

Augusta Police Department



Policies

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	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 1A	Response to Resistance		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-16-2017		
Distribution: 07-13-2021	Sworn Personnel	References:	

A. Purpose

To provide an official guide, outlining the way to do many of the routine operations that confront the Augusta Police Department. To provide efficient methods as well as high standards of procedure which are to be recognized as official policy and applied on a Department wide basis.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 9, 2017 until such time as it is superseded, revoked or rescinded.

C. Procedure

- a) The procedural manual will be used as a guide in performing various departmental tasks.
- b) Personnel will not deviate from procedure except when absolutely necessary and in case of such an occurrence; they must be able to justify such deviation.
- c) Procedure will be issued by authority of the Chief of Police.
- d) Every officer and employee will thoroughly acquaint themselves with all procedures.
- e) The Chief of Police may cancel, revise, amend or add to any procedure whenever he/she deems necessary. Assistant Chief, Command Officer, Supervisor may request changes in the procedure by submitting, in writing to the Chief of Police, reasons why change is necessary or desirable. The Policy and Procedures shall be reviewed annually for needed revision and updates.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 1B	Mission Statement & Core Values		
Rescinds:	Prior Versions	Charles R. Blackmar	
Effective:	10/16/2017	Chief of Police	
Distribution:	All Personnel	References:	

Mission Statement

As employees of the Augusta Police Department we recognize that Service and Integrity are the cornerstones from which our Department is built. We will continually strive to enhance our knowledge, skills and ability to enforce the law, protect life and property, detect and deter crime, preserve the peace, and enhance the quality of life for all of the City of Augusta residents in a highly efficient and professional manner.

Core Values

- LEADERSHIP:** Developing leadership in our employees through the process of creating an organizational climate that fosters learning, opportunity, ownership, and accountability.
- COMMUNITY:** Fostering positive community relationships through community involvement and partnerships and recognizing that we are a part of, and representative of, a diverse community
- SERVICE:** A commitment to providing professional police services to enhance the quality of life for the City of Augusta residents and our employees.
- EFFICIENCY:** Striving to enhance our ability to serve the public and our employees through a continuous process of evaluation of performance, maximizing the use of both human and technological resources, and encouraging diversity of thought and approaches to problem solving.

	Augusta Police Department		
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	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 2A	Code of Ethic, Law Enforcement Officer		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To set in place a code of ethics that provides police officers direction and focus as they perform their duties.

B. Scope

This code of ethics shall apply to all sworn Augusta Police personnel, effective October 16, 2017 until such time as it is superseded, revoked or rescinded.

C. Augusta Police Department Law Enforcement Code of Ethics

Law enforcement is an honorable calling. Service in this field demands a professional rather than an occupational philosophy. Personal honor, a desire for professional status, and devotion to service above self, are the motives that impel police officers to discharge their responsibility in full measure.

Police officers' lives are ones of self-sacrificing service to a high ideal, based upon their recognition of the responsibilities entrusted to them and the belief that law enforcement is an honorable vocation. They fully accept their responsibilities to protect the weak, to aid the distressed, and to apply the law without prejudice. They accept the obligation to report facts and to testify without bias or display of emotion, and to consider all information coming to their attention by virtue of their position, as a sacred trust, to be used for official purposes only. They give their loyal and faithful attention to the apprehension and identification of criminals, being equally alert to protect the innocent and prosecute the guilty. They perform the functions of their office without fear, favor, or prejudice and do not engage in unlawful or improper practices.

They are respectful and courteous to all citizens. They serve their community with zeal, courage, dedication, and fidelity. They are faithful and loyal to their organization, constantly striving to cooperate with and to promote better relations with all regularly constituted law enforcement agencies in matters of mutual interest and obligation.

Chapter 2A: Code of Ethics, Law Enforcement Officer

There must be a moral philosophy, or strong appreciation of the need for obligatory service associated with any profession. Unwavering adherence to such a moral philosophy will earn for police officers the respect and support of the public. Each member of the Augusta Police Department will be required to conform to a high standard of personal conduct.

Members shall:

Be honest in all matters.

Face their problems with determination and persistence.

Avoid the use of obscene, profane, or abusive language.

Keep their mind and body sound and healthy.

Be loyal to the law enforcement service and to their associates and neither divulge nor tolerate gossip detrimental to any member of the Department.

Encourage their associates to fully discharge the obligation of their office and assist associates promptly and energetically.

Foster in all personnel a sensitivity to misconduct and have the courage to strive against it.

Take their oath of office without reservation or evasion.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3A	Chief of Police, Authority and Responsibilities		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To set forth duties and responsibilities of the Chief of Police of the Augusta Police Department.

B. Scope

This procedure shall apply to the Chief of Police and the Assistant Chief of Police of the Augusta Police Department effective October 9, 2017, until such time as it is suspended, revoked or rescinded.

C. Procedure

The Chief of Police of the Augusta Police Department duties and responsibilities shall include, but are not limited to, the following:

1. The Chief of Police, or in his/her absence the Assistant Chief of Police, of the Augusta Police Department shall be the head of the department and shall be the final department authority in all matters of policy, operations, and discipline, and be subject to the regulations of the City Council and/or the Mayor.
2. The Chief of Police shall see that all Federal laws, Kentucky State laws and Augusta City Ordinances are enforced by the members of the Augusta Police Department at all times.
3. The Chief of Police shall administer and enforce rules and regulations for the control, disposition, and discipline of the department and of its officers and employees.
4. The Chief of Police, in accordance with the rules and regulations here within, shall have the power and authority to discipline members of the department for noncompliance with the rules, regulations, procedures, and lawful orders issued by him/her or any commanding officer and shall report such disciplinary action to the City Council at the next regular scheduled meeting, with the approval of the Mayor.

Chapter 3A: Chief of Police, Authority and Responsibilities

5. The Chief of Police shall assign details, powers, functions, and duties to officers and employees within the department; including but not limited to assigning any or all of the officers and employees to a specific place in the city or county where their services may be required.
6. The Chief of Police shall delegate such of his/her powers as he/she may deem necessary for the efficient administration of the department to be exercised under his/her direct supervision.
7. The Chief of Police, or his/her designee, shall attend all regularly scheduled meetings of the Augusta City Council to report each month's activity of the Police Department; including but not limited to: the number of arrests, the number of traffic citations/warnings, the number of offense reports, the number of accident reports, and other general police activities. The Chief of Police shall also keep order at these meetings.
8. The Chief of Police shall be notified when charges are filed in his/her office against a member of the Augusta Police Department. The Chief of Police shall then immediately transmit the charges to the City Council, along with the names of witnesses to be subpoenaed, so that the charges may be properly investigated.
9. The Chief of Police, or his/her designee, shall assure that proper records are kept and maintained within the Augusta Police Department. Including but not limited to: offense reports, accident reports, property receipts and monthly activity logs.
10. The Chief of Police shall delineate the internal organization of the department and the duties of his/her subordinates and assistants.
11. The Chief of Police shall prepare the Police Department budget for submission to the mayor.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3B	Command/Supervisory Officers, Accountability, Authority and Responsibilities		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish criteria and procedure to promote a common understanding for the accountability, authority, and responsibility for supervisory officers.

B. Scope

This procedure shall apply to all Augusta Police Department command officers and supervisors effective October 9, 2017 until such time as it suspended, revoked or rescinded.

C. Definitions

- a) Command Officer - Assistant Chief/Major
- b) Supervisor - Sergeant

D. Procedure

All Augusta Police Department command officers and supervisors shall be accountable for insuring that all subordinates under his/her command shall receive but are not limited to the following listed duties and responsibilities. The below is intended to describe the general content of the requirements of this job, including the essential functions. It is not construed as an exhaustive statement of duties, requirements or responsibilities.

Command and Supervisory Officers: In addition to the general and individual duties and responsibilities of all members and employees, command and supervisory officers are specifically responsible for the following duties and responsibilities.

1) Supervision

- a) Closely supervise the activities of their subordinates, making corrections where necessary and commending where appropriate.

2) Leadership

- a) Provide on-the-job training as needed for efficient operation and coordination of effort when more than one member or employee is involved.

Chapter 3B: Supervisory Officers, Accountability, Authority and Responsibilities

- 3) Direction
 - a) Exercise direct command in a manner that assures the good order, conduct, discipline, and efficiency of subordinates. Exercise of command may extend to subordinates outside their usual spheres of supervision if the police objective or reputation of the department so requires or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily.
- 4) Enforcement of Rules
 - a) Enforcement of department rules and regulations and requiring compliance with department policies and procedure.
- 5) Inspection
 - a) Inspection of activities, personnel, reports, and equipment under their supervision and initiation of suitable action in the event of a failure, error, violation, misconduct or neglect of duty by a subordinate.
- 6) Assisting Subordinate
 - a) Have a working knowledge of the duties and responsibilities of his/her subordinates. Observing contacts made with the public by his/her subordinates and being available for assistance or instruction as may be required. He/she shall respond to calls of serious nature and others unless actively engaged in a police incident. He/she shall observe the conduct of the assigned personnel and take active charge when necessary.
- 7) Evaluation of Shift Personnel
 - a) The evaluation process is a day-to-day responsibility. The strength and weaknesses of an individual's performance must be identified and reviewed on an ongoing basis.
 - b) The written, formal job performance evaluation is a summary of these ongoing feedback sessions, with the intended goal of maximizing the performance of each employee. The evaluation should result in an improved understanding of the nature and quality of work, and reinforce the level of future work performance expected.
- 8) Promotion of Proper Morale and Attitude
 - a) Positive Attitude
 - b) Promoting the goals and objectives of the department.
- 9) Overall Responsibility of Shift Activities
 - a) Directing activities of the shifts in accordance with the goals and objective of the department, as formulated by the Chief of Police.

Chapter 3B: Supervisory Officers, Accountability, Authority and Responsibilities

- 10) Assist the Chief of Police with annual police budget preparation, including written reports and analysis of budgetary items.
- 11) Other tasks assigned by the Chief of Police

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	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3C	Patrol Officers, Accountability, Authority and Responsibilities		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish criteria and procedure for the accountability, authority, and responsibility of patrol officers.

B. Scope

This procedure shall apply to all Augusta Police Department patrol officers effective October 9, 2017, until such time as it suspended, revoked or rescinded.

C. Procedure

Responsible for maintaining law and order, for protecting life and property, and performing other police related activities, including patrol. This is skilled and responsible work in the protection of life and property through the enforcement of laws and ordinances. The list below is intended to describe the general content of the requirements of this job, including the essential functions. It is not construed as an exhaustive statement of duties, requirements or responsibilities.

Patrol Officers: In addition to the general and individual duties and responsibilities of this position, police officers are specifically responsible for the following duties and responsibilities.

- 1) Patrol of city streets
 - a) By vehicle
 1. Operate Emergency Vehicle
 - b) By foot
 - c) Execute Motor Vehicle Stops and Investigate Occupants
- 2) Enforcement of Laws
 - a) Federal
 - b) State
 - c) Ordinances
 - d) Arrest and Detain Persons
 - e) Intervene in and Control Human Conflicts
 - f) Use Deadly Force

Chapter 3C: Patrol Officers, Accountability, Authority and Responsibilities

- 3) Investigations
 - a) Report Writing
 - b) Securing Scene
 - c) Gathering Evidence
 - d) Interview Witness(es)
 - e) Interviewing Suspect(s)
 - f) Conduct Search and Seizure
 - g) Present Evidence and Testimony
- 4) Traffic
 - a) Prevent and Discover Citations for Traffic Violations
 - 1. Radar
 - 2. Observance
 - b) Control Traffic
 - 1. Accidents
 - 2. Fires
 - 3. Parades
 - 4. School
 - 5. Road Hazards
 - 6. Escorts
 - c) Respond to and conduct investigations of Motor Vehicle Accidents
- 5) Report Writing
 - a) Detailing the Facts
 - 1. Crimes
 - 2. Accidents
 - 3. Emergency Response Situations
 - 4. Other Situations Responded to During Shift of Duty
 - b) Read Reports and Other Work Related Documents and Materials
- 6) Provide Emergency Services and Assistance
- 7) Use Physical Energy and Exertion to Perform Duties
- 8) Develop and Maintain Positive Community and Interpersonal Relations

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3D	Probationary Patrol Officers, Training, Authority and Responsibilities		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish criteria and procedure for the training, authority, and responsibility of probationary patrol officers.

B. Scope

This procedure shall apply to all Augusta Police Department probationary patrol officers effective October 9, 2017, until such time as it suspended, revoked or rescinded.

C. Procedure

To provide formal and uniform on-the-job training period. To provide experience, guidance, and supervision so the Probationary Officers may develop a high standard of judgment, conduct, and appearance. To aid in the evaluation of probationary personnel.

1. All newly appointed Police Officers will be assigned with the Chief of Police or his/her designee, who will train and instruct the newly appointed Police Officer in the proper method of performance.
2. No probationary officer will be allowed to perform as a single unit without permission from the Chief of Police and only then for a limited time in a situation which would not create any significant risk, (example, traffic post, completing paperwork, etc.).
3. No probationary officer will be permitted to work off duty details without permission being given by the Chief of Police.
4. All probationary officers will be rated weekly by their training superior while in the training program, and then every month for the next year, until they have successfully completed the first year of employment.
 - a) Performance and capability will be the standard used when deciding on when a probationary officer can be released to work as a single unit.
5. Probationary officer will not be permitted to carry an off-duty weapon when he/she is off duty. The Chief of Police may waive this regulation.
6. At such a time the Chief of Police and the Mayor agree the probationary officer will released as a single unit.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3E	Training		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The Augusta Police Department has an obligation to provide a professional standard of law enforcement service to the community. In that regard, it is essential all Departmental personnel be properly trained. Training that begins at entry level and continues throughout the career will positively affect the employee's knowledge, skills, and abilities and should serve to generally improve the law enforcement services provided to the community.

B. Scope

This policy shall apply to all Augusta Police personnel, sworn and civilian, effective October 9, 2017, until such time it is superseded, revoked, or rescinded.

C. Administration of Training

1. The administration of the training component is the responsibility of a Command Officer, whom acts under the direction of the Chief of Police. Specific functions of the training component include:
 - a) Planning and developing internal programs.
 - b) Scheduling officers for training courses.
 - c) Notifying personnel of required training.
 - d) Ensuring that the officers attend scheduled training programs.
 - e) Selecting instructors for internal programs.
 - f) Maintaining training records.
 - g) Evaluating training programs.
 - h) Acting as a liaison for the Department of Criminal Justice Training and other educational institutions and training facilities.

