Records: The Deputy Chief of Operations shall be notified of, and be responsible for, all legal requests pertaining to information or records from the IU.

IX. PHOTOGRAPHING KNOWN OR SUSPECTED GANG MEMBERS

A. Police Officers and Detectives will adhere to the guidelines below when photographing a suspected or known gang member/gang associate:

1. Permission from the individual prior to taking a photograph when the person is NOT being arrested or otherwise legally detained;
2. No use of physical force or any form of coercion in acquiring a photograph;
3. Officers and detectives will not pose the individual with gang name or gang identification cards;
4. Officers and detectives will conduct the photographing contemporaneously with the completion of the FI card;
5. The photographing process may not extend the time necessary to complete the interview process; and,
6. The suspect will be given a full explanation for the purpose of the photograph.

B. Security of Gang Member/Gang Associate photographs. Any gang photo books which are created will only be maintained in the IU section and department units dealing with gang investigations and will be secured at all times. These books are an important tool in the investigation of gang related crimes. Gang photo books differ from other photo books in that they are assembled by gang and not by criminal offense. The Gang Photo Books will be considered part of the Department's hard copy gang files. Department personnel will follow the same security measures in regards to protecting gang member and gang associate photos as they do for the Gang Intel Files. The IU's Gang Photo books will only be taken into the field for investigative purposes and with the approval of the Deputy Chief of Operations. A Document Sign-Out Log will be completed by the person taking the book(s) out of the Intel office.

X. AUDITS AND PURGING OF THE FILEMAKER PRO, "GANG VALIDATION CARD" DATABASE AND CRIMINTEL GANG DATABASE

A. Audits: Audits of hard copy files will be conducted periodically, at least every two years by the Deputy Chief of Operations or an appointed

representative. The findings of these audits will be reported in writing to the Deputy Chief of Operations.

B. Purging: The Crimintel Gang database will be monitored continuously for files that have become inactive or have not been validated. If a file has not had additional gang related activity added to it within 5 years, then it shall be purged from the gang database, on the 5th year anniversary date of entry. Every time gang related activity is entered in a gang database file, such file will automatically update the 5 year retention period, from the date of such validated activity was documented. The IU will be the only ones with this responsibility and the only personnel authorized to do so.

C. Incarcerated gang members/gang associates: Incarcerated gang members/gang associates will remain in the Crimintel database and any soft copy/hard copy files for a maximum of 5 years unless their file is updated to extend their active status. Upon release from incarceration, any remaining time shall still be in effect until the expiration date listed on the Gang Intelligence Card. During incarceration any information on gang-related activity by the subject can be used to update information on the Gang Intelligence Card. This will reset the 5 year retention period of the information, based on the date of new gang-related activity.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.050	
Policy and Procedure Title Hazardous Materials	Effective Date 8/10/09	Page 1 of 3
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.050 Hazardous Materials

PURPOSE

To advise all personnel of the role of the Anchorage Police Department in incidents which might expose the public to accidental release of hazardous materials.

POLICY

The Anchorage Police Department is an initial responder to scenes of possible release of hazardous materials, but other agencies, most notably the Anchorage Fire Department, have primary responsibility for scene management and control. As responders, however, members shall take all reasonable measures to protect the public and themselves from exposure to any harmful materials. Further, secondary consideration shall be given to minimizing possible environmental impact from such accidental releases.

DISCUSSION

There is a remarkably large volume of hazardous material used in the Anchorage area. One might expect explosives and radioactive material on the local military installations, but seemingly less likely places, such as hospitals and clinics, construction companies, and various University facilities have an abundance of such material as well. Even service stations host the commonly underestimated hazards of various petroleum products.

When an officer responds to an accident or fire scene, there may be no certain way of ensuring that unmarked hazardous materials have not been released. Officers, therefore, must be alert to subtle clues that identify certain events as possibly being "hazmat" situations. This procedure is designed to help bridge the gap between the initial call for service and the implementation of the existing Disaster Plan.

DEFINITIONS

Hazardous Material: For purposes of this procedure, "hazardous material" (often referred to as "HazMat") is any element, compound, or combination thereof that is flammable, corrosive, detonable, toxic, radioactive, an oxidizer, an etiological agent, or highly reactive and that because of handling, storing, processing, and packaging, may have detrimental effects upon operating and emergency personnel, the public, equipment, or the environment.

REFERENCES

This procedure is an adjunct to the Anchorage Municipal Disaster Plan.

PROCEDURE

I. IDENTIFICATION OF HAZARDOUS MATERIALS

A. Unmarked Materials. Federal laws govern the proper packaging, shipping, and marking of hazardous materials, but only apply to commercial transport and transport by air. Officers can, therefore, be confronted with a private individual in a personal vehicle transporting hazardous material in any fashion. Should that vehicle become involved, for instance, in an accident or vandalism, officers may unwittingly approach a scene with a breached container of deadly material. The following are guidelines which, experience has shown, can aid officers in identifying and coping with such potential.

1. Be alert to unusual odors or sounds.
2. Note the structure or vehicle markings. Military vehicles, businesses which might use explosives or chemicals, and the like should be suspect.
3. Be alert to the Federal markings which might still be on the container. These markings are discussed later in this procedure, but the fact that the container is marked at all should alert officers.
4. Do not eat, drink, or smoke at any call.
5. Try to remain upwind and uphill from any scene suspected of having hazardous materials. For explosives, distance is most important.

B. Marked Materials. Except for the immediate task of protecting the public, the most important duty officers can perform is identifying any hazardous materials. The Department of Transportation (DOT) has standardized labels and developed titles and codes to assist emergency personnel in these events. If labeled, the placard will identify the container(s) of hazardous material, and either specify the nature of the agent (caustic, flammable, radioactive, etc.), and/or provide the number code of the exact contents. This number code shall be provided to the Dispatch Center who can, in turn, research the particular details of the agent.

II. OFFICER RESPONSIBILITIES

A. Scene Recognition. Officers should be sensitive to the clues and guidelines described above to help identify those scenes which might have released hazardous materials.

B. Scene Management.

1. Officers should make a practice of approaching all potential "haz mat" scenes upwind and uphill, and never eating, smoking or drinking. Officer safety cannot be overstressed.
2. Officers primary duties of protecting the public remains. This usually necessitates maintaining a wide perimeter.
3. If hazardous material is located, look for clues as to the nature of the material. This is most often done by reading the placard and forwarding that information to the Dispatch Center. Officers are reminded that binoculars can aid in this identification.

C. Recognition of Command Van. Officers should recall that, for hazardous materials emergencies, the Command Van is identified by a green emergency light system.

D. Implementation of Disaster Plan. Supervisory personnel decide if the appropriate portion of the Disaster Plan is to be implemented.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.055	
Policy and Procedure Title Injury and Exposure Procedures	Effective Date 8/10/09	Page 1 of 9
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.055 Injury & Exposure Procedures

PURPOSE

To advise all personnel of the procedures for reporting employee involved accidents, injuries, and blood borne pathogen exposures.

POLICY

The policy of the Anchorage Police Department is to:

- Report and document all accidents, injuries, and exposures immediately;
- Provide assistance and follow-up for injured or exposed employees;
- Investigate and report the causes of accidents, injuries, and exposures;
- Reduce the frequency of accidents, injuries, and exposures;
- Maintain complete and accurate records of all employees' accidents, injuries, and exposures.

DEFINITIONS

Acquired Immune Deficiency Syndrome (AIDS) means a "retrovirus" (identified as Human Immunodeficiency Virus [HIV]) which invades and destroys the victim's immune system, rendering the victim susceptible to secondary infection. Symptoms include immunodeficiency and life-threatening secondary infection or other diseases (cancer, one type of pneumonia, possibly a form of tuberculosis, and nervous system disorders).

AIDS Related Complex (ARC) means a condition caused by the AIDS virus in which the patient tests positive for the AIDS infection but has less severe symptoms than classic AIDS. Symptoms include loss of appetite, weight loss, fever, night sweats, skin rashes, diarrhea, tiredness, lack of resistance to infection, and/or swollen lymph nodes.

Communicable disease means any infectious disease capable of being passed to another by contact with an infected individual or their body fluids.

Exposure incident means, as defined by OSHA, specifically direct contact with the eye, mouth, other mucous membrane, non-intact skin, or parenteral contact (puncture of the skin) with blood or other potentially infectious materials, including through inhalation, during the performance of an employee's duties.

Hepatitis A, B, and C are diseases involving inflammation of the liver.

Human Immunodeficiency Virus (HIV-1) means the virus that causes Acquired Immune Deficiency Syndrome (AIDS).

Occupational hazardous materials exposure (on-the-job) means any contact via inhalation, ingestion, eye, skin, or other means with hazardous or toxic materials or chemicals (include those found at meth labs), excessive smoke, or ionizing radiation, which occurs during or results from an employee's performance.

Occupational injury or illness (on-the-job) means any cut, abrasion, bruise, burn, physical pain, illness, impairment of the function of a bodily member, organ, or mental faculty; or any other harm to the body, no matter how temporary, which occurs during or results from the performance of an employee's duties.

Occupational infectious disease exposure (on-the-job) means is any specific contact with blood or other potentially infectious materials to the eye, mouth, other mucous membranes, non-intact skin, or parenteral penetration of mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions, which occurs during or results from an employee's performance.

Post Exposure Panel means the laboratory tests of blood and urine specimens consisting of preliminary tests, with confirmation, for Hepatitis B Surface Antibody, Hepatitis C Surface Antibody and Human Immunodeficiency Virus 1 (HIV-1) Antibodies.

Blood: Human blood components and products made from human blood.

Blood borne Pathogens: Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to hepatitis B virus (HBV) and human immunodeficiency virus HIV).

Contaminated: The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Contaminated Laundry: Laundry that has been soiled with blood or other potentially infectious materials.

PROCEDURE

I. NOTIFICATION AND RESPONSE - General

A. All Employee Involved Accidents, Occupational Injuries and Blood borne Exposure Incidents shall be immediately reported to a supervisor.

B. If reported via radio or phone to the dispatch center, Dispatch shall immediately notify the:

1. Anchorage Fire Department Emergency Medical Services Health and Safety Officer if an employee has been exposed to a blood borne contaminant. An APD supervisor will coordinate the immediate decontamination of the employee with the assistance of AFD.
2. On-duty Patrol Shift Commander and Patrol Supervisor.
3. The employee's immediate unit supervisor, or commander, when assigned to a division or unit other than Patrol.

II. OCCUPATIONAL EXPOSURE, INJURY OR ILLNESS REPORTING

A. Employees:

1. Employees shall immediately make it known to their supervisor, by the quickest means available, that they, or a co-worker, have been in an accident, exposed, injured, become sick or ill, as a direct result of performing their assigned duties.
2. Any employee who is injured in the course of their duties is entitled to receive worker's compensation benefits pursuant to State and Municipal laws, regulations and procedures.
3. If an occupational exposure, injury or illness results in loss of work time the employee shall be evaluated by a physician within 24 hours or prior to the next scheduled shift start time, and provide a Return to Work Notice prior to resuming assigned duties.
4. All employees are responsible to properly report to their supervisor any contamination of facilities, vehicles, or equipment and to take all reasonable steps necessary to minimize the hazard to themselves and others.