D. Development of Internal Training Programs

1. In developing internal training programs, the following resources should be used to evaluate training needs:
 - a) FTO reports.
 - b) Consultation with Command Officers
 - c) Consultation with the State and County Attorneys' Office.

Chapter 3E: Training Chapter

- d) Internal investigative reports.
 - e) Field observations.
 - f) Personnel and training evaluations.
 - g) Job task analysis.
2. Job task Analyses shall be used in the development of internal training programs.
- a) The propose of the job task analysis is to demonstrate the job-relatedness (validity) of the training programs.
 - b) The course work and required hours of attendance in training should be related to the job task analysis.

E. Written Performance Objectives

1. Written performance objectives shall be prepared for each internal training program.
2. The performance objectives should enable the instructor to relate training directly to the job performance that will be expected by the officers' supervisor.
3. The performance objectives shall:
- a) Focus on the elements of the job task analysis for which formal training is needed.
 - b) Provide clear statements of what is to be learned or level of skill acquired.
 - c) Provide the basis for evaluating the participants.
 - d) Provide the basis for evaluating the effectiveness of the training program.

F. Selection of Instructors for Internal Programs

1. Selection of quality instructional staff for internal training programs is critical to the success of the program.
2. Instructors should possess demonstrated skills and knowledge in the topic they will instruct. This may be demonstrated by work experience, formal training, teaching experiences, and general expertise in the topic of instruction.
3. The instructors should have a functional knowledge of teaching methods and practices.

G. Lesson Plans

1. Internal program instructors shall submit formal lesson plans on each unit of instruction for approval of to the Chief of Police in a timely manner prior to the class presentation.
2. The lesson plan format is established as follows:
- a) Title page.

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- b) Statement of objectives.
- c) Instructional materials.
- d) Introduction.
- e) Development of lesson.
- f) Conclusion and summary.
- g) Instrument of measurement.

H. Competency Based Testing

1. Competency based testing that uses performance objectives and measures participant knowledge of and ability to use job-related skills are required in all Department training programs.
2. Guidelines for development of competency based testing are as follows:
 - a) Unless otherwise approved by the Chief of Police, the minimum passing grade on any test shall be 70%.
 - b) Test questions may be written as true/false, multiple choice, short answer, essay, matching, or any other format approved by the Chief of Police.

I. Review of Internal Training Programs

1. Supervisors shall conduct an annual review of training programs for the purpose of assuring that training programs compliment personnel and operational needs, legal requirements, and department policies.
2. The Review process should include:
 - a) Any department directives, court decisions, and laws.
 - b) The identification of problems associated with scheduling, physical facilities and/or materials.
 - c) Consultation with the Command officers with regard to personnel and operational needs.
 - d) A Department training report containing an assessment of the number of individuals training and the extent of training provided.

J. Recruit Training

1. General training requirements for Recruit officers.
 - a) The recruit officers training program shall consist of the following two categories:

1) BASIC ACADEMY TRAINING

Each officer having responsibility for the enforcement for the criminal laws in general will graduate from a basic training program of at least 928 hours certified by the Kentucky Law Enforcement Council prior to the exercise of such authority, except when accompanied by and under direct supervision of

a certified officer who is serving as a field-training officer (FTO). Equivalent training will be accepted, however, the agency must demonstrate that the training is equal to or exceeds KLEC standards. Officers grandfathered by 503 KAR 1:110 who were hired prior to July 1, 1972 shall be considered to meet the basic requirements of the basic training program required above.

2) FIELD TRAINING OFFICER (FTO) PROGRAM.

All recruit officers shall participate in and successfully complete the FTO program under the direct supervision and one-to-one training as administered by a certified officer in accordance with the Department guidelines.

- a. The FTO program shall consist of a minimum of 6 (6) weeks for inexperience recruits. For Recruits with prior experience, the FTO program length is at the discretion of the Chief of Police.
- b. The FTO program is designed to give the recruit officer "on street" experience under direct supervision of a certified officer.
- c. Weekly Observation Reports (WOR) are completed each week by the certified officer, and are essential means by which the progress of the recruit officer is measured.
- d. FTO responsibility includes instructing the recruit officer in all agency policies, procedures, rules and regulations.

K. Specialized Training

1. The Department shall provide more than traditional "on-the-job" training to personnel assigned to, or in specific areas of need, as soon as practical.
2. Specialized training should be based on the results of the particular job task analysis of a given specialized function or component, and should be closely coordinated with experienced personnel in the area of specialization.
3. Specialized training goals are established as:
 - a) The development and/or enhancement of the skills, knowledge, and abilities particular to the area of specialization.
 - b) Training the employee in the management, administration, supervision, personnel policies, and support services of the specialized function or component.
 - c) Informing the employee of the performance standards of the specialized function or component.
 - d) Providing the employee with an understanding of Department policies, procedures, rules and regulations specifically related to the specialized function or component.
 - e) Providing the employee with the beneficial influence of an experienced officer during "on-the-job" training.
4. Post-assignment specialist training should be provided to employees within 6 months of assignment in the following areas:
 - a) Criminal Investigations.
 - b) Interview and Interrogation Functions.

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- c) School Resource Officer.
- 5. Advanced specialist training shall be given to an officer before assignment in the following areas. The Chief of Police may waive this depending upon the availability of training:
 - a) Firearms Instructor.
 - b) Police Instructor.
 - c) Defensive Techniques Instructor

L. Advanced Law Enforcement Training

1. Advanced Law Enforcement Training includes the type of training an officer receives at FBI National Academy, Southern Police Institute, Northwestern University Traffic Institute, Kentucky Department of Criminal Justice Training, and other formal training courses consisting of more than a thirty (30) day curriculum, designed primarily to improve the professional competence of officers who have demonstrated leadership capabilities.
2. The selection criteria for officers to participate in Advanced Law Enforcement Training shall include the following:
 - a) Officers must hold the rank of Sergeant or above, unless the Chief of Police determines a specific organizational need may be addressed by an officer who possesses an expertise in the area of need.
 - b) Officers must have completed at least two (2) years of service with the Department.
 - c) Officers must receive the approval and authorization of the Chief of Police.
3. The Chief of Police shall discuss any post-training functions, assignments, and/or responsibilities that may be expected of the officer under consideration for Advanced Law Enforcement Training prior to granting final approval for the officer to attend such training.
4. Officers must file a formal written request for approval from the Chief of Police to attend any Advanced Law Enforcement Training.

M. First-level Supervisors

1. Every employee appointed or promoted to a first level supervisory position shall successfully complete 120-hour Academy of Basic Supervision, or equivalent, which has been approved by the Kentucky Law Enforcement Council (KLEC) prior to or within one year of such appointment or promotion.

N. Mid-management positions

1. Every employee appointed or promoted to a mid-level management position shall successfully complete at least 40 hours of management training, which has been

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approved by the Kentucky Law Enforcement Council (KLEC) prior to or within one year of such an appointment or promotion.

O. Annual Retraining

1. The annual retraining of all sworn personnel is intended to ensure that officers remain up-to-date on Departmental issues, career interests, and changes in the Criminal Justice System. The retraining program is structured to motivate experienced officers, and to enhance the professionalism of the Department.
2. Every regular officer having responsibility for the enforcement of the criminal laws in general annually shall complete at least 40 hours of certified in-service training.
3. Annual retraining may consist of, but not necessarily limited to, any of the following programs:
 - a) Formal in-service training approved by the KLEC.
 - b) Advanced specialized training seminars and schools approved by the KLEC.

	Augusta Police Department		
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	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3F	Performance Evaluations		
Rescinds:	Prior Versions	Charles R. Blackmar	
Effective: 07-13-2021	10-09-2017	Chief of Police	
Distribution:	All Personnel	References:	

A. PURPOSE

The purpose of this policy is to establish procedures relating to the preparation and submission of performance evaluations for employees of the Augusta Police Department. Performance evaluations are used to recognize individual strengths, and to provide guidance and support as a means to build upon those strengths. Additionally, performance evaluations are beneficial to management and the employee as a method by which to identify aspects or behaviors that may be improved and to provide assistance in developing processes by which to improve individual performance.

B. POLICY

It is the policy of the Augusta Police Department to utilize performance evaluations as a measurement of the worker's on-the-job performance of assigned duties as evaluated by the employee's supervisor and chain of command. The Augusta Police Department's performance evaluation system is intended to provide an objective measure of the member's performance and to assist in employee development and career advancement.

C. DEFINITIONS

Counseling: The giving of advice; advising. As used: discussions between the rated employee and rater concerning performance.

Performance: Something done or performed. As used: actions taken or omitted with regard to specific tasks or assignments.

Rated Employee: The employee whose performance is evaluated by the rater.

Rater: The evaluator of the performance of the Rated Employee

Rating: The estimated value worth, strength, capacity, etc. of the Rated Employee. As used: an Indication of the quality of the performance attributes.

Reviewing Officer: The person, normally the rater's supervisor, who is responsible for ensuring the completeness of the evaluation report and the fairness, objectivity, and the lack of bias on the the part of the rater in measuring performance of the Rated Employee.

Performance or Competency below Expectations (Unsatisfactory Performance): Employee behavior or work performance that is substandard. Performance or Competency below expectations may lead to disciplinary action.

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Performance or Competency meeting Expectations (Satisfactory Performance): Employee behavior or work performance that meets normal standards and would indicate the employee performed at an average level.

Performance or Competency above Expectations (Above Satisfactory Performance): Employee behavior or work performance exceeds normal standards and would indicate the employee performed at an above average level.

Evaluation Interview: Interview by Supervisor with Employee regarding behavior and work performance.

D. PROCEDURE

1. The performance evaluation system includes the following:

- a. Measurement definitions: The rating process is described on the instruction form, and includes a rating scale and related definitions.
- b. Procedures for use of forms: The evaluation process is described on the instruction form.
- c. Rater responsibilities: The rater is responsible for careful and fair evaluation of the employee's performance for the entire period covered by the evaluation. The ratings should be substantiated by facts, careful observation, and notes from previous informal review. The supervisor shall discuss the evaluation with the employee.
- d. Rater training: Evaluations reflect observations and perceptions by the rating personnel, and are, therefore, inherently subjective. Therefore, whenever a supervisor becomes responsible for the evaluation of another employee, he/she shall receive appropriate and sufficient training on the departmental performance evaluation system, measurement definitions, procedures for use of forms, and rater responsibilities. Supervisors shall receive training on the importance of impartial ratings, the rater's role in the performance evaluation system, and how to counsel and guide employees.
- e. An employee's performance provides information concerning suitability for assignment, training needs, ability for acquiring more responsibilities, and effectiveness in the assigned position.
- f. Employees are rated by his or her rating officer. Input may be obtained from the previous supervisor when, during the ratings period, the employee changed job assignment or supervisor. Each employee's performance is documented through the department's evaluation forms. Each is rated according to his/her performance based on being below, meeting, or above standards. Criteria used for evaluation are specific to the position occupied by the employee.
- g. Criteria used for performance evaluation are specific to the position occupied by the employee. Tasks of the position and required knowledge, skills, and abilities as set forth in the job description, form the basis for the factors to be evaluated in the performance evaluation. There may be instances when it becomes necessary to update position

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responsibilities during the review period. This can result from new assignments or changes to current duties. If this occurs, it the responsibility of both the employee and rating officer to discuss changes and correctly document the responsibilities on the evaluation form.

2. Evaluation Interview

- a. Supervisors shall begin every rating period by counseling the employee on the following: position tasks, duties, and responsibilities; level of performance expected; and evaluation rating criteria.
- b. Performance evaluation interviews are conducted by the evaluating supervisor to explain the evaluation, provide the employee an opportunity to review and ask questions about the completed evaluation, and give the employee the opportunity to sign and provide comments in the employee comments section of the completed evaluation report.

3. Utilization

- a. Employees are rated by his/her Rating Officer who shall prepare the evaluation for review in advance of the Evaluation Interview. Each evaluation form prepared by a supervisor is to be reviewed by the Rating Officer's supervisor prior to being issued to the employee. Reviews are intended to ensure fairness, uniformity, and validity and shall be accomplished according to the fairness and impartiality of ratings.
- b. Rating Officers are referred to the instructions of the evaluation form and the following: all comments should be typed or in ink. Any corrections or changes made after the interview must be initialed by the person evaluated. All signatures shall be in ink. Rating Officers should be prepared to fully substantiate a rating in exceeds or below categories and give specific reasons for the rating through a narrative comment.
- a. Each employee will sign and date the completed evaluation along with the Rating Officer. The employee's signature does not imply agreement or disagreement with the content, but receipt of the evaluation. A copy of completed evaluation will be made available upon request. Comments can be entered in the comment section of the evaluation form.

4. Unsatisfactory Performance

- a. The Rating Officer must prepare a written notification for non-probationary employees articulating the basis of the potential for a below expectations rating and corrective actions the employee should take. Rating Officers will meet personally with the employee to tender and discuss the written notifications to the employee in sufficient times so as to allow the member time to take appropriate corrective action in advance of the annual evaluation. Such meetings shall be conducted at least 90 days in advance of their annual performance evaluation whenever his/her performance is likely to result in an unsatisfactory rating.
- b. Written notifications of potential performance below expectations ratings shall be submitted to the Chief of Police for review in advance of meeting with the employee.
- c. In those instances where the employee is tendered a performance below expectations evaluation; the written notification will be forwarded to the Chief of Police and kept as part of

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the employees permanent personnel file.

5. Review and Appeals

- a. Evaluation reports express the judgment of the Rating Officer and, as such, are not subject to grievance process. However, the Rating Officer's supervisor and the Chief of Police may offer supplementary information in the comments section of the evaluation as form as they deem appropriate.

6. Annual Inspection

- a. The performance evaluation system is inspected annually by the Chief of Police or his/her designee.
- b. Objectives of the inspections are to: study suggestions for modifications or improvement process, review the number of contested evaluations and the reasons, and assess instances of unsatisfactory performance ratings and the reasons for them.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3G	Grievance Procedure		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure and guidelines for the filing and resolution of employee grievances.

B. Scope

This procedure shall apply to all Augusta Police personnel, sworn and civilian, effective October 9, 2017, until such time as it is superseded, revoked, or rescinded.

C. Definitions

1. Any employee who believes he or she has been adversely affected by an act or decision of a supervisor, command officer, or managerial officer has the right to process a grievance in accordance with the following procedure.
2. The purpose of these grievance procedures is to expedite the handling of complaints and is not intended to confer additional or supplemental rights to an employee that he or she would not otherwise be entitled to.