B. Supervisors:

1. An on-duty Patrol Supervisor shall respond immediately to a report of an employee involved Accident, Occupational Injury or Exposure Incident and:
 - a). Interview the employee to determine how the exposure / injury occurred.
 - b). Determine the nature (bloodborne, airborne, communicable, hazardous material, etc.).
 - c). Initiate and submit all required documentation and forms defined in this policy.
 - d). Ensure the employee receives appropriate medical treatment and/or counseling by medical personnel if exposed to blood borne pathogen within four (4) hours of exposure.
2. The responding supervisor/commander shall be responsible for completion of the required employer documentation (see below section "III" for appropriate forms), except that a supervisor from another Division

or Unit may conduct a non-traffic related investigation when involving an assigned subordinate employee.

III. DOCUMENTS AND FORMS

A. Accident and Occupational Injury or Exposure: The following documentation shall be completed for all accident and occupational injury and exposure related incidents before the end of the shift:

1. Municipality of Anchorage - Supervisor's Report of Accident
2. Municipality of Anchorage - Automobile / Equipment Accident Report
3. Workers Compensation - Report of Occupational Injury or Illness
4. Anchorage Police Department - Exposure Incident Report

B. The supervisor will be responsible for forwarding the original reports to the Division Commander immediately upon completion. After reviewing the incident, the division commander or their designee will forward the reports and documentation of any accident, occupational injury and blood borne exposure to the Department Personnel Section and to the Municipal Risk Manager. Injury and exposure reports shall be forwarded within 24 hours of the incident.

IV. POST EXPOSURE PROCEDURE

A. Whenever it can be determined that a police employee was exposed, or potentially exposed, to a chemical, hazardous material, airborne agent or toxin, percutaneous (needlestick), bloodborne pathogen, a potential communicable disease carrier, or other agent, the following shall apply:

1. The employee shall immediately:
 - a). Notify their supervisor;
 - b). Seek or be provided immediate medical attention;
 - c). Arrange collection of a base line biological specimen of their blood;
 - d). Obtain counseling regarding risk factors and treatment options from a physician within 4 hours of exposure to blood borne pathogen.

There is a 4 hour window of opportunity from time of exposure for prophylactic treatment on HIV so it's imperative the officer receive counseling and treatment as soon as possible.

2. The supervisor shall immediately:
 - a). review the circumstances of the exposure incident to determine:
 - i. If the exposure was through percutaneous (needle stick), mucous membrane, airborne, inhalation, non intact skin or other.
 - ii. If the employee was assaulted, does probable cause exist to apply for a search warrant to seize the medical records, biological specimens of blood and urine.

- iii. If the employee was not assaulted, seek consensual collection of medical records and biological specimens of blood and urine.
- iv. If no consent is given, the supervisor should coordinate with medics and hospital personnel to obtain information under the Ryan White Act.
- v. Notify Risk Management about the incident within 24 hours either by email or phone call.
- vi. Advise employee to submit receipts for any damaged personal items to supervisor who will forward them to Risk Management for restitution purposes.

V. POST EXPOSURE SEARCH WARRANTS FOR CRIMINAL ACTS

A. Application for a search warrant for biological specimens from a potential disease carrier can be difficult to obtain due to the federal right to privacy act which provides protection of a person's medical history and records. However, the Ryan White Act does allow some access to such records without patient permission for pre-hospital personnel.

B. Alaska Statute requires that Courts only issue Search Warrants to obtain evidence of a crime; therefore Search Warrants can not be obtained for the medical records of a suspect who has exposed an employee through an act which does not constitute a crime. Crimes like Assault, Reckless Endangerment, Disorderly Conduct, and Resisting should be considered when seeking a search warrant for biological specimens in an exposure incident. Risk factors of the suspect's life style, as well as statements made by the suspect typically provide the link between the exposure incident and the crime which will show that the biological specimens and test results will be evidence of a crime.

C. Application for a search warrant should contain, at a minimum, the following requested information:

1. Provide the probable cause for obtaining biological samples of blood and urine from a known, or suspected, communicable disease carrier.
2. Request for two (2) 10 ml biological specimens of blood, consisting of:
 - a). One (1) control vial (available later for defendant or validation of tests) to be placed in Property and Evidence as evidence; and
 - b). One (1) test vial. Officers should check with the lab conducting the tests at the time of the draw to determine what type of blood draw is necessary.
3. Request one (1) 100 ml biological specimen of urine.
4. Request laboratory testing of standard post panel medical tests
5. Request a copy of all laboratory test results and interpretations.
6. Request suspect's medical records.

VI. EXPOSURES THAT ARE NOT CRIMINAL ACTS:

A. Officers may find themselves potentially exposed to a communicable disease where it was not caused by a criminal act. These include percutaneous (needle stick), airborne exposure (responding to a call for service and learn after that occupant(s) had TB, Meningitis, etc.) and incidental 1st responder exposure (blood splatter at a vehicle crash). These types of exposures must be handled without a search warrant since the results of any medical tests would not constitute evidence of a crime.

1. Percutaneous (needle stick): A needle stick occurring during a pat down search may actually be a criminal act, specifically if the officer asked the person if they had anything dangerous, anything sharp or anything that may cut them. It is good officer safety to ask specifically about needles as well. If this occurred and the suspect denied any such items and as a result a percutaneous (needle stick) exposure occurs criminal charges should be filed and a search warrant should be obtained. Other percutaneous (needle stick) exposures would require a consent for Biological Specimens from the source if known but may result in only the exposed employee receiving medical treatment based on the exposure and risk factors.

2. Airborne exposures to disease are typically reported to the responders by the source or by medical personnel treating the source. In these cases Officers should be evaluated for the level of exposure and treatment. On unknown HAZMAT type exposures, AFD should be consulted to determine the source and identity of the exposure.

3. Incidental 1st responder exposure is addressed by the Ryan White Act which allows Doctors to share medical information to treat exposed 1st responders. For example, if a 1st responder is exposed while rendering aid at an 11-24, his care provider should be in contact with the injured subject's doctor to determine the risks and provide for the appropriate treatment.

4. For exposure to blood borne pathogens and potential communicable diseases where the suspect is willing to provide consent, request that the hospital draw and test the blood and urine for all possible communicable diseases.

5. In all cases of suspected exposure, regardless if the suspect is charged (and a warrant is pursued) or whether or not the suspect is willing to provide consent, the employee should be provided the opportunity to respond to the hospital to complete the following:

- a). Treat the injury;
- b). Request a blood draw for baseline purposes and for all appropriate tests for communicable diseases;
- c). Request a copy of all laboratory test results (including the suspect's, if available) be provided to the employee directly for

evaluation and treatment as necessary. Some diseases require immediate treatment.

VII. RESPONSIBILITY FOR ACCIDENTS, INJURIES, EXPOSURES

A. Accidents, injuries or exposures resulting from insubordination, blatant or willful disregard of safe work prevention measures, all Municipal rules, regulations or department policy, procedures and instructions are culpable and subject to progressive discipline relative to the circumstances and severity of the incident, as may be determination by the Chief of Police.

B. Supervisors are responsible for ensuring their subordinates are knowledgeable of and compliant with all Municipal and Department rules, regulations and procedures, and impress upon them that accidents resulting from negligence are unacceptable.

VIII. CONTAMINATION OF VEHICLES

A. If a vehicle is slightly contaminated (small amounts of infectious materials present), it shall be the employee's responsibility to clean and decontaminate the vehicle using decontamination supplies available through the APD supply section. Employees shall wear the appropriate protective clothing (gloves, mask, eye protection) when cleaning the contaminated vehicle.

B. If the vehicle is significantly contaminated the employee shall:

1. Take the vehicle out-of-service;
2. Lock all doors;
3. Place a bio-hazard warning label on the vehicle so it is clearly visible from the outside to others;
4. Notify a supervisor to have the vehicle detailed by Service Master.

IX. CONTAMINATION OF EQUIPMENT

A. Equipment that is slightly contaminated (small amounts of infectious materials present) shall be cleaned and decontaminated by the employee using decontamination supplies available from the APD Supply section. Employees will wear the appropriate protective clothing (gloves, mask, eye protection) when cleaning the contaminated equipment.

B. Equipment shall be cleaned as soon as practical after the contamination is discovered. If a piece of equipment is too contaminated or unable to be cleaned by the employee, a supervisor shall be notified and the equipment removed from service.

X. CONTAMINATION OF POLICE K9s

A. In the event of a police K9 bite, the handler will immediately clean the dog's muzzle of any blood or body fluid so as to preclude the possibility of accidental transmission via dog bite.

B. As soon as practical, the handler will clean any other blood or body fluid from the dog's body as per unit procedures.

XI. CONTAMINATION OF UNIFORM / CLOTHING

- A. Employees shall remove contaminated uniforms and clothing as soon as practical.
- B. Any skin that contacted the contaminated clothing shall be cleaned and decontaminated as well using commercial decontaminants.
- C. Contaminated clothing shall be placed in a bag/box and clearly marked with an orange bio-hazard sticker (found at the property table) and disposed of in an approved bio-hazard waste receptacle located in the evidence packaging area.
- D. Employees needing to have uniforms replaced due to contamination shall submit a request through the APD Supply section.
- E. Employees who replace contaminated personal equipment should submit the receipts to their supervisor for forwarding to Risk Management for restitution purposes.

XII. PERSONAL PROTECTIVE EQUIPMENT (PPE)

- A. PPE is issued as needed by supply.
- B. Employees shall use PPE anytime there is a potential for exposure to blood. The exception shall be when, under rare and extraordinary circumstances, the employee determines that in the specific instance its use would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the worker or co-worker.

XIII. HEPATITIS "B" VACCINATION

- A. The hepatitis "B" vaccination will be provided to employees working in the following areas of the Anchorage Police Department:
 - 1. All sworn
 - 2. Non-sworn personnel working in the property and records sections
- B. The hepatitis "B" vaccine will be administered to each employee by the MOA's Department of Health and Human Services General Clinic.
- C. The vaccination is not mandatory, but encouraged unless:
 - 1. Documentation exists that the employee has previously received the series from another employee.
 - 2. Medical evaluation shows the vaccination is contraindicated.
- D. If an employee chooses to decline vaccination, the employee must sign a declination statement indicating they do not wish the vaccine. Employees who decline may request and obtain the vaccination at a later date at no cost.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.060	
Policy and Procedure Title Language Translation	Effective Date 8/10/09	Page 1 of 2
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.060 Language Translation

PURPOSE

To advise all personnel of the options and facilities available when dealing with subjects who do not speak the English language.

POLICY

That persons who do not speak the English language, not have that feature impede satisfactory communications with members of the Anchorage Police Department.