D. Procedure

The Chief of Police shall recognize and deal with the employees of the Department for the adjustment of any non-disciplinary grievance. A grievance may include an issue of a personal nature relating to a problem between members; an issue of technical nature relating to department city policy or procedures, including the proper application or interpretation of personnel policies, procedures, rules and regulations; acts of reprisal for using the grievance procedures; or for participation in the grievance of another employee; or, any other issue which is not precluded from the grievance process. The filing and processing of grievances shall be as follows:

1. When an officer or employee has a grievance, he or she shall verbally discuss the matter with his or her immediate supervisor and attempt to resolve the problem.
 - a. The grievance shall be presented by the employee to his/her immediate

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supervisor within ten (10) days of the event-giving rise to the grievance.

- b. After a full disclosure of the facts, the supervisor must make every effort to reach a satisfactory settlement to the aggrieved employee within three (3) working days.
2. The aggrieved employee shall resume his/her regular duties after filing said grievance.
3. If the grievance cannot be resolved through verbal discussion with the immediate supervisor, the aggrieved employee may within ten (10) days after the discussion between the grievant and the supervisor, forward the grievance in writing to the Chief of Police.

Said grievance shall include:

- a. Written statement of the grievance and the information upon which it is based.
 - b. Written specification of the alleged wrongful act and resultant harm.
 - c. Written description of the remedy, adjustment, or other corrective action sought.
 - d. Once the grievance has been reduced to writing, no material change may be made in the subject matter of the grievance.
4. The Chief of Police upon receiving the grievance shall:
 - a. Have the supervisor involved in the grievance submit in writing his/her opinion and reasons to answer the employee's grievance.
 - b. Respond to the employee's grievance in writing outlining his/her opinion as to the validity of the employee's grievance, reasons for his/her opinion, and description of the remedy, adjustment or other corrective action sought, within fifteen (15) working days of receiving the grievance.
5. If this settlement is not mutually agreeable, then the aggrieved employee may, within ten (10) working days after the grievant receives his/her reply from the Chief of Police, forward the grievance to the Mayor for his/her attempt at a satisfactory settlement or adjustment.
6. If the Mayor cannot resolve the grievance, the aggrieved employee may, within five (5) days after the grievant receives his/her reply from the Mayor, forward the grievance to the Augusta City Council.

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7. In the event the grievance is still unresolved, a meeting with the City Council, Mayor, Police Chief, and employee may be arranged within ten (10) working days after the grievant receives his/her reply from the City Council, with signed statements from both the employee and the Chief of Police relating to the grievance in question. This meeting would be at the discretion of the City Council.
8. The decision of the City Council regarding such grievance shall be final, binding, and not subject to appeal unless otherwise permitted by law.
9. Employees are directed to the time limits contained in this policy. Should the employee, at any step, fail to adhere to the time limits provided, the grievance shall be considered waived by the employee and shall not be considered further.
 - a. Time limits set forth herein may be extended provided such extension is agreed to by both parties in writing.
10. The employees that has filed the grievance, has the right to be represented by lawful counsel at each step of the process. The employee filing the grievance shall be deemed responsible for that counsel's compensation.
11. Grievances, and all documents pertaining to same, shall be forwarded to the Chief of Police upon resolution for filing and maintenance.

E. Emergency Conditions

1. Where there is an emergency condition, upon mutual agreement between the parties, any step or steps in this procedure may be combined and/or accelerated to resolve the grievance.

F. Applicability

1. These grievance procedures shall not apply to the termination of an employee for any reason.
2. Grievance procedures are established in order to expedite matters and are permissive rather than mandatory.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3H	Awards for Excellence and Achievement		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective: 07-13-2021	10/09/2017	Chief of Police	
Distribution:	All Personnel	References:	

A. PURPOSE

To establish a program to recognize outstanding performance and/or achievements of police department personnel as well as persons external to the agency.

B. POLICY

This policy shall apply to all police department personnel until such time as it is superseded, revoked or rescinded.

C. DEFINITIONS

Medal of Valor: A medallion and decoration bar presented for acts above and beyond the call of duty, undertaken at times of clear and obvious peril with substantial risk of personal injury or death.

Outstanding Achievement Award: Awarded for performance in the line of duty that brings exemplary credit to the department and the officer. The award may be issued for a single occurrence or for continued quality achievement.

Letter of Commendation (LOC): Letters of commendation are issued at the discretion of the Chief of Police for exemplary conduct in a single incident or on going performance. No uniform insignia or decoration shall be issued for a LOC. Nothing in this policy precludes members from receiving a LOC and being awarded other police department awards for the same incident.

Military Service Bar: A commendation bar to be worn by veterans of military service.

D. PROCEDURE

1. Nomination

- a. Any member of the agency may submit an award nomination to the Chief of Police for consideration. All nominations must be in writing describing, in detail, the circumstances and qualifying factors as to the basis for the award.

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2. Selection

- a. The Chief of Police shall present all nominations for awards to the Augusta City Council. The City Council and Chief of Police will review all nominations and serve as the deciding body on award approval by a majority vote.

Presentation

- a. The *Medal of Valor and the Outstanding Achievement awards* shall be presented by the Chief of Police and/or the Mayor during a regular or special meeting of the Augusta City Council.
- b. The *Letters of Commendation* are to be presented in the manner established by the Chief of Police. No specific format is mandated or formal ceremony required.

3. Documentation

- a. Originals of all awards and related documentation will be presented to the receiving officer and a copy shall be placed in the employee's personnel record.
- b. Displaying of awards
- c. A commendation award bar holder with up to a maximum three award bars may be worn in either the dress or duty uniform.
- d. Medals may be worn with the dress uniform during ceremonial or other events as determined by the Chief of Police.
- e. Subsequent awards of the *Medal of Valor or Outstanding Achievement awards* will be represented by a star on the appropriate medal for each additional award.

4. Award Decoration

- a. Medal of Valor: Blackinton Bar # A10808.
- b. Outstanding Achievement Award: Blackinton Bar # A1475.
- c. Military Service Bars: Blackinton Bar # A11173, A11173-A, A11173-B, A11173- C, A11173-D.
- d. Bar Holders: Single bar: SB1-B; Double bar: SB2-B; Three bar: SB3-B.

	Augusta Police Department		
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	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3I	Drug Testing		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-09-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

1. To establish a policy for a comprehensive and effective drug use education, training, control and testing program to deter drug abuse and aid in insuring a work environment that is as productive and as safe as possible to all officers of the Augusta Police Department.
2. An Officer may not be on duty while having an alcohol concentration of .02 or greater.
3. An Officer may not test positive for any controlled substance(s) while on duty.

B. Scope

This procedure shall apply to all Augusta Police officers effective October 9, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure – Types of Testing

1. Random Testing
 - a. Each and every Officer of the Augusta Police Department is subject to random testing.
 - b. Random testing is unannounced.
 - c. Upon notification of selection for random testing, officers must report within one (1) hour to the designated location for specimen collection.
 - d. Absent good cause as determined by the Mayor, failure to report for testing will be regarded as a positive test result.
 1. Fails to provide adequate urine or blood for controlled substance testing without a valid medical explanation following notice of the requirement for urine or blood testing.
 - e. After an officer has been tested, his/her name remains in the random pool.
 1. Under the policy, it is possible that some officers will be tested several times in a given year and other officers will not be tested at all.

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2. Reasonable Suspicion

- a. An officer is subject to reasonable suspicion testing for alcohol and controlled substances any time the officer is on duty.
- b. Reasonable suspicion testing is based on when objective observations make management suspect an officer is under the influence of drugs or alcohol on the job that has violated this policy.
- c. The following conditions are signs of possible drug or alcohol use but are not all inclusive:
 1. Abnormally dilated or constricted pupils
 2. Flushed face
 3. Change of speech (i.e., faster or slower)
 4. Increased absences or tardiness
 5. Sudden weight loss
 6. Change in personality
 7. Forgetfulness, performance faltering, poor concentration
 8. Borrowing money from coworkers or other unusual displays for money
 9. Constant fatigue or hyperactivity
 10. Smell of alcohol
 11. Slurred speech
 12. Difficulty walking
 13. Dulled mental processes
 14. Slowed reaction rate
- d. When a reasonable suspicion test is ordered, a supervisor/command officer will accompany and transport the officer for testing.
- e. Testing will occur as soon as practicable after a reasonable suspicion determination is made.
- f. Absent good cause as determined by the Mayor, failure to report for testing will be regarded as a positive test result.
 1. Fails to provide adequate breath for alcohol testing without a valid medical explanation following notice of the requirement for breath.
 2. Fails to provide adequate urine and/or blood for controlled substance testing without a valid medical explanation following notice of the requirement for urine and/or blood testing.

3. Post-Accident Testing

- a. Officers involved in an on-the-job collision/accident involving a fatality, or serious bodily injury shall submit to drug and alcohol testing. In the case of minor injury or property damage of less than \$3,500.00, an officer shall submit to drug and alcohol

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testing unless it can be clearly established the officer was not at fault in the collision/accident. In all other circumstance, a command level officer shall be consulted as to the need for drug and alcohol testing

- b. It is the responsibility of the officer to immediately report any involvement in an accident while on duty to his/her Supervisor/Command Officer.
- c. Failure by the officer to notify a Supervisor/Command Officer of involvement in an accident while on duty shall be considered refusal to take an alcohol or drug test.
- d. The officer must remain available for testing following an accident unless the officer is required to leave the scene for medical attention for injuries or to summon emergency personnel.
 - 1. Nothing in this section should be construed as requiring the delay of necessary medical attention for injured people following an accident.
- e. If a post-accident test is ordered by a Supervisor/Command Officer the employee must be tested for alcohol within two (2) hours of the accident and tested for drugs within twenty-four (24) hours of the accident.
- f. An officer may not consume alcohol after an accident requiring post-accident testing until such time as a test for alcohol has been administered.
- g. Absent good cause as determined by the Mayor, failure to report for testing will be regarded as a positive test result.
 - 1. Fails to provide adequate breath or blood for alcohol testing without a valid medical explanation following notice of the requirement for breath or blood testing.
 - 2. Fails to provide adequate urine and/or blood for controlled substance testing without a valid medical explanation following notice of the requirement for urine and/or blood testing.

4. Follow-up Testing

- a. When an officer is identified as needing assistance in resolving problems associated with alcohol or drug misuse and the Augusta Police Department offer this assistance, the officer shall be evaluated by a substance abuse professional, as defined by Federal Highway Administration (FHWA) regulations, to determine that the officer has properly followed any rehabilitation program prescribed, and shall be subject to unannounced follow-up alcohol or drug tests following the officers return to duty.
- b. The number and frequency of such follow-up tests shall be as directed by the substance abuse professional, and consists of at least six (6) tests in the first twelve (12) months following the officer's return-to-duty.

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- c. Absent good cause as determined by the Mayor, failure to report for testing will be regarded as a positive test result.
 - 1. Fails to provide adequate breath for alcohol testing without a valid medical explanation following notice of the requirement for breath testing.
 - 2. Fails to provide adequate urine or blood for controlled substance testing without a valid medical explanation following notice of the requirement for urine or blood testing.

D. Procedure – Testing

1. Controls

- a. An officer who has been ordered to be tested must report to the collection site within one (1) hour upon being informed that a substance test is being ordered.
- b. Testing will be conducted by a blood or urine sample.

2. Alcohol

- a. Any reasonable suspicion alcohol testing shall be a breath alcohol test.
- b. Any post-accident testing shall be a breath alcohol test or a blood test.
- c. When a breath alcohol test is used and it shows alcohol at .02 percent or above, the test is “positive”. When a breath alcohol test indicates a reading below .02 percent, the test is converted to “negative”.
- d. When a blood test is used and it shows alcohol at .02 percent or above, the test is “positive”. When a blood test indicates a reading below .02 percent, the test is converted to “negative”.

3. Drugs

- a. Collection procedures, specimen testing, and reporting of test results will comply with chain of custody procedures of the certified laboratory and the Department of Health and Human Services’ Mandatory Guidelines for Federal Workplace Testing Programs
- b. The collection site for the Augusta Police Department will be any location of: Primary Plus LEAP Wellness and Occupational Medicine
- c. To ensure that the tested specimen is actually that of the donor:
 - 1. Collection site staff will require positive identification of the officer to be tested.
 - 2. The donor will be required to initial the specimen label and sign the Custody

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and Control Form which initiates the testing process and assigns a specimen identification number for testing.

3. The donor must be present and witness the completion of the Custody and Control Form by staff at the collection site.
 4. A specimen identification number will be assigned to all urine and/or blood samples and this number will be used to track drug tests through the process.
- d. Testing will be done by a medical laboratory that complies with the requirements of KRS 333. Urine and/or blood will initially be screened for the presence of controlled substances. A Medical Review Officer (MRO) shall review the test results and accompanying documentation prior to making a determination on a positive controlled substance result.
1. On a positive controlled substance result the MRO will contact the tested officer to provide an opportunity for the officer to provide additional information. The MRO must make all reasonable attempts to contact the officer. However, the MRO may verify the positive test and report a positive test to the Augusta Police Department if the officer expressly declines the opportunity to discuss the test, or reasonable attempts to contact the officer were made and failed.

4. Records Release and Confidentiality

- a. All officers records regarding drug or alcohol testing are considered property of the Augusta Police Department, are confidential and may not be released except upon written request by the officer, except:
 1. In the event of a lawsuit, by court order, subpoena, discovery.
 2. In the event of a grievance or other proceeding initiated by or on behalf of the officer arising from the results of an alcohol or controlled substance test.
 3. In a proceeding relating to a benefit sought by the officer, such as workers' compensation or unemployment insurance.
 4. In the event of a disciplinary proceeding against the officer.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 3J	Sexual Harassment, Sexual Discrimination		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective: 01-21-2021	02-0921-2018	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to prohibit sexual harassment, sexual misconduct and sexual discrimination within this agency. The policy also provides for the reporting and department response to sexual harassment or sexual discrimination.

B. Scope

This procedure shall apply to all Augusta Police officers effective February 21, 2017, until such time as it is superseded, revoked or rescinded.

C. Policy

It is the policy of this department to prohibit sexual harassment or sexual discrimination in any form and to provide employees with a mechanism for reporting and resolving allegations of sexual harassment and sexual discrimination.