PROCEDURES

I. RESOURCES FOR TRANSLATING

A. Contact Dispatch Center: The Dispatch Center shall be contacted to determine if any on-duty personnel are fluent in the language in question.

1. In cases where the Dispatch Center receives emergency telephone calls requiring interpreting, the call-taker may use the most immediate and expedient method available for translation, including the use of "CALL, Inc.," described in "B." below. If used, the Dispatch Center may dial direct instead of processing through the Records Section as instructed later in this procedure.

B. Research Other Local Service Agencies: If no on-duty personnel are able to translate, then the Dispatch Center should be instructed to research other local service agencies from their call-out list, such as the court system or volunteer resources. If none are available,

C. Use the Services of "Communication and Language Line, Inc" (*CALL*). This facility and how to use it is discussed in detail next.

II. "CALL" TRANSLATION SERVICES

A. Description of Service. "*CALL*" is a telephone subscription service that operates 24 hours a day, and translates over 100 languages. This translation

service is provided by way of a conference call, and the Department is billed for the actual use-time of the interpreter.

B. Procedure for Use of CALL Services. Officers may use the *CALL* services if no other interpretive services are available. When used, the following applies:

1. The need for interpreter services and identification of the subject language can be established by showing the language identification card to the victim/suspect/witness.
2. Officers should organize the questions prior to *CALL* being requested.
3. Telephone 786-8940 to notify the Records Section to initiate a three-way conversation between the interpreter, Records Section personnel, and the victim/suspect/witness. This allows:
 - a). Electronic recording through the 911 facility.
 - b). Records Section to log the call for later retrieval.
4. When the *CALL* representative is reached, furnish that person with:
 - a). The language requested,
 - b). APD's identification number of 151010, and
 - c). Officers name and DSN.
5. That representative will put the appropriate interpreter on line. That interpreter will furnish his/her identification number for the record.
6. Officers will furnish the interpreter with the exact information needed.
7. At this point, officers will:
 - a). Give the telephone to the subject, unless
 - b). A conference telephone, speaker telephone, or two-telephone-on-one-line is available, allowing officers to monitor the entire conversation.
8. When done, the interpreter will apprise officers of the information gleaned.
9. The interpreter will await any further instructions/ questions to be asked.
10. When the interviewing has concluded, officers will terminate the call by saying "END OF *CALL*".
11. If appropriate, investigating officers can locate and retrieve the 911 tape using existing evidence procedures found in the "Property and Evidence" procedure.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.065	
Policy and Procedure Title Mobile Data Computers	Effective Date 10/09/2012	Page 1 of 3
Replaces Prior Policy: 8/10/09	Approved by: Chief Mark T. Mew	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.065 Mobile Data Computers

PURPOSE

To advise all personnel of the proper use and security of the Mobile Data Computer (MDC).

POLICY

It shall be the policy of the Anchorage Police Department that employees uphold the highest standard of professionalism while utilizing the Mobile Data Computer as well as to provide officers and dispatchers a more efficient option to a standard voiced dispatch system.

PROCEDURES

I. ADMINISTRATIVE PROCEDURE

A. Use of the MDC must comply with FCC rules and regulations as well as federal and state laws governing discrimination and sexual harassment. Employees using the MDC system shall be personally responsible for the proper use of this equipment and appropriate messaging content. All broadcasts shall be limited to duty related business. Under no circumstances shall an employee using the MDC system broadcast anything that is in violation of policies of the Anchorage Police Department (e.g. Language and Prejudice 1.02.015C and Harassment 1.02.015O). This includes, but is not limited to, comments relating to sex, race, religion or any language that creates an intimidating, hostile or offensive work environment. Employees should be reminded that the guidelines prescribed in the Radio Communications portion of the PI, specifically section 03.08.010, are still in effect and pertain to MDC usage. Employees are advised that electronic messages should be considered public domain. Electronic messages are stored, periodically reviewed by authorized Commanders, and subject to use in both criminal and civil matters.

B. The goal of this policy is to reduce non-priority voice traffic on the main APD radio frequencies. As a general rule, all voice traffic will receive a voice

reply and all data traffic via the laptop will receive a data reply. Officers and dispatchers alike have the discretion to voice any transmission at any time. During times of system slow down or malfunction, operations will revert to all voice. Notification of such will be made over the main radio channel.

C. Employees are discouraged from being logged into CAD just for observation and monitoring purposes. If an employee logs onto the MDC with no intention of being available for dispatches, they should enter "OFF" in the unit ID field of the log in screen. The exception to this will be for those who are actively utilizing the MDC for research, system training, and/or testing. This section shall be adhered to in an attempt to have only those employees available for dispatches to be seen on the dispatch screen.

II. OPERATIONAL PROCEDURE

A. A voiced response from the officer requires no laptop input on his/her part except when logging on-duty at beginning of shift. The dispatcher will type all other voiced CAD transactions

B. The following radio traffic will be voiced by Dispatch:

1. All Code 3 or Code 4 calls.
2. All in-progress calls.
3. Updates to a call previously dispatched when a unit is not on scene (10-7). If pertinent comments are added to a call, especially officer safety information or information that would change the priority of a call, Dispatch will verbally confirm the officer has received the updated information.
4. All locates that are of an urgent nature or that compromise officer safety. For all other locates, a CAD message will be sent to mobile units with a brief content description in the following format: MSG MDC, broadcast (the information from the locate).
5. All two unit calls unless there is significant information to lead the Dispatcher or Officer to believe the suspect has a radio scanner.
6. All calls of an urgent nature being held.
7. All cancellations on a call that has been dispatched.
8. All information that needs to be passed to an officer who is away from their laptop.
9. Dispatch has the discretion to voice any transmission at any time it is thought to be pertinent.
10. All clear channel (10-44) advisements. In addition to this, Dispatchers will provide a CAD message to all MDCs every 3-5 minutes advising of the clear channel (10-44). When the clear channel (10-44) has been removed, the dispatcher will send out that message as well.

C. The dispatcher will also advise by radio that a call is being sent on the MDC by use of the code "10-25" (old APD code meaning "respond to the

area”). Example: “22B1, 10-25...” The officer will acknowledge this voiced transmission.

D. The following radio traffic will be voiced by officers:

1. All traffic stops (10-70's).
2. All field interviews (10-76's).
3. All cover officer (10-34) requests.
4. All available for calls advisements (10-8's).
5. All traffic related to clear channels (10-44's).
6. Officers logging out on a unit they were not previously in route to.
7. All medic/fire requests.
8. Community Service Patrol, Impound, sand or roadway hazard requests will be verbalized on Channel 2 (this prevents multiple messages being sent by different officers for the same item).
9. An officer coming on duty.
10. Officers acknowledging they are in route as a cover officer (10-34).
11. Officers in route to or at lunch (10-80).
12. Whenever there is a “hit alert” on warrants from the laptop, the officer will voice to the dispatcher when a cover officer (10-34) is not needed. The exception to this will be when the officer has already advised dispatch of person being in custody (10-17) prior to running the “hit” on the laptop.
13. Officers have the discretion to voice any transmission at any time it is thought to be pertinent.
14. Officers also have the discretion to not voice a transmission if needed to maintain operational security.

III. EQUIPMENT SECURITY

Safeguarding of the MDC is the user's responsibility. Due the expense of the equipment and the sensitive nature of the information available through the MDC, the following procedures will be followed.

A. All unattended vehicles with an MDC shall be:

1. Locked,
2. with the MDC locked in the docking station,
3. And the key removed from the docking station itself.

B. In accordance with the manufacture's operating instruction, MDC users shall not subject their MDC units to temperatures below 32° or above 113°F.

C. Any lost or damaged MDC equipment shall immediately be reported to a supervisor.

IV. ELECTRONIC CITATION PROCEDURES

Officer issuing electronic citations via the MDC under the authority of the Anchorage Police Department shall adhere to the following practices:

- A. Officers shall use their Municipality of Anchorage-issued Department Serial Number (DSN) as their Unique Person Identifier.
- B. Once authorized to issue electronic citations, officers must sign the Officer's Acknowledgement and Certification Form prior to issuing their initial electronic citation.
- C. When issuing citations, officers must first log in using their own user name and password issued by the MOA. Upon completing and validating all information on the citation, the *Officer's Signature* line will display their printed name and DSN as an electronic signature. Note: An officer's electronic signature is the legally-binding equivalent of signing a citation by hand. Officers cannot deny responsibility for an electronically-issued citation bearing their printed name and DSN.
- D. Officers shall at no time use a password or user name of another officer or allow another officer to use theirs to sign in to the system.
- E. Should the need arise for officers to share a computer in order to issue a citation, each officer must sign in individually using their own unique user name and password.
- F. Once a citation has been issued to a violator, officers shall not modify an electronic citation for any reason, except for the "Officer's Notes" field.
- G. If a citation is issued in error or if a discrepancy is noted on the citation, the Records Section shall be responsible for voiding the citation and notifying the court if necessary.
- H. Should an officer request the Records Section to void a citation, the reason for such action shall be documented in the "Remarks" field of the citation screen.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.070	
Policy and Procedure Title Safe Haven for Infants	Effective Date 8/10/09	Page 1 of 2
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.070 Safe Haven for Infants

PURPOSE

The purpose of this policy is to instruct all members of the Anchorage Police Department on the procedures regarding a parent that surrenders a newborn infant into the custody of emergency or medical personnel.

POLICY

The purpose of this policy is to instruct all members of the Anchorage Police Department on the procedures regarding the procedures for the investigation of infants under the age of 21 days old who have been surrendered by a parent or guardian.

DISCUSSION

Effective May, 11, 2008 Alaska State Law allows a parent to surrender an infant who is less than 21 days old to a "peace officer, physician or hospital employee, or a volunteer or employee of a fire station or emergency medical service" without criminal repercussions, as long as the infant has not been physically harmed. Leaving the infant with the proper authorities will allow the parent to extinguish his or her legal duty to support the infant. In addition, as long as there is no evidence that the infant has been physically injured, the parent will not face prosecution. The Act is intended to enable the parent(s) of a newborn to relinquish the infant to a safe environment, to remain anonymous and to avoid civil or criminal liability for relinquishing the infant.

DEFINITIONS

Parent: The legal guardian of an infant

Infant: A child who is less than 21 days old.

REFERENCES

AS 11.81.500, Alaska State Law: No prosecution for safe surrender of infant.

PROCEDURE

I. LAW ENFORCEMENT RESPONSE:

A. Patrol Officer's Responsibilities:

1. Contact a supervisor and advise of the situation.
2. Contact Fire/EMS for an initial examination.
3. Secure the infant and assess the infant for signs of obvious injury or illness. Photograph and document the existence or lack of any injuries.
4. Contact the Office of Children's Services (OCS) at the first opportunity and advise the agency of the situation.
5. If present, inform the parent that they may, but are not required to, answer any questions regarding the name of the infant, the identity of the parent(s), and the medical history of the infant.
6. Ask the parent if they wish to relinquish their parental rights and release the infant for adoption. Note and document the response.
7. Write a police report classified as "Child In Need of Aid" (CINA) to be forwarded to OCS. This should be done whether or not there are signs of injury to the infant.