D. Definitions:

1. Sexual Harassment - Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct when:
 - a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 - c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
2. Two Types of Sexual Harassment:
 - a) Quid Pro Quo Harassment: A circumstance by which an employee is afforded a favorable employment action in exchange for a sexual favor. Examples:
 - 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; i.e. sexual favors in exchange for hiring.
 - 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, i.e. sexual favors in exchange for promotions, raises etc., or
3. Hostile Work Environment: A circumstance by which an employee is confronted with an environment involving sexually explicit language, photos, or conduct.
 - a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

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- c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- 4. Sexual Harassment Progression:
 - a) Non-Physical
 - b) Pressure for Dates
 - c) Sexual Jokes
 - d) Teasing
 - e) Remarks
 - f) Questions
 - g) Suggestive Looks/Gestures
- 5. Physical/Non-Physical Intimidation:
 - a) Sexual Favors
 - b) Pinching
 - c) Touching
 - d) Phone Calls
 - e) Blocking
 - f) Cornering
 - g) Sending Materials of Sexual Nature
- 6. Physical/Bodily Harm
 - a) Sexual Assault
 - b) Attempted Sexual Assault

E. Sexual Discrimination:

The disparate treatment of an employee with respect to work benefits, conditions, assignments, promotions, etc. based upon the gender of the employees unless such disparate treatment is necessary based upon some bona-fide occupational qualification i.e. undercover assignment where a male is necessary due to the nature of the infiltration.

F. Procedure:

Supervisors and all employees have an obligation to provide a work environment free of all harassment. This includes taking steps to insure that the agency is in a position to control prohibited harassment whether it is done by supervisors, co-workers or non-employees (such as vendors working with the agency or supplying services). Employees who believe they are being harassed also may report this harassment to EEOC.

- 1) Reporting Requirements: All employees within the Department have an obligation to promptly report violations of this policy. This would include sexual harassment, sexual discrimination or indicators of a hostile, offensive work environment that the employee experiences, witnesses, or otherwise has knowledge of.
- 2) The Department shall promptly investigate all complaints regarding harassment or discrimination regardless of their origin.
- 3) Complaints should be made to an employee's immediate supervisor. If the immediate supervisor is involved in the allegation or the employee is uncomfortable with making a report to their immediate supervisor, they may by-pass the chain of command in order to report the sexual harassment or sexual discrimination.

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- 4) Once an allegation is made steps should be taken to separate the involved employees while an investigation into the allegations is conducted. The separation should be undertaken in an equitable manner which is non-punitive in nature. In no case will the complaining employee be forced to change assignments against their choice. The supervisor is required to immediately stop any conduct which might continue or aggravate the allegation(s).
- 5) All allegations of sexual harassment or sexual discrimination shall be documented and forwarded up the chain of command to the Chief of Police.
- 6) All complaints of sexual harassment or sexual discrimination shall be immediately and thoroughly investigated.
- 7) The alleged victim of the sexual harassment shall be kept informed of the progress of the investigation.
- 8) At the conclusion of the investigation, the alleged victim and the accused employee should be informed of the conclusions reached by the investigation.
- 9) Where evidence is established to sustain a violation of this policy, immediate disciplinary action shall be taken against the offending employee, up to and including termination from employment with this agency.
- 10) No employee shall be retaliated against for reporting allegations of sexual harassment or sexual discrimination.

G. Training: The department shall conduct annual training regarding sexual harassment and sexual discrimination for all employees that includes instruction on the reporting requirements of such conduct. This training shall be documented to ensure that all employees received the training.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 4A	Chain of Command		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a Chain of Command in the absence of the Chief of Police.

B. Scope

This procedure shall apply to all Augusta Police Department personnel, sworn and civilian, effective October 9, 2017, until such time as it is superseded, revoked or rescinded.

C. Policy

Chain of command is made up of a succession of supervisory officers, superior to subordinate, through which information and orders are transferred. The chain extends upward in the same manner for official communications from subordinates to superior.

Within the department's structure there are a variety of responsibilities which when taken as a whole make up the department's function. Certain officers are responsible for these tasks. When communications are received or generated regarding these responsibilities, they are to be routed to the officer having that responsibility.

When a subordinated officer needs information, clarification of orders, or has a problem, which requires the action of someone higher in authority than himself, he/she is to contact his immediate supervisor. That supervisor will either resolve the situation or contact his/her supervisor and the solution will be relayed back to the originating officer.

Exceptions can be made in the event of an urgent matter requiring immediate disposition or if an officer believes that, his/her situation cannot be dealt with by his/her supervisor, as in the case of certain personal problems. If an officer has a problem that he wishes to consult with higher authority about, he/she is to contact his immediate supervisor and advise him that he wishes to see the Chief of Police. This request will be granted.

Chapter 4A: Chain of Command

Supervisors are to keep subordinate officers informed of orders, rules and regulations, and other information that they need but are not aware of due to absence from the department for other reasons.

D. Procedure

1. The Chain of Command of sworn personnel in the absence of the Chief of Police shall be as follows.
 - a. Assistant Chief of Police
 - b. Supervisor
 1. Sergeant
 - (A) Designated by the Chief or Assistant Chief of Police
 - c. Officer in Charge
 - d. Patrol Officer

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 4B	On Scene Supervisor		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a directive describing the circumstances requiring the on-scene presence of a supervisor for the purposes of assuming command.

B. Scope

This procedure shall apply to all Augusta Police personnel, sworn and civilian, effective October 9, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

1. Any officer in charge of a situation may request the presence of the Chief of Police or his/her designee. The supervisor will assess the situation and assume command, as he/she deems necessary.

D. Incidents requiring presence of a supervisor.

1. The Chief of Police or his/her designee shall be notified and will assume command of the following incidents:
 - a. Serious injury to an officer.
 - b. Accidents involving a police vehicle.
 - c. Major crimes to include but not limited to murder, robbery, kidnapping, an assault where death may occur or any death related incidents to include motor vehicle accidents.
 - d. Disasters, catastrophes, or severe weather producing emergency conditions.
 - e. Complaint or incident involving a police officer.
 - f. Serious accident, injury, or incident involving on-duty city personnel or property.
 - g. Barricade/hostage situations.

Chapter 4B: On Scene Supervisor

- h. Any other incident where a supervisor is requested.
- 2. The commanding officer shall assume command unless relieved by the Chief of Police.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 4C	Lawful Orders, Duty to Obey		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure for Augusta Police personnel to obey lawful orders.

B. Scope

This procedure shall apply to all Augusta Police personnel, sworn and civilian, effective October 9, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

It shall be the duty of all Augusta Police personnel to obey lawful orders given by a supervisor or superior officer.

1. Lawful Orders

- a. If an employee is given an order or instruction by his/her immediate supervisor or other ranking officer, and another senior employee gives an order or instruction which conflicts with that, the member shall so inform the senior employee of the conflict. If the senior employee still desires that his/her order or instruction be carried out, the member receiving the conflicting order will do so. The senior officer giving the conflicting order will immediately, or as soon as practical, notifies the member's immediate supervisor of the action.
- b. Departmental employees shall be required to obey any lawful order of a superior including any order relayed from a superior by an employee of the same or lesser rank.

2. Conflicting or Inconsistent Orders

- a. Upon receipt of an order being conflicting or inconsistent with any previous order or instruction, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original order or instruction then rests with the individual issuing the second order or

Chapter 4C: Lawful Orders, Duty to Obey

instruction. If so directed, the latter command shall be obeyed first. Orders will be countermanded, or conflicting orders will be issued only when reasonably necessary for the good of the department.

3. Unlawful, Unjust or Improper Orders

- a. No member of the Augusta Police Department shall knowingly issue any order, which is in violation of any law or ordinance or departmental rule.
 1. Obedience to unlawful orders is never a defense of an unlawful action; therefore, no employee is required to obey any order that is contrary to federal or state law, or local ordinance.
 2. Responsibility for refusal to obey rests with the employee and he/she shall be strictly required to justify his/her action.
- b. Employees who are given orders that they feel are unjust or improper, but are lawful, must first obey the order to the best of their ability and then may proceed with an appeal to the Chief of Police.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 4D	Written Directives		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure for the development and promulgation of written directives, policies, procedures, rules and regulations.

B. Scope

This procedure shall apply to all Augusta Police personnel, sworn and civilian, effective October 9, 2017, or until such time as it is superseded, revoked or rescinded.

C. Procedure

1. All written directives will be issued by the Chief of Police and must have approval of that office before being issued.
2. Any modification to written directives must be approved by the Chief of Police prior to any change.
3. Written directives will be reviewed by staff personnel prior to implementation.
 - a. Written directives will be reviewed annually to see if modification, update or change is needed.
4. Written directives may be written by:
 - a. Chief of Police
 - b. Assistant Chief of Police
 1. Must have final approval by Chief of Police.
5. Approved Directives
 - a. Command Officer's responsibility.

Chapter 4D: Written Directives

1. Index
2. Purge
3. Update
 - a. Updated policy and procedures manuals will be kept in binder form and stored in a readily accessible place for viewing and review.
4. Dissemination
 - a. The Chief of Police will disseminate new and updated directives to department personnel.
6. Personnel Responsibility
 1. Acknowledgment of directives by signature.
 2. Become familiar with directives.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 4E	Notification of Proper Authority		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The prompt notification of the Chief of Police, or Assistant Chief of Police should any problems or incidents be brought to the attention of any employee via the Bracken County Judge Executive, Mayor or City Council.

B. Scope

This policy shall apply to all Augusta Police personnel, sworn and civilian, effective October 9, 2017, until such time it is superseded, revoked or rescinded.

C. Procedures

Effective immediately, anytime any employee of this department receives a telephone call from the Bracken County Judge Executive, City Council Members or Mayor concerning any incident or problem that has occurred within the city of Augusta shall notify the Chief of Police or the Assistant Chief of Police as soon as possible.

	Augusta Police Department		
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	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 4F	Criminal Charges, Command/Supervisory Officer Review of		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to provide command/supervisory officer review of criminal and traffic charges filed against persons by Augusta Police personnel.

B. Scope

This policy shall apply to all sworn personnel, effective October 9, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

The officer in charge or higher authority shall review the appropriateness and necessity of all criminal and traffic charges filed against persons by Augusta Police personnel. When determining the appropriateness and necessity of such charges, the command/supervisory officer shall consider the totality of the circumstances surrounding the concerned person's conduct.

1. Filing of Criminal and Traffic Charges.

- a. Personnel shall notify the officer in charge, or appropriate authority, of the intent to file charges that may result in a physical detention, arrest, or summons. The officer shall relay all pertinent information and facts concerning the incident and the proposed charges.
- b. In the absence of exigent circumstances, charges filed that are likely to result in physical detention must receive command/supervisory officer review and approval.
- c. Command/Supervisory officer approval is not required to effect probable cause or on-view arrests. However, the officer in charge shall be notified of the arrest as soon as practical.
- d. Police Officers acting in the capacity of officer in charge may make said supervisory determinations without review by higher authority.

Chapter 4F: and Criminal Charges, Command/Supervisory Officer Review of

2. County and Commonwealth Attorney.
 - a. When an officer seeks charges through the County Attorney's Office or Commonwealth Attorney's Office after consulting with his/her command/supervisory officer, and either attorney's office refuses to grant the charges sought, the concerned officer shall notify his/her command/supervisory officer. It shall be the command/supervisory officer's responsibility to reach a consensus through discussion with the attorney's office as to the appropriate charge to be filed.

	Augusta Police Department		
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	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5A	Police Vehicle Response to Calls for Service		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure for the operation of police vehicles in response to a routine, urgent and emergency calls for service.

B. Scope

This procedure shall apply to all sworn Augusta Police personnel, effective October 9, 2017, until such time as it is superseded, revoked or rescinded.

NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

C. Policy

All personnel operating department vehicles shall exercise due regard for the safety of all persons. No task, call, or incident justifies the disregard of public safety. Further, the public expects its police officers to demonstrate exemplary driving behavior. All departmental vehicles will be driven safely and properly, in full compliance with all traffic laws and regulations. Police vehicles are conspicuous symbols of authority on the streets and the actions of police drivers are observed by many. Each police driver must set an example of good driving behavior and habits. Therefore, all department personnel who operate police vehicles will comply with safe driving procedures outlined herein. Emergency warning devices shall be used consistent with both legal requirement and the safety of the public and police personnel.

D. Definitions

1. Marked vehicles - Police vehicles used in routine or general patrol, which have distinct markings on them, i.e. decals, and/or door emblems.
2. Unmarked vehicles - Police vehicles that has no visible emergency equipment affixed to it, i.e., flashing blue or red lights or siren, and, is not painted or marked in such a manner that a prudent person would recognize it as a police vehicle.

Chapter 5A: Police Vehicle Response to Calls for Service

E. Procedure - Responses With and Operation of Police Vehicles

1. Routine operation

- a. Routine operation as defined by this department includes all vehicle operation except urgent or emergency response and pursuit situations. This includes the use of any vehicle for transportation purposes, or general patrol driving.
- b. Routine driving dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly understood "rules of the road" and courtesy.
- c. Vehicles used in routine or general patrol service will normally be those that are conspicuously marked. Conspicuous marking increases safety, serves as a warning to potential violators, and provides citizens with a feeling of security.
- d. Standard lighting equipment on marked vehicles includes hazardous warning lights, spotlights and alley (side) lights on the rooftop light bar. Hazardous warning lights should be used anytime the police vehicle is parked where other moving vehicles may be endangered. Alley lights and spotlights may be used when the vehicle is stationary or moving at speeds not to exceed 15 miles per hour and shall not interfere with the vision of operators of other approaching vehicles.
- e. Unmarked cars shall not be used for pursuit, but may be used for patrol or special details. They may be used to stop vehicles provided they are equipped with emergency lights and headlight flashers.
- f. Citizens will be transported in department vehicles only when necessary to accomplish a police function. Such transportation will be done in compliance with department policy or at the direction of a command officer, immediate supervisor.
- g. The installed seat/shoulder belts shall be worn by all police personnel and passengers during vehicle operation. The exception is:
 - (1) When approaching any scene of an incident or service call where the officer believes a rapid departure from the vehicle may be required, the officer may release the seat belt. Seat belts will, however, be worn anytime the vehicle is in emergency operation.
- h. In case of non-traffic accident damage to any police vehicle, the driver will report said damage in a departmental incident report and forward report to the Chief of Police for an administrative incident / accident report to be

Chapter 5A: Police Vehicle Response to Calls for Service

completed.

- i. In case of a traffic accident involving a police vehicle, an investigation will be completed and reported pursuant to the departmental *Accident Investigation* policy and Administrative Code.
 - j. Prisoners will be strapped in at all times during vehicle operation. If unable, the prisoner will be transported by another means of transportation.
2. Response to Urgent Calls

Police Officers may not respond to calls using emergency lights only (no audible siren).

- a. The mere use of flashing emergency lights, in the absence of an audible siren, does not designate the vehicle as an emergency vehicle by K.R.S. and may negate any immunity available to the operator.
 - b. When an officer approaching a scene, discontinues the use of emergency lights and siren, the officer must use caution and obey existing traffic laws.
3. Emergency Operation

- a. In the emergency operation of police vehicles, whether in response to a call, in pursuit of suspects, or en route to a hospital, it is important that officers weigh the seriousness of the situation (injury, offense, etc.) against the hazards to the health and welfare of other citizens generated by high speeds or maneuvers. Officers will at all times consider external factors which may have a bearing on the emergency operation of the police vehicle, including the time of day, road conditions, weather, speeds involved, nature of the incident, and the condition of the police vehicle.
- b. While in an emergency mode of operation, K.R.S. authorizes disregard of certain traffic regulations. However, it still charges the driver of such a vehicle to use due regard for the safety of persons using the street or highway. Both the operator and the department are not released from civil liability for failure to use reasonable care in such operation.
 - (1) Operators of police vehicles must bear in mind that traffic regulations requiring other vehicles to yield the right of way to any emergency vehicle do not relieve the emergency vehicle operator from the duty to drive with due regard for the safety of all persons using the highways, nor shall they protect the driver from the consequences of an arbitrary exercise of such right of way.
- c. The use of unmarked vehicles and plain-clothes officers in the stopping of

Chapter 5A: Police Vehicle Response to Calls for Service

suspect vehicles will be avoided whenever possible. The hazard presented to the officers and the citizens involved in such incidents are much greater than those instances where a marked vehicle with a uniformed officer makes the initial contact. Every effort will be made to employ a marked police vehicle to stop a suspect vehicle.

- d. A portable flashing emergency light will not be used to identify any unmarked police vehicle as an emergency response unit; however, it can be used to identify an emergency condition, i.e., auto accident, road hazard, crime scene. The light may be used on an unmarked unit to stop a suspect vehicle if a marked unit is not available.
- e. Emergency operation of a police vehicle is authorized in the following cases:
 - (1) Officer needs assistance.
 - (2) Report of an explosion.
 - (3) Report of a shooting or cutting.
 - (4) Trouble with a prisoner.
 - (5) Crimes in progress or similar instances requiring the immediate and urgent presence of a police officer, i.e., active domestics or life threatening incidents.
 - (6) Auto accident with reported injury.
 - (7) Call for assistance from Fire/E.M.S. personnel where police presence is urgent.
 - (8) Dispatch to medical emergencies where death may be imminent if immediate assistance is not rendered.
 - (9) When authorized by a command officer or supervisor.
- f. The following restrictions will apply to the emergency operation of a police vehicle.
 - (1) Installed seat/shoulder belts will be worn whenever a police vehicle is in operation.
 - (2) The emergency lights and siren must be activated.
 - (3) Hazard flashers that interfere with brake lights and turn signals will not be used.

Chapter 5A: Police Vehicle Response to Calls for Service

- (4) Units that have prisoners, witnesses, suspects, complainants, or other non-police personnel, as passengers will not operate in the emergency mode.
 - a. In extreme circumstances, command/supervisory approval may be granted such units to operate in an emergency mode.
 - (5) When approaching a controlled intersection, the operator must:
 - a. Slow the vehicle to a speed that permits safe passage through the intersection.
 - b. Yield the right of way to moving vehicles and pedestrians that would have the right of way if the police vehicle were not in emergency operation.
 - c. Enter the intersection only when it is safe to do so.
 - (6) The police vehicle will not be operated at a speed or in a manner that interferes with the operator's complete control of the vehicle at all times.
 - a. Regardless of the seriousness of the situation to which he/she is responding, and excepting circumstances that are clearly beyond his control, the operator of a police vehicle shall be held accountable for the manner in which he/she operates his/her vehicle.
 - (7) Emergency operation of a police vehicle is authorized only as long as the emergency is believed to exist.
4. Pursuit of Motor Vehicles - refer to the departmental policy, *Vehicle Pursuits*.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5B	Emergency and Pursuit Driving		
Rescinds:	Previous Version	Charles R. Blackmar, Jr.	
Effective: 01-01-2021	10-09-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this policy is to establish Department policy and procedure for emergency driving and for the operation of police vehicles during a pursuit; for the initiation or discontinuation of pursuits; for the responsibility of participating officers and supervisor; and to provide the essential balancing of the necessity for the pursuit and more immediate apprehension of the fleeing subject against the risks involved.

In fulfilling departmental objectives, officers will occasionally encounter dangerous subjects who will attempt to avoid capture by fleeing in motor vehicles. In these cases, officers should attempt to anticipate flight and utilize tactics to prevent a pursuit. If tactics to prevent a vehicle pursuit fail, tactics should be utilized to minimize the duration of the pursuit, and if possible, to influence the subject vehicle's direction in ways that reduce the risk of harm to others.

B. DEFINITIONS

1. For the purposes of this policy, emergency operation of police vehicles shall refer to the operation of a police vehicle by an officer in response to a situation or occurrence that threatens public safety or property and has developed suddenly and/or unexpectedly and demands immediate action and response.
2. Pursuit driving is the emergency operation of a police vehicle as required in the pursuit and apprehension of a violator or other suspect who is an occupant of a moving vehicle and is attempting to avoid apprehension.
3. The STOP STICK System is a tire deflation device designed as a tool to assist law enforcement in stopping and preventing vehicle pursuits.
4. The TERMINATION OF PURSUIT occurs when the law enforcement officer ends his or her involvement in the pursuit by slowing down to the posted speed limit and turning off his or her emergency lights and siren.

C. POLICY

It shall be the policy of the Augusta Police that the emergency or pursuit operation of a police vehicle is only justified when the necessity of immediate apprehension or emergency outweighs the dangers created by the manner of operation of the pursuing or responding police vehicle.

The department recognizes its responsibility to apprehend criminals and lawbreakers, but it also recognizes a responsibility to operate police vehicles with due regard for persons. Officers, operating

Chapter 5B: Emergency and Pursuit Driving

under pursuit conditions, shall consider the need to pursue and periodically reevaluate the initial decision to pursue throughout its course. In initiating any pursuit, the officer shall consider the facts, driving environment, seriousness of the offense, need for apprehension, consequences, and due regard for persons. An officer operating an authorized law enforcement vehicle to overtake a motorist that is not yet aware that he or she is being overtaken is not a vehicle pursuit.

No officer may disregard any traffic control device, including posted speed limits, at any time unless emergency lights and siren are activated and then only in conformance with the provisions outlined in KRS 189.910, KRS 189.930, KRS 189.940.

1. KRS 189.940 Exemptions from traffic regulations

- a. The speed limitations set forth in the Kentucky Revised Statutes do not apply to emergency vehicles:
 - 1) When responding to emergency calls; or
 - 2) To police vehicles when in pursuit of an actual or suspected violator of the law, or
 - 3) To ambulances when transporting a patient to medical care facilities; and
 - 4) The driver thereof is giving the warning required by subsection (5) (a) and (b) of this section. No portion of this subsection shall be construed to relieve the driver of the duty to operate the vehicle with due regard for the safety of all persons using the street or highway.
- b. The driver of an emergency vehicle, when responding to an emergency call, or of a police vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical care facility and giving the required warning, upon approaching any red light or stop signal or any stop sign shall slow down as necessary for safety to traffic, but may proceed past such red or stop light or stop sign with due regard for the safety of persons using the street or highway.
- c. The driver of an emergency vehicle, when responding to an emergency call, or of a police vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical care facility and giving required warning, may drive on the left side of any highway or in the opposite direction of a one-way street provided the normal lanes of traffic are blocked and he does so with due regard for the safety of all persons using the street or highway.
- d. The driver of an emergency or public safety vehicle may stop or park his/her vehicle upon any street or highway without regard to the provisions of KRS 189.930 and 189.450, provided that, during the time the vehicle is parked at the scene of an emergency, at least one (1) warning light is in operation at all times.
- e. The driver of an emergency vehicle desiring the use of any options granted in this policy shall give warning in the following manner:

Chapter 5B: Emergency and Pursuit Driving

- 1) By illuminating the vehicle's warning lights continuously during the period of the emergency;
 - 2) By continuous sounding of the vehicle's siren, bell, or exhaust whistle; unless
 - 3) The vehicle is an ambulance and the driver is of the opinion that sounding of the siren, bell, or exhaust whistle would be detrimental to the victim's health. In the event the driver of an ambulance elects not to use the siren, bell, or exhaust whistle he shall not proceed past red lights or drive in the opposite direction on a one-way street or in oncoming lanes of traffic unless no other vehicles are within five hundred (500) feet of the front of the ambulance. The driver shall not extinguish the warning lights during the period of the emergency.
- f. No driver or operator of any emergency or public safety or other vehicle shall use the warning lights or siren, bell, or exhaust whistle of his or her vehicle for any purpose or under any circumstances other than those permitted by KRS 189.910 to 189.950.
- g. KRS 189.910 to 189.950 does not relieve the driver of any emergency or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

D. GUIDELINES FOR EMERGENCY DRIVING

1. Officers who are dispatched or otherwise authorized to respond to a priority call which permits the use of emergency equipment, shall:
 - a. Operate their unit with due regard for the safety of all persons and property upon the highway and shall comply with the provisions of KRS 189.940, when engaged in emergency response or in pursuit. When an officer approaches an intersection and intends to enter or cross the intersection against the traffic signal (i.e. red lights, stop sign, yield sign), he or she shall slow or stop the police vehicle to allow motorists the opportunity to hear and observe the officer's vehicle and permit them the opportunity to yield right of way to the police vehicle.
 - b. Take into consideration the prevailing traffic, roadway, vehicle limitations, and environmental conditions when determining the speed with which the vehicle shall be operated.
 - c. Take into consideration their proximity to the destination, and determine if emergency equipment (lights or siren) should be turned off prior to arrival, for purposes of officer safety and/or suspect apprehension. Once the emergency lights and/or siren have been disengaged, the officer shall obey all existing traffic laws.
 - d. Illuminate emergency lights when parked on the traveled portion of a roadway.
 - e. An emergency response shall be terminated:
 - 1) When the responding officer is made aware that the emergency no longer exists.

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- 2) When the officer is advised by a dispatcher or supervisor to disregard further response or action.
- 3) When, in the officer's opinion, a serious hazard is present to the public and/or the responding officer, due to adverse conditions.

E. PROCEDURE FOR PURSUIT DRIVING

1. No other policy concerning pursuit driving shall exist outside this policy.
2. Initiating the Pursuit:
 - a. Officers may only initiate a pursuit when there is reasonable suspicion that the driver or an occupant of the vehicle is fleeing from having committed or attempted to commit a serious felony such as:
 - 1) Offenses where a suspect has killed a person
 - 2) Assault in the first, second, or third degree
 - 3) Kidnapping
 - 4) Wanton endangerment in the first degree
 - 5) Unlawful imprisonment in the first degree
 - 6) Rape in the first degree
 - 7) Sodomy in the first degree
 - 8) Burglary in the first or second degree
 - 9) Sexual abuse in the first degree
 - 10) Robbery in the first or second degree
 - 11) Escape in the first degree
 - 12) Arson in the first degree
 - OR
 - b. Officers may initiate a pursuit when prior to initiating the pursuit, the officer has reasonable suspicion that the driver is engaged in outrageous, reckless driving such that the necessity of immediate apprehension outweighs the level of danger created by the pursuit, excluding serious traffic offenses such as DUI, unless there are extenuating circumstances.
3. When a vehicle pursuit develops from contact with a suspected criminal or traffic violator, the officer shall immediately notify the Dispatch Center dispatcher and advise him or her of the following:

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- a. The known law violation(s) or the reason for the pursuit.
- b. Location and direction of travel.
- c. Description of the pursued vehicle and any registration information.
- d. Approximate speed being maintained at reasonable intervals.
- e. Number of known occupants of the wanted vehicle. If the identification of the operator is known, this information shall be relayed to the dispatcher.
- f. Location of the termination point when reached.

4. Responsibilities of Officers Involved in a Pursuit

- a. The initiating officer shall be held accountable for the following:
 - 1) Operating his or her unit with due regard for the safety of all persons and property upon the highway. Compliance with the provisions of KRS 189.940, when engaged in emergency response or in pursuit. When an officer approaches an intersection and intends to enter or cross the intersection against the traffic signal (i.e. red light, stop sign, yield sign), he or she shall slow or stop the police vehicle to allow motorists the opportunity to hear and observe the officer's vehicle and allow other motorists the opportunity to yield the right of way to the police vehicle.
 - 2) Shall utilize emergency lights and siren during the course of the pursuit. In the event the police vehicle's lights or siren should fail to work during the pursuit, the officer operating the vehicle shall permit another vehicle to pursue, if available; otherwise the pursuit shall be terminated.
 - 3) The primary decision as to whether the pursuit should be terminated, based in whole, or in part, on the circumstances outlined in subsection 3. below.
 - 4) Officers shall obey any direct order to terminate a pursuit issued by a supervisor or commanding officer.
 - 5) Maintain composure while transmitting on the radio.
 - 6) Notify the dispatcher when the pursuit is likely to go out of county.
 - 7) The initiating officer shall maintain a position as "lead vehicle" in a pursuit, unless he or she is unable to continue due to vehicle damage, mechanical failure, emergency equipment failure or a marked unit assumes control at his or her request.
 - 8) Upon notification of the location of a STOP STICK system deployment, the pursuing officer shall give more frequent updates concerning the pursuit's location, direction of travel, speed and traffic flow.

Chapter 5B: Emergency and Pursuit Driving

- 9) Upon approach to a STOP STICK system deployment location, pursuing officers shall increase the distance between the police vehicles and the pursued vehicle, in order to provide ample time for the deployed STOP STICK system to be removed for clear passage of cruisers. Officers should never swerve or take extreme evasive actions to avoid a STOP STICK system lying on the roadway.
- 10) Assume command at the terminal point of the pursuit until the arrival of a supervisor.
- b. Responsibilities of the backup officer shall be the same as those of the primary officer, as outlined in this policy. The backup officer who takes control of a pursuit due to the inability of the initiating officer to complete it assumes the responsibilities of the initiating officer, including the authority to terminate the pursuit.
5. Prohibited procedures during a pursuit are as follows:
 - a. Ramming a pursued vehicle with a Department vehicle.
 - b. Running a pursued vehicle off the road.
 - c. The discharging of a weapon from agency vehicles.
 - d. Use of civilian vehicles to form any type of moving or a stationary roadblock.
 - e. Officer shall not immediately follow a pursued vehicle traveling in the wrong direction on a limited access highway; rather they shall follow from the correct side.
 - f. Roadblocks or blocking the road with police vehicles is prohibited.
 - g. Units equipped with STOP STICK systems shall not pass the fleeing vehicle in policy to drive ahead for the purpose of deploying the system.
6. A pursuit shall be terminated or is prohibited:
 - a. When officer's vehicle emergency lights/siren malfunction during a pursuit.
 - b. When ordered by a supervisor, or any other higher-ranking member of the department.
 - c. When, in the officer's opinion a serious hazard is present to the public and/or the pursuing/responding officer due to prevailing traffic, roadway conditions, environmental conditions or extremely high speeds.
 - d. When an officer has non-sworn passenger(s) in the cruiser.
 - e. When the pursuit creates a greater risk to the public safety than the original offense for which the suspect is being pursued.
 - f. The pursued vehicle's location is no longer known.

Chapter 5B: Emergency and Pursuit Driving

- g. The violator(s) can be identified to the point where later apprehension can be accomplished, and the violator is not a threat to the public.

NOTE: The pursuing officer(s) must use his or her best judgment in evaluating the pursuit and make a continuous appraisal of it in deciding whether to continue the pursuit. The element of personal challenge should never enter into the officer's decision. Discontinuation of a pursuit requires the officer(s)/deputy(s) to abandon all active attempts to stop and/or follow the suspected vehicles and officer(s)/deputy(s) shall turn off all emergency equipment. An officer will not be disciplined when, in the officer's opinion, circumstances warrant terminating the pursuit. The proficient police officer is aware that the decision to abandon a pursuit is, under certain circumstances, the most intelligent and professional course of action.

- 7. Upon notification that a pursuit has been terminated, or the pursuing officer advises that the pursuit is being terminated, the pursuing officer(s) shall immediately cease all efforts and attempts to follow, overtake or otherwise apprehend the suspect vehicle. The pursuing officer shall deactivate all emergency equipment and reduce his or her speed to the posted speed limit. The assigned supervisor or commander will make a determination if officers can search the area for the suspect's vehicle.
- 8. Pursuits shall be limited to two motor vehicle units and all other officers shall monitor the progress of the pursuit, remaining alert to its location. No officer shall join a pursuit, in addition to the two pursuing officers, without supervisory approval.
- 9. Upon being notified of the pursuit, the supervisor shall assume responsibility for the following:
 - a. Ensure that only the required or necessary units are involved in the pursuit.
 - b. Proper radio procedure is being utilized and no unnecessary transmissions are being made.
 - c. Continually evaluate the need for the pursuit utilizing the guidelines in this policy while taking into consideration the information, or lack of information, being relayed by the pursuing officer (i.e., speed, direction of travel, charges, etc.), while also considering the prevailing roadway and environmental conditions. Furthermore, the supervisor may take into consideration the officer's experience and/or length of service with the Department.
 - d. Proceed to the location of the pursuit and provide guidance and necessary supervision.
 - e. The assigned supervisor may participate directly in the pursuit as needed, but at a minimum, should follow the pursuit and provide supervision at its termination point.
 - f. Obtain a NIBRS report from the officer who initiated the pursuit, and a separate report from any officer who may have taken over the pursuit, in the event the initiating officer was unable to complete the pursuit. The supervisor shall ensure that the NIBRS report and all other necessary reports are completed and submitted to the Chief of Police prior to the end of shift.
 - g. Ensure that personnel have been assigned to complete any necessary reports related to vehicle collisions and property damage resulting from the pursuit, or reports related to any incident that gave rise to the pursuit.

Chapter 5B: Emergency and Pursuit Driving

- h. Nothing in this policy would preclude other sworn supervisors or commanders with a better vantage point or other pertinent information from making a decision regarding termination of a pursuit, regardless of its location or terminal point.

10. STOP STICK System Deployment

- a. Supervisors may authorize the use of an agency approved STOP STICK system to end a pursuit, according to the following guidelines:
 - 1) Only personnel that have been issued Department owned STOP STICK systems, and have been trained in their use, shall be permitted to carry them in their vehicle and deploy them.
 - 2) Personnel deploying a STOP STICK system shall locate a suitable position ahead of the pursuit, in policy to effectively deploy the STOP STICK system and prevent officer injury. Additional officers may be utilized to assist in setting up the STOP STICK system for deployment and/or communication with the pursuing officers. Prior to deployment, personnel deploying the STOP STICK system shall notify pursuing officers and the Dispatch Center dispatcher of the proposed location of deployment.
 - 3) Deployment of the STOP STICK system shall be in accordance with the prescribed training methods.
 - 4) Placement of police vehicles at the location of deployment should be to the side(s) or shoulder of the roadway. Personnel should be positioned so that their vehicle or other appropriate object(s) afford a safe level of protection from traffic. Deployment of STOP STICK system shall be done with due regard for the safety of all persons and property upon the roadway.
 - 5) The preferential deployment location shall be limited access roadways. In the event that deployment must take place on a non-limited access roadway, then efforts to limit traffic access to the section of roadway should be made prior to deployment.
 - 6) Following deployment, the supervisor shall be responsible for removal of the STOP STICK system and any related debris caused by the deployment. The supervisor will also be responsible for replacing the damaged or used portion of the STOP STICK system prior to reinstallation in the police cruiser.
 - 7) Use of the STOP STICK system (actual deployment), either successful or unsuccessful, shall be documented in the narrative of the NIBRS or any other report.
- b. Prohibited STOP STICK system deployment practices shall include:
 - 1) Deployment to stop a two-wheel, three-wheel, or off-road vehicle (i.e., all-terrain bikes and buggies) unless deadly force would be authorized to stop the vehicle. The type of vehicle being pursued should always be considered prior to deployment.

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- 2) Deployment on a vehicle clearly marked as containing a hazardous material.
- 3) Deployment on unpaved roadways.

F. UNITS PURSUING FROM OTHER JURISDICTIONS

1. Officers may assist other jurisdictions involved in a pursuit which enters the city of Augusta or is initiated by an agency within Bracken County. The Department's purpose for participating in the pursuit shall be to track the course of the pursuit through the city of Augusta in order to alert units to the pursuit location, so that officers and citizens can be protected. Officers assigned to assist pursuing officers from another jurisdiction shall:
 - a. Officers' participation in a pursuit shall comply with all requirements of this policy.
 - b. Assume a position at the rear of the pursuit.
 - c. Relay information concerning direction of travel, vehicle description, speed, etc.
 - d. Provide logistical assistance to the foreign jurisdiction in obtaining any needed collision reports, wreckers, etc.
 - e. Assume primary control of the pursuit only when:
 - 1) All foreign jurisdiction units are disabled and unable to continue the pursuit, and
 - 2) Authorization has been received from a supervisor to become the primary officer in the pursuit.
 - 3) Submit a NIBRS or other report to the Chief of Police concerning the pursuit, charges placed by the foreign jurisdiction, and any other pertinent information.
2. Department personnel are not permitted to assist another jurisdiction in establishing a roadblock, boxing-in, or ramming a vehicle.
3. STOP STICK system deployment shall be approved only when the officer utilizing the equipment feels that the use of the device would facilitate the ending of the pursuit, and the other agency participants in the pursuit have been notified of the use of the STOP STICK system, and the location for deployment. Officers shall comply with department policy when deploying or authorizing the deployment of the STOP STICK system.

G. PURSUIT DEBRIEFING

1. The Chief of Police shall review and evaluate every pursuit.
2. If a death or serious physical injury is sustained by any violator, officer, or others during the course of a pursuit, or after a pursuit is terminated, then the following procedure shall be followed and coordinated by the Chief of Police:
 - a. The Dispatch Center shall be contacted and advised of available information concerning

Chapter 5B: Emergency and Pursuit Driving

the incident.

- b. Ensure that all necessary reports and/or written statements are completed by personnel involved in the pursuit. Reports should be reviewed for content and clarity.
- c. Evaluate the need for drug/alcohol testing for Department personnel directly involved in the pursuit.

H. SUPERVISOR'S AUTHORITY

Nothing in this policy shall preclude a shift supervisor or commander from terminating the pursuit, or direct units in extraordinary instances to perform a specific course of action to end the pursuit in a timely manner.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5C	Officer in Need of Assistance		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure to best obtain and send help to an officer in need of assistance in the most efficient and expeditious manner.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 9, 2017, until such time it is superseded, revoked or rescinded.

C. Procedure:

1. Once the officer is aware of another officer in need of assistance (i.e. panic alarm activation, stressed radio transmission, etc.), Augusta PD will be cleared and restricted.
2. The officer will attempt to determine the location of the officer in need of assistance if it is not known at the time of the incident. If unable to determine an exact location of the officer in need of assistance, the last known location of the officer from the dispatch log will be used and/or the area of the city will be used as a point of origin to send additional units.
3. The officer will respond, using Augusta PD channel, to the point of origin, according to the status sheet and dispatch log, to aid the officer in need of assistance.
4. Augusta PD channel will remain restricted until the officer in need of assistance clears the channel or any of the responding units having contact with the officer in need of assistance clears the channel

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5D	Extra Patrol / Vacation House Check Requests		
Rescinds:	Previous Version	Charles Blackmar	
Effective:	10-16-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to set procedure for the receiving and processing of requests of extra patrol / vacation house checks.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 9, 2017, until such time as it is superseded, revoked, or rescinded.

C. Definitions

1. Extra patrol request shall refer to a citizen's request to check a specific area or location for a specified police purpose. An extra patrol of a building or business would more closely correspond to a vacation request in the manner in which it is checked. The majority of extra patrol requests will be a checking of a generalized area for the specified undesirable activity.
2. Vacation House Check request shall refer to the request for the physical checking of a dwelling while the owner and/or inhabitant is away from the property for extended periods of time. Vacation checks shall not include residences where there is a part-time occupant; these should be handled as extra patrols.

D. Procedure

When a Augusta Police Officer or authorized person receives an extra patrol / vacation house check request, it shall be the responsibility of the employee to record all pertinent information and post the information in the Vacation Notice Binder.

1. Extra patrol information shall include:
 - a. Person's name and address.
 - b. Location or address that is to be checked, if different from above.
 - c. Telephone number

Chapter 5D: Extra Patrol / Vacation House Check Requests

- d. Date that extra patrol is to begin and end.
 - e. Reason for request
 - f. Name of Officer or authorized person taking the request.
 - g. Other pertinent information may be included.
2. Vacation check
- a) Request
 - i. When an employee of the Augusta Police Department receives a request for a vacation house check, he/she will fill out a "Vacation Notice" with all pertinent information. The "Vacation Notice" will then be filed in the "Vacation Notice Binder" located in the Augusta Police Department.
 - ii. Information Needed
 - A. Resident's Name
 - B. Address (Be Specific)
 - (1) If unsure of location, send Officer to physically check where residence is located.
 - C. Leaving Date and Time
 - D. Returning Date and Time
 - E. Emergency Notification Name and Number
 - F. Alarm on Residence / Alarm Co. Name and Number
 - G. Animals Present / Vicious
 - H. Lights On and Location
 - I. Vehicles
 - J. Misc. Information
 - K. Name of employee taking request and Date request taken
 - b. "Vacation Notice" Location Number and Type

Chapter 5D: Extra Patrol / Vacation House Check Requests

1. Employee taking "Vacation Notice" information will assign the "Vacation Notice" an available location number from the "Vacation Notice Binder".
2. Employee taking "Vacation Notice" information will mark the type of check the "Vacation Notice" is.

A. Physical Check.

B. Drive-by Check.

c. Check of "Vacation Notice"

1. Officers will check all "Vacation Notice" in the city at least one time per their shift.
 - A. The responsibility will be on the Shift Command/Supervisory Officer to ensure that checks are being made.

d. Removal of "Vacation Notice"

1. The "Vacation Notice" shall continue for the indicated period of absence, unless canceled by the requesting party. The "Vacation Notice" will be removed from the "Vacation Notice Binder" on the returning date or when canceled by the requesting party, whichever is the earliest date. The employee will mark on the bottom of the "Vacation Notice" the date and time removed.
 - A. Employee removing "Vacation Notice" will also hand write on the "Vacation Check List" that the notice is no longer active.
2. The original "Vacation Notice" will be placed on the Chief of Police's desk.
 - A. The Chief of Police will file the "Vacation Notice"

e. Types of Vacation House Check

1. Physical Check
 - A. Augusta Police Department will physically check the dwelling, once per shift, when requested by a citizen of the city of Augusta.
 - B. Dwelling must not be vacant for more than 30 days.
 - C. Dwelling must be void of anyone staying at the location.

Chapter 5D: Extra Patrol / Vacation House Check Requests

- D. Dwelling must not have anyone responding daily to the location.
- 2. Drive-by Check
 - A. Augusta Police Department will conduct a drive-by check of a residence when the dwelling is vacant for more than 30 days.
- f. Criteria for Vacation House Check
 - 1. A dwelling located in the jurisdiction of Augusta Police.
 - 2. The dwelling will be checked for a duration of more than 24 hours.
 - 3. The dwelling will be checked for a duration not to exceed 6 months.
 - A. Extension beyond the 6 month period requires the approval of the Chief of Police. Such extensions may be approved for, but are not limited to:
 - (1) Residences, not occupied, but not devoid of household furnishings.
 - (2) Residences occupied on a part time basis, where the owner is attempting to sell the residence.
 - (3) Buildings or residences unoccupied due to pending court date, natural disaster, or fire.
- 3. The shift Supervisory Officer's responsibilities shall include:
 - a. Ensure that information mandated in D. 1. & 2. of this policy have been received.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5E	Field Investigation Interviews and Reports		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-14-2021	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish procedures for conducting field interviews and for completing and filing an E-Field Info Report form.

B. Scope

This procedure shall apply to all sworn Augusta Police Officers, effective October 10, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

Field interviews and contacts deter and interrupt crime, and are a productive tool and source of information, making them critical to the police function. For this reason, the department encourages officers to conduct field interviews and to document information obtained on an e-Field Info Report through the KYOPS reporting system or enter information in to the new Computer-Aided Dispatch System. Field interviews and contacts are subject to the following procedures.

1. Making the Field Contact: Conducting the Interview

- a) Officers may make field contacts and conduct interviews when they reasonably believe that an event is suspicious or illegal. The Supreme Court stated, in Terry vs. Ohio (392 U.S. 1, 1968), that an officer "may in appropriate circumstances and in an appropriate manner approach a person for the purposes of investigating criminal behavior even though there is not probable cause to make an arrest." The test of reasonableness is the officer's ability to articulate why any reasonable person would have drawn the same or similar conclusions and suspicions.
- b) A field interview, therefore, requires voluntary cooperation from the citizen. In the absence of reasonable suspicion for a Terry stop or probable cause to arrest, the citizen may stop the interview at any time and leave. The citizen may also refuse to produce identification or otherwise identify himself.

Chapter 5E: Field Interrogation Interviews and Reports

2. Field Interview and Field Investigation Reports serve as:

- a) A source of information: The field inquiry is based on the principal that opportunity to apprehend criminals and to prevent crime increases with the number and frequency of persons interviewed. One way an officer can increase his/her skill in observing is to obtain information from persons living or working within his/her patrol area.
- b) A means of identifying the suspect: An on-view arrest is not always based upon the immediate recognition of a wanted criminal. Frequently, it is the outgrowth of the action taken by a police officer that stops to question a person who has aroused his/her suspicions. Information obtained during a field contact can also be used at a later date to identify a criminal.
- c) A means of obtaining suspects or witnesses: The value of reported field inquiries becomes very pronounced when a crime is committed and there are but a few investigative leads. The investigator must rely on the field interview reports to sift out useful information. A review of these reports will show if anyone had been questioned in the vicinity at the approximate time of the crime.

3. Place of Interview

- a) The difference between a field interview and a stop is a thin one. As noted earlier, reasonable suspicion provides the key basis for the officer's actions.
- b) As a general rule, the field interview may be conducted anywhere the officer has the right to be.
- c) Field contacts shall not be done to coerce a person to leave an area or place where he or she has a legitimate right to be and no violation of law has occurred.

4. Conduct of the Interviews

- a) To repeat, during a routine field interview, persons shall not be detained in a manner against their will, nor shall they be required to answer questions or respond in any manner if they choose not to do so. The fine line between a field interview and a stop and frisk must be strictly observed to avoid accusations of harassment. Since the distinction between a "contact" and a "stop" depends to a great extent on whether, under the circumstances, the citizen perceives that he is free to leave, officers shall comply with the following guidelines:

(1) All requests during the contact should be phrased with neutral or optional words, such as "may", "would you mind", etc.

(2) Abrupt, short responses which could be misunderstood and

Chapter 5E: Field Interrogation Interviews and Reports

requests which could be misinterpreted as commands must be avoided.

(3) The duration of a contact must be as brief as possible.

- a) The success or failure of obtaining information beneficial to crime analysis and criminal investigation will depend upon an officer's ability to put citizens at ease and establish a rapport. However, during a field contact, if the person should ask whether he/she must respond, or indicate that he/she feels compelled to respond the officer shall immediately inform him of the right to refuse to answer, as well as the right to leave. Where citizens refuse or cease to cooperate during a contact, the refusal itself cannot be used as the basis for escalating the encounter into a stop and frisk.

5. Recording the Field Interview

- a) When a field contact as identified in Section C.1. of this policy is made the initiating officer shall complete a Field Investigation Report on the person(s) concerned.
- b) A field investigation report may be completed on a subject who is stopped for a traffic violation if the situation warrants, according to the officer's judgment.
- c) A field investigation report may also be used as a field observation report. In these instances, the officer should fill out the report as completely as possible, using prior knowledge and current observations of the person or vehicle. This will eliminate the necessity of asking the dispatcher to log people or vehicles at specific locations. Examples of instances when the field observation report should be used include, but are not limited to the following:
 - 1. An officer stops a person for the purpose of conducting a field interview who refuses to give the officer any information and the officer has no reasonable cause to pursue the matter further.
 - 2. An officer wishes to make note of a person in a specific place at a certain time, but the officer has completed a field interview report on the same person on another occasion.
- d) Information from the completed E-Field Info Report shall be reported through the KYOPS reporting system maintained by KSP.
- e) E-Field Info Reports shall be submitted to KSP and a copy of the e-Field Info report will be maintained in the department's files, with access available to all sworn personnel.
- f) Information from E-Field Info Reports shall be used only for investigations, gathering of criminal intelligence and other law enforcement needs.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5F	Racial Profiling		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a policy that prohibits the use of racial profiling by officers. To ensure officers do not stop or detain an individual, conduct a search, or seize property based or motivated solely by consideration of race, color, gender, ethnicity, or other characteristic attributed to an individual as a member of such a group.

B. Scope

This procedure shall apply to all Augusta Police Personnel, effective, October 10, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

For the purpose of this policy, the following definitions shall apply:

Racial Profiling

Means a process that motivates the initiation of a stop, detention, or search, and/or other enforcement activity which is based or motivated solely by consideration of an individual's actual or perceived race, color, ethnicity, gender, or other characteristic attributed to an individual as a member of such a group, or making discretionary decisions during the execution of law enforcement duties based on the above stated considerations. Nothing in this policy shall preclude an officer from relying on an individual's actual or perceived race, color, ethnicity, gender, or other characteristics as an element in the identification of a suspect or in the investigation of a crime, a possible crime or violation of law or statute.

Search

Means any physical search by a law enforcement officer based either on consent or probable cause for the purpose of determining if evidence of a violation of law is present. Search does not mean a visual inspection or other inspections of the interior, exterior or contents of the motor vehicle permitted by law consistent with the legal definition of a search.

Chapter 5F: Racial Profiling

D. Procedure

Citizen contact, detainment and traffic enforcement are valuable means of accomplishing the duties inherent to law enforcement. As important as these tools can be, the protection of, and the preservation of the constitutional and civil rights of individuals remains one of the paramount concerns of government, and law enforcement in particular. To safeguards these rights, Augusta Police Personnel shall not engage in any behavior or activity that constitutes racial profiling. The decision of an officer to make a vehicle stop, detain an individual, conduct a search subsequent to a stop

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or detainment, or seize property as the result of a vehicle stop or detainment, shall not be based or motivated solely by consideration of race, color, gender, ethnicity, or other characteristic attributed to an individual as a member of such a group. Vehicle stops, detainment, seizure, or searches shall be based on articulable reasonable suspicions, observed violations of law or probable cause, and shall comply with accepted constitutional and legal provisions, and with the Code of Canon of Ethics adopted by the Kentucky Law Enforcement Council through Peace Officer Professional Standards.

1. This policy shall also include the stopping, detaining or searching of any individual without reasonable suspicion, or for the safety of the officer or general public.

E. Training

All officers of the Augusta Police Department shall complete the Kentucky Law Enforcement Council approved training related to racial profiling. Such training shall comply with Federal Law, state statutory provisions, case law and other applicable laws, regulations, and established rules.

F. Discipline

An officer who violates a provision of this policy shall be subject to the Augusta Police Department's disciplinary regulations, which shall be consistent with other penalties imposed for similar officer misconduct.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5G	Foot Pursuit		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To provide for the safety of law enforcement personnel while at the same time facilitating the safe apprehension of suspects.

B. Scope

This procedure shall apply to all sworn Augusta Police personnel, effective October 10, 2017, until such time as it is superseded, revoked or rescinded.

NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

C. Definitions

1. **Foot Pursuit:** A situation in which an officer, on foot chases a suspect in an effort to detain or arrest that individual who he has a reasonable suspicion to believe is about to commit, is committing, or has committed a crime and who is resisting apprehension by fleeing from the officer.
2. **Suspect:** Includes any individual who a police officer reasonably believes is about to commit, is committing or has committed an offense or poses an imminent threat to the safety of the public, other officers or themselves.
3. **Contact/Cover:** A tactical practice of having two or more officers working together during a foot pursuit. The officers work as a team utilizing direct or indirect communication methods to coordinate their efforts, remain aware of the locations of officers and suspects, and keep abreast of the status of the pursuit.

Chapter 5G: Foot Pursuit

D. Procedure

1. Alternatives to Foot Pursuit: To the extent that resources are available, officers should consider the following alternatives to a foot pursuit:
 - a. Area Containment
 - b. Additional officers
 - c. Surveillance until additional resources become available
2. Factors to Consider in Conducting the Risk Assessment:
 - a. Whether the suspect is armed;
 - b. How serious is the suspect's offense i.e. does he or she pose a serious threat to the community if allowed to escape;
 - c. Officer acting alone
 - d. Backup is not available in a timely manner
 - e. Officer pursuing more than one suspect
 - f. Location:
 - 1) Nature of area- (i.e. residential, commercial, freeway) which impacts the safety of all those who may be affected by the foot pursuit.
 - 2) Conditions of structures: abandoned and condemned.
 - 3) Environmental factors: weather conditions or darkness.
 - 4) Area of pursuit is hostile to law enforcement personnel
 - g. Ability to apprehend the subject at a later time. i.e. identity is known
 - h. Communications Issues:
 - 1) Officer familiarity with location-able to identify subject's location with accuracy during pursuit.
 - 2) Radio frequency and coverage- Is officer in area where radio coverage may fail.
3. Pursuing Officer Responsibilities:
 - a. The decision to initiate or continue a foot pursuit requires weighing the need to apprehend the suspect against the degree of risk to which the officer and others are exposed as a result of the pursuit.
 - b. Once an officer decides to engage in a foot pursuit, the officer must immediately relay the following information to communications:
 - 1) Unit number, e.g. 44.
 - 2) Location and direction of travel
 - 3) Description of suspect

Chapter 5G: Foot Pursuit

- 4) Whether suspect is armed
- 5) Reason for foot pursuit
- 6) Coordinating with other officers to establish perimeter for containment.
- c. The primary officer should maintain a sufficient tactical gap between him or herself and the suspect to allow time for taking/maintaining cover and allowing for the arrival of backup officers before engagement in the event the suspect could be armed with a weapon.
- d. An officer should not enter a building, structure, or area of limited or no cover without a backup officer present.
- e. An officer should not continue a foot pursuit if the officer has lost their firearm.
- f. Officers should note that residents may mistake pursuing officers as prowlers; to the extent possible efforts should be made to notify area residents of the police presence.
4. Command/Supervisory responsibility:
 - a. Monitor the pursuit and direct available resources to provide for the swift and safe apprehension of the suspect.
 - b. Terminate any foot pursuit where the risk to the officer, the public, or the suspect outweighs the need for the foot pursuit.
 - c. Consider the use of specialized units/personnel to aid in the apprehension i.e. canine, SWAT, following containment etc. In the absence of a supervisor, this consideration should be undertaken by involved officers.
 - d. Proceed to the termination point of the pursuit, if practical, to provide guidance and the necessary supervision.
 - e. Upon termination of the pursuit and related requirements, prepare a written report of the incident and forward same to the Chief of Police.
5. Termination of Foot Pursuits: Officers shall terminate a foot pursuit:
 - a. If ordered by a supervisor
 - b. If the officer believe the danger to the pursuing officers or the public outweighs the necessity for the immediate apprehension of the suspect.
 - c. If the suspect's identity is known and he or she is not believed to be an imminent threat to the safety of the public or other officers, consider terminating the pursuit and apprehend at a later date.
 - d. After termination of a foot pursuit, the involved officers will notify communications of the last known location of the suspect or in cases of apprehension, the location of apprehension.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5H	Safe Infant		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective:	10-16-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to establish guidelines and responsibilities regarding the Augusta Police Department's response to the abandonment of newborn infants. Pursuant to KRS 405.075 and KRS 620.350, Kentucky law enforcement agencies and dispatch agencies are required to accept newborn abandoned infants and immediately arrange for the infant to be taken to the nearest hospital emergency room.

B. Scope

This policy shall apply to all personnel, effective from October 11, 2017 until such time it is superseded, revoked or rescinded.

C. Policy

It shall be the policy of the Augusta Police Department to comply thoroughly with KRS 405.075 and KRS 620.350, the Thomas J. Burch Safe Infants Act (04/09/2002).

1. The "Safe Infants Act" allows parents of newborn infants to anonymously drop them off at a safe place (i.e.: EMS, Police, Sheriff, Fire Station, or Hospital) without fear of prosecution.
2. The law is intended to provide a humane option for parents who might otherwise abandon their newborn infant in a public place.
3. The law is intended to prevent any unwanted newborn from being abandoned in an unsafe environment (i.e. dumpster, out in the weather, etc.)
4. A parent or person acting on behalf of the parent may anonymously leave the unwanted infant without fear of prosecution, unless there are signs of child abuse, or neglect after birth.
5. Augusta Police Department Officers shall be sensitive to the fact that this may be an extremely difficult choice for a parent to make, working

Chapter 5H: Safe Infant Act

from the basis that the parent is trying to do the right thing for their newborn.

D. Definition

1. The term infant refers to a human being that is medically determined to be less than 72 hours old, and does not have indicators of child abuse, maltreatment, or neglect after birth.

E. Procedure

1. Officer Responsibilities

- a) Respond promptly to the scene of the report.
- b) Immediately arrange for transportation to the nearest hospital emergency room.
- c) Notify the Chief of Police.
- d) Interview the person(s) who made the initial report.
- e) Must accept the infant, if medically determined to be less than 72 hours old.
- f) Investigate for signs of abuse, neglect, or mistreatment.
- g) Try to get the parent or person acting on behalf of the parent to fill out a field information report.

2. Augusta Police Officers **may not**:

- a) Detain, follow, or pursue the parent or person acting on the parents behalf.
- b) Coerce or otherwise force the parent to reveal their identity.
- c) Coerce or otherwise force the parent to keep the infant.
- d) Coerce or otherwise force the parent to give medical information.
- e) None of the above provisions will apply in cases when the indicators of child abuse, neglect, or mistreatment are present.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5I	Missing Persons		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-11-2017		
Distribution:	All Personnel	References: KACP 30.7	

A. Purpose

To establish procedures to respond to reports of missing persons and to provide an organizational structure and guidance for search and rescue, by means of ground, marine, or air activity, of any person who becomes lost, is missing or abducted. The procedures include searches for lost persons, where search and rescue is an integral part of the overall operations.

B. Scope

This procedure shall apply to all Augusta Police Department personnel, until such time as it is superseded, revoked or rescinded

C. Definitions

1. America's Missing Broadcast Emergency Response (AMBER) Alert is a key part of the Kentucky Missing Child Project. The AMBER Alert is a program developed by the National Center for Missing and Exploited Children to provide immediate information and assistance in the search for abducted children. Its goal is to instantly alert and involve entire communities to assist in locating abducted children.
2. Golden Alert - A search for a person who is known or reported to have an organic brain disorder, including but not limited to Alzheimer's disease, by the person managing the search or by the organization conducting the search. Its goal is to instantly alert and involve entire communities to assist in locating an "impaired adult".
3. Golden Alert D – A search for a person who is known or reported to have a developmental disability as defined as meaning a severe , chronic disability of a person which:
 - a) Is attributable to mental or physical impairment or combination or mental impairments;
 - b) Is manifested before the person attains the age of 22 (22);
 - c) Is likely to continue indefinitely;
 - d) Results in substantial functional limitations in three (3) or more areas of major life activity;
 - e) Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services.

Chapter 5I: Missing Persons

4. Impaired adult - means a person of any age who has a verified mental or cognitive impairment and whose disappearance poses a credible threat to the health or safety of the person, as determined by a local law enforcement agency.

D. General Policy

1. The officer that receives a call for a missing person or abducted person will respond to the location and access the situation.
2. In the case of a missing person last seen at a property, residence, or building, Officers should obtain consent from the owner, individual exercising control etc. to conduct a thorough search.
3. The officer will notify the Bracken County Office of Emergency Management for all missing persons when the health and safety of the individual may be in jeopardy or when the person missing will require a search of the area to find the individual and will require a greater number of resources.
4. The officer will notify the Chief of Police of the situation and actions taken.

E. Procedure

1. AMBER Alert

- a. Once the Officer has conducted the initial investigation, certain criteria must be met to trigger an AMBER Alert. Consistent with recommendations by the National Center for Missing and Exploited Children, the following criteria shall be met before an alert is activated:
 - 1) The officer confirms a child has been abducted;
 - 2) The officer believes and takes steps in an effort to confirm the circumstances surrounding the abduction.
 - 3) There are indications the child is in danger of serious bodily harm or death;
 - 4) There is sufficient descriptive information about the child, the abductor, and/or the suspect's vehicle.
- b. If these criteria are met, then all pertinent information shall be gathered concerning the possible location of the abducted child and circumstances surrounding his or her disappearance. The officer at the scene of the abduction will obtain the following Alert information to include:
 - 1) Full name, nicknames, age, sex, race, height, weight, hair color, eye color, and clothing child was last observed wearing.
 - 2) Location, date and time the child was last seen.

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- 3) Recent photograph(s), preferably a close-up of the child's face.
 - 4) Medical issues the child has (i.e. need for prescription drugs, allergies, or other pressing medical conditions).
 - 5) Belongings in the child's possession when he or she was last seen (book bags, backpacks, game cases, notebooks), jewelry, body piercing, or noticeable scars.
 - 6) Abductor information: Name (if known), age, sex, race, height, weight, hair/eye color, clothing, dress, jewelry, body piercing, facial hair, glasses or other identifying information.
 - 7) Abductor's vehicle description, including year, make, model, color, license plate, distinctive insignia, personalization, or damage which sets it apart from others.
 - 8) Direction of travel and last known location of vehicle or conveyance.
- c. A Kentucky State Police Missing Person form (KSP-261) shall be completed in full as required by Kentucky Revised Statute, with a current photograph attached in accordance with departmental policy.
- 1) The officer will complete an offense report and any other appropriate reports.
- d. The information contained within the KSP-261 shall be entered into LINK/NCIC computer system as expeditiously as possible. A copy of the KSP-261 shall be faxed to the Bracken County Dispatch Center for entry into LINK/NCIC.
- e. The officer will confirm that the Bracken County Emergency Management has been notified and the BCEM official has notified the state.
- f. The Officer in Charge will contact the Chief of Police regarding the abducted child.
- g. The Chief of Police or his designee will be prepare a press release and be available for any further inquires from the press if needed.
2. Golden Alert and Golden Alert D
- a. Once the Officer has conducted the initial investigation and determined that the person missing is an "impaired adult" or having a "developmental disability", the officer will insure that the Bracken County Office of Emergency Management and/or the Bracken County Search Manager has been notified. The Bracken County Search Manager will respond to the scene to coordinate and conduct search operations.
 - b. The officer at the scene of the missing person will obtain the following information prior to the arrival of the search and rescue personnel to include:
 - 1) Full name, nicknames, age sex, race height, weight, hair color, eye color, clothing the missing person was last observed wearing.

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- 2) Location, date and time the missing person was last seen.
 - 3) Recent photograph(s), preferably a close-up of the face.
 - 4) Medical issues the missing person has (i.e. need for prescription drugs, heart issues, or other pressing medical conditions).
 - 5) Belongings in the missing person possession when he or she was last seen, jewelry, body piercing, or noticeable scars.
 - 6) If the missing person has a vehicle, the type of vehicle being driven, registration plate, if known, and last known location of vehicle.
 - 7) Direction of travel when last seen.
- c. A Kentucky State Police Missing Person form (KSP-261) shall be completed in full as required by Kentucky Revised Statute, with a current photograph attached in accordance with departmental policy.
 - 1) The officer will also complete an offense report.
 - d. The information contained within the KSP-261 shall be entered into LINK/NCIC computer system as expeditiously as possible. A copy of the KSP-261 shall be faxed to the Bracken County Dispatch Center for entry into LINK/NCIC in accordance with departmental policy.
 - e. The officer will assist the Bracken County Emergency Management official or the County Search Coordinator as needed (i.e. assist in the search, establish a perimeter post, etc.).
 - f. The Officer in Charge will contact the Chief of Police regarding the “impaired adult” or person having a “developmental disability”.
 - g. The Chief of Police or his designee will consult with the Incident Commander’s PIO to assist in the preparation of a press release and be available for any further inquiries from the press if needed.
3. Lost Persons
 - a. Once the Officer has conducted the initial investigation and determined that the person missing is lost and there is a need to conduct a search of the immediate area, the officer will insure that the Bracken County Office of Emergency Management has been notified.
 - b. The officer will follow the steps outlined above in E.2.b through E.2.g.
 4. Runaways (adult and juvenile)
 - a. Once the Officer has conducted the initial investigation and determined that the person missing is a runaway and that there are no indicators that the health and safety of the

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individual is in jeopardy the officer will follow the steps outlined above in E.2.b through E.2.d.

- 1) All pertinent information shall be gathered concerning the possible location of the runaway and circumstances surrounding his or her disappearance.
- b. The officer will follow up on the information given to them (i.e. the person may be at a friend's house, may be at a specific location, etc.)
- c. The officer will check departmental records to determine if there are any past occurrences and research prior reports to determine if there is any additional information that is actionable.
- d. If the person is found as a result of the investigation and criminal charges are appropriate to the incident (i.e. custodial interference, unlawful transaction with a minor, etc.), they will follow department policy.
- e. Located persons shall be removed from LINK/NCIC in accordance with departmental policy.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5J	Persons of Diminished Capacity		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-11-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. PURPOSE

To provide officers with the essential skills necessary to effectively deal with persons of diminished capacities in a professional manner that not only provides the assistance needed by these persons but also safe guards our officers and the community.

B. POLICY

This procedure shall apply to all Augusta Police Department personnel until such time as it is superseded, revoked or rescinded.

C. DEFINITIONS

Persons of diminished capacity: Persons who exhibit unusual, irrational, bizarre, and/or unpredictable behaviors. These outward observable symptoms may be the result of intoxication, drug use, suicidal ideations, mental illness, or medical complications.

Mental illness/disability: A state of impaired mental processes, which results in a distortion of a person's capacity to recognize reality due to hallucinations, delusions, faulty perception or alteration of mood, and interferes with an individual's ability to reason, understand, or exercise conscious control over his/her actions. This policy does not require officers to make a diagnosis of whether the subject is mentally ill or what form of mental illness the subject may have but rather to use reasonable judgment to recognize behavior which is outside the norm and it is believed the person poses a danger to themselves or others.

Mentally ill person: A person with substantially impaired capacity to use self-control, judgment, or discretion in the conduct of the person's affairs and social relations, associated with maladaptive behavior or recognized emotional symptoms where impaired capacity, maladaptive behavior, or emotional symptoms can be related to physiological, psychological or social factors.

Professional resources: Mental health professionals, emergency medical facilities, detoxification centers etc.

Voluntary and involuntary commitments: Provisions within the Commonwealth which the agency can use for the civil commitment of persons requiring professional psychological intervention.

Prosecution guidelines: It is the policy of this agency to evaluate the necessity for and method of prosecution when dealing with a person of diminished capacity. Normally, misdemeanor

Chapter 5J: Persons of Diminished Capacity

violations by the person committed during the police control of the incident will not subject the person to a physical arrest. The decision to cite or request a filing by the prosecutor will be determined by the Officer. The Chief of Police will evaluate felony and/or other crimes committed to determine whether a physical arrest is warranted/necessary. The ultimate mission of the agency is to encourage professional resource intervention for the person of diminished capacity and arrest should be considered a last resort.

D. PROCEDURE

Persons of diminished capacities may display conduct that is bizarre, irrational, unpredictable and threatening. They may not receive or comprehend commands or other forms of communication in the manner that the officer would expect. They often do not respond to authoritative persons or the display of force. This group of special needs persons, whether it's from intoxication, suicidal potentials, medical complications or mental illness, presents officers with different and often complex issues.

It should be the goal of officers confronting these circumstances to quickly control the scene and strive to resolve the encounter in a safe manner. Officers are not qualified to diagnose such behaviors and to the extent possible officers should make every effort to assist such persons in obtaining professional services. Proper tactical and intervention techniques can assist in resolving the immediate field implications of the encounter and hasten intervention by professional resource persons.

1. The mission of law enforcement when encountering a person of diminished capacity is to control the encounter and then determine the best course of action for the subject person. This field tactical response can be segmented into four (4) distinct tactical responses: Containment, Coordination, Communication and Time.
 - a. Containment: Before any reasonable control and defusing techniques can be used, the subject must be contained.
 1. If available two (2) officers shall respond to an incident involving a person of diminished capacity. Should an officer find him/herself in a situation with such a person, the officer shall request a back-up before attempting to intercede. If an officer with Crisis Intervention Team training is on duty he/she shall respond.
 2. Responding officers should avoid the use of emergency lights and siren when responding to this type of call for service if possible. (This may agitate the response by the subject of the call or encounter.) When not using emergency lights and siren the responding officer must use caution and obey existing traffic laws pursuant to departmental Policy 5A *Police Vehicle Response to Calls for Service* policy.
 3. Officers shall devise a plan that attempts to separate the subject from other civilians. This containment should respect the comfort zone of the subject in order to reduce any unnecessary agitation. Officers should continuously evaluate this comfort zone and not compress it, unless absolutely necessary.

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4. Officers should try to ensure that on-lookers and family members are not in a position to become involved either verbally or physically in the control methods.
 5. Effective containment reduces the elements of agitation, such as large groupings of persons/officers, emergency vehicle equipment, loud police radio transmissions, or multiple persons directing communications to the subject. Containment is meant to reduce outside influences and sources of agitation.
 6. Officers should move slowly.
 7. Officers should utilize all available tactics to de-escalate the situation where possible, however if an officer is faced with a dynamic and violent situation which poses a threat to the officer or other persons present, then officers should utilize their law enforcement control tactics outlined under Policy *10A Response to Resistance* to gain control.
- b. Coordination: Essential for control of the encounter and is the foundation for the development of an effective plan and use of personnel and resources.
1. The first officer at the scene shall be designated or assume the position of being the lead officer. Depending on the circumstances this may or may not be the most senior officer, if possible it should be a CIT trained officer. The Senior Officer in Charge shall be notified and will assume command of the incident from the lead officer.
 2. If firearms are drawn, they should be maintained in the low ready position and if at all possible, not displayed by officers who are attempting to establish communications with the subject.
 3. The Incident Commander shall designate an officer to gather as much information as possible regarding the subject. Information can come from persons at the scene, neighbors and/or family. This information can become important in determining the best tactical approaches to the subject and the most appropriate form of referral.
 4. The Incident Commander will request additional police personnel, specialized weapons, professional resources, medical personnel etc. as necessary.
- c. Communication: Communication with the subject should be planned and controlled.
1. Prior to engaging the subject in communication, the initial responder should await the arrival of a cover officer if additional officer is available. Officers should maintain a sufficient reactionary gap.
 2. One officer shall be designated as the negotiator and other officers should refrain from becoming involved. If possible a CIT trained officer should assist with negotiating.

Chapter 5J: Persons of Diminished Capacity

3. Verbal communication should be calming and non-threatening. Sharp, authoritative commands should be avoided. Whenever possible, use open-ended questions designed to facilitate the subject's participation. If the designated negotiator cannot establish communications it may be necessary attempt to use another officer.
 4. Statements relating to arrest or use of force are not productive when dealing with persons with diminished capacities. Reassure the subject that the police are there to help them.
 5. Every effort should be given to being truthful at all times.
 6. Officers must constantly analyze what affect, if any, their efforts are having on the subject to identify areas that appear to agitate the subject that should then be avoided.
 7. Normally, family members should not be used in an attempt to establish communications as this frequently exacerbates the situation.
- d. Time: Is the concept of elongating the encounter, rather than hastening it.
1. History has shown that the longer the encounter continues, the better the chance for a successful and safe resolution.
 2. Having patience, taking ones time, and using defusing techniques allows the subject to reflect upon his/her predicament as well as allowing for supporting resources to arrive and get in position.

2. Commitment procedures

- a) In determining an appropriate form of professional resource and referral officers should consider the information provided by professional resources persons and family members.
- b) In assessing the need for involuntary commitment, it is important for the officers determine what, if any, on-going threat potential the subject poses to him or herself, family, community and the officers.
- c) Any peace officer who has reasonable grounds to believe that the individual is mentally ill and presents a danger or threat of danger to self, family or others if not restrained shall take the individual into custody and transport the individual without unnecessary delay to a hospital or designated psychiatric facility and provide written documentation via Kentucky Crisis Intervention Report to the facility detailing the behaviors that led to the officer taking the person into custody.
- d) Officers shall not use the Mason County Detention Center as a holding facility for meeting the criteria of this policy unless the person also has criminal charges pending.

Chapter 5J: Persons of Diminished Capacity

If the person is placed in the Mason County Detention Center the officer shall give notice of the person's diminished capacity.

- e) No officer shall place criminal charges against a person who is mentally ill and need of hospitalization for the purpose of avoiding transporting the person to an appropriate medical or psychiatric facility.
3. Use of restraints
- a. These situations present officers with conflicting considerations in determining the best means for restraint and transportation. Officers must access not only personal safety but also that of the individual. Depending on the circumstances the best course of action may be to call an ambulance to the scene to assist with the transportation of the individual using soft restraints.
4. Reporting requirements
- a. Officers shall prepare all required reports whether the subject of the call is arrested, committed or released. This documentation can provide valuable information for future contacts and, when available, allows the agency to provide information to the statewide data system. When CIT trained officers are involved they shall prepare the Kentucky Crisis Intervention Report, otherwise this form shall be prepared by the reporting officer.
 - b. All CIT reports shall be declared confidential and shall not be open to the general public for inspection, unless by court order. A CIT report is not a medical record, but it is to be treated as one for confidentiality reasons only.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5K	Search and Seizure		
Rescinds:	Previous Version	Charles Blackmar	
Effective:	10-16-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to establish guidelines for obtaining and executing search warrants.

B. Scope

This policy shall apply to all Augusta Police personnel; effective October 11, 2017, until such time it is superseded, revoked or rescinded.

C. Statement

1. Obtaining and executing search warrants is necessary for effective