B. Patrol Supervisor's Responsibilities:

1. Notify a Crimes Against Children Unit (CACU) supervisor of the need to initiate a CACU detective call-out.

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.075	
Policy and Procedure Title School Protocol	Effective Date 8/10/09	Page 1 of 4
Replaces Prior Policy: Current	Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.075 School Protocol

PURPOSE

To advise all personnel of those additional procedures required when responding to calls on school property, or involving people at events under school control.

POLICY

That members of the Department adhere to established protocol when intervening in events otherwise under the authority of school officials.

DISCUSSION

If an officer were to, say, enter a business establishment in an official capacity, courtesy would dictate that certain traditions be recognized. The receptionist would be notified of the person(s) sought, those people would be given a reasonable time to respond and, if an employee were required to leave, that person's supervisor would be notified of the impending change in office staff. When officers enter a school, or intervenes in a school function, this "protocol" becomes more structured and important, as the school officials have a legal duty to act as "local parents"--they are the immediate guardians of minors attending their school. This procedure identifies methods of simultaneously satisfying this obligation, while effectively performing police duties.

When dealing with school officials, officers would be well advised to remain alert to the concept of "agent of the police". School officials, having an eye towards protecting their charge, will often volunteer to conduct searches and interview suspects as "parents", having pre-decided to report their findings in full to officers. Legally, this is easily argued as being tantamount to "deputizing" a citizen for purposes of that one case.

DEFINITIONS

School System: For purposes of this procedure, any institution established, maintained, or certified by the State as an educational facility wherein minors might attend.

Loco Parentis: In law, and for purposes of this procedure, the concept of “local parents”. School officials assume various responsibilities to, and authority over, minors entrusted to their (temporary) care and supervision similar to that of a parent’s. Due to this relationship, any contact with a minor under the purview of a school requires coordination equivalent to that a parent would be entitled to under similar circumstances. Note that this principle applies when the school assumes responsibility for the child. Should a child, for instance, be taken into custody for trespassing on school grounds after hours, no coordination would be required with school officials. Conversely, a minor taken into custody for an alcohol violation while participating in a school activity, even though off school grounds and after hours would require full coordination.

Agent of the Police: In law, and for purposes of this procedure, the concept of a citizen acting on behalf of the police. With such direct interplay, that an unsworn person loses his/her status as private citizen, and constructively becomes a “police officer,” and must abide by all Constitutional, statutory, and case law provisions required of “police.”

PROCEDURE

I. NON-EMERGENCY EVENTS

A. On Call for Service. If any non-emergency call requires officers to contact a minor while under school control and supervision, the following applies:

1. Contact the Principal or his/her designee first.
2. Anticipate a school representative attending the interview, as specified in the Anchorage School District’s Administrative Manual.

B. Arrests. Arrest/custody of a minor may be taken on school grounds. However, officers should be aware of the Anchorage School District’s Administrative Manual’s provision that instructs school officials to maximize safety and minimize disruption to the school and embarrassment to the student.

1. Although the responsibility to notify the parents of a juvenile’s arrest is shared with the Principal, officers shall confirm that notification by either making the contact themselves, or documenting the statement by the Principal or his/her designee that such notification was made.

C. Non-arrest Removals from School Authority. In non-emergency situations where officers desire to interview or remove the minor from school purview, permission has to be received from the Principal or his/her designee.

D. Evidence. Officers are reminded that, in the investigation of a crime, evidence is seized, submitted to the Property and Evidence Section and, if appropriate, lab-tested exactly as any other investigation would be conducted. The school does not retain or control any property identified as evidence.
Note: Upon confiscation of items described as “firearms”, see 3.04.015.

II. EMERGENCY EVENTS

A. General. In general, no distinction is made between an emergency occurring on school grounds or during a school event and one occurring under other circumstances. Once the emergency has concluded, however, coordination with school officials is appropriate.

B. Lock Downs. The term “lockdown” has a very specific and serious meaning in the Anchorage School District. In fact, their protocol identifies four variant levels of security for emergent situations some lesser in the amount of disruption to the school setting, used prior to arriving at the decision of a complete and total “lock down”. They are duck-cover-hold, stay-put, shelter-in-place and evacuate. Stay-put and Lockdown are defined below:

C. Stay-Put

1. Everyone outside is ushered into the building. Exterior doors and windows are locked. Classes and other activities are conducted as normally as possible. This is for moose or bear in the area or if APD is looking for a criminal in the neighborhood. The action is taken to prevent outside problems from becoming the schools.

D. Lockdown

1. Everyone outside runs into the building or to a predetermined safe haven nearby. Exterior doors and windows are locked. Classroom doors are locked, lights may be turned off, and shades may be drawn. Students get down on the floor behind available cover. Colored cards go up in windows so APD snipers are aware of what is in each classroom. This is primarily used for an active shooter on campus or inside the school.

2. The term “lock down” triggers a wide and immediate chain of events, the results of which are long lasting and cause major disruption to the normal flow of business in the schools in addition to causing unnecessary panic and fear in the staff, students and parents who almost always hear about it. As a result the APD should refrain from using this term until and unless it has been determined that this extreme measure is warranted or if an officer who is present at the scene has taken command of the scene and determined that this safety measure is in the best interest of all parties.

3. Although helpful to the Anchorage School district, it is not required or expected that APD personnel commit their terms to memory, rather they are provided for your information only. It is however required that at the onset of an emergent event involving the school system that the APD scene supervisor or dispatcher provide ASD with as much pertinent information as possible so that they(ASD) can determine which level of security is appropriate. Periodic updates should be provided as time permits. The school however, must make the final decision.

4. Bomb Threats. Note that school policy is to solicit the advice of the police department in determining if evacuation is appropriate. The school, however, must make the final decision to evacuate or not. All other

aspects of the bomb threat call would be conventional, including notification of EOD and a Command Officer or Supervisor.

Anchorage Police Department Regulations and Procedures Manual		Operational Procedures 3.10.080	
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Replaces Prior Policy: Current		Approved by: Chief Rob Heun	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.080 Tire Deflation Devices

PURPOSE

To advise all personnel of the policy and procedures governing the use of tire deflation devices.

PROCEDURE

I. FUNCTION AND TRAINING

- A. The tire deflation device is an effective tool designed to stop or reduce the speed of a vehicle by deflating pneumatic tires (tubes or tubeless type). The unit is designed to be laid across the roadway (or other path of the fleeing vehicle) so that when a vehicle passes over them the hollow spikes penetrate the tire(s) and pull free from the bar. The tires are then deflated at a controlled rate, resulting in the partial immobilization of the vehicle.
- B. The Chief of Police shall approve tire deflation devices for use by members of the Anchorage Police Department.
- C. Officers using tire deflation devices will deploy tire deflation devices in the configuration and manner prescribed by the manufacturer.
- D. All users of the tire deflation device must receive Department-approved training in the use of the device. This does not preclude other law enforcement agencies from assisting in the control of the incident.

II. AUTHORIZATION AND USE OF TIRE DEFLATION DEVICES

- A. Tire deflation devices will not be used to stop fleeing motorcycles or other two-wheeled vehicles unless the use of deadly force is authorized or applicable pursuant to Alaska State law.
- B. Tire deflation devices will be deployed only with the approval of a Sergeant or higher-ranking officer except when the circumstances surrounding the incident demand immediate action to resolve a dangerous situation, and a Sergeant/Commander cannot be reached in a timely manner.

C. Tire deflation devices will not be deployed in an attempt to stop a vehicle, if the pursuit of that vehicle has been discontinued.

D. With supervisor authorization, tire deflation devices may be deployed in a stationary vehicle situation for the following purposes:

1. To prevent a vehicle or vehicles from being moved by a suspect attempting to flee a scene; or
2. To prevent movement of a vehicle which is, or possibly will be, evidence.

III. DEPLOYMENT-FLEEING VEHICLE

A. Tire deflation devices will only be deployed after an officer verbally, with hand signals, or with lights and siren, warns a suspect driver to stop and the driver does not comply. Exceptions to the notification rule are justified when in the totality of the situation or the circumstances surrounding warning the driver presents additional risks that clearly outweigh the justification for the warning.

B. Officers shall consider vehicle and pedestrian traffic before deploying a tire deflation device. If another vehicle other than a fleeing vehicle is so close that it could possibly run over the tire deflation device the officer should:

1. Make reasonable effort(s) to avoid this situation. However, even if the officer cannot avoid the situation, the officer is still authorized to reasonably position the device(s).
2. Should a citizen's vehicle be damaged, contact the motorists as soon as possible, explain the situation, assist them in obtaining assistance, and direct them to the Municipal Risk Management Department to file a compensation claim if they so desire. Notify a supervisor of the damage.

C. The operator deploying the tire deflation device should do so from a position of relative safety. The use of barriers may conceal the operator from the violator's view and allow deployment of the device from a relatively safe position. Remember, officer safety is a priority!

IV. POST-DEPLOYMENT

Once the suspect's vehicle has been "spiked" and it is clear the operator is still trying to elude the police, officers shall adhere to the Anchorage Police Department's pursuit policy (3.06.015) in determining whether or not to pursue the vehicle.

The officer deploying the tire deflation device shall:

- A. Remain near the device as long as it is deployed;
- B. As soon as practical remove remaining devices from the roadway;
- C. Wait for the pursuing law enforcement vehicles to pass the deployment location;
- D. Place the devices into the law enforcement vehicle;

- E. Notify a supervisor or commander of the deployment;
- F. Provide reasonable and necessary assistance to effect the arrest.

V. COMMUNICATIONS

A. The operator of the tire deflation device should have a functional portable radio.

B. The pursuing officer(s) and communications personnel should attempt to keep all directly involved personnel informed of the following conditions:

1. Description of the pursued vehicle
2. Description of the pursued driver
3. Pursuit Location
4. Direction of travel
5. Speed and erratic driving behavior(s)
6. Possible weapons involved
7. Number of people involved
8. Other pertinent pursuit data

C. When nearing the tire deflation device deployment location, the pursuing officer(s) and the tire deflation officer must maintain communication. The pursuing officer(s) must back off sufficiently to allow the device to be cleared from the roadway.

VI. SUPERVISORY AND COMMAND RESPONSIBILITY

A. Upon notification that a situation exists which may require the use of a tire deflation device or that a tire deflation has been deployed, a commander or supervisor will respond to and take responsibility for the scene.

B. The supervisor or commander responsible for the scene when a tire deflation device has been deployed and a suspect or civilian vehicle(s) have been "spiked" shall forward a report detailing the circumstances of the deployment to the Captain of Patrol.

VII. REPLACEMENT

All damaged tire deflation devices shall be turned in to the Supply section for repair or replacement. A copy of the police report concerning the use of the tire deflation device must be forwarded to the Captain of Patrol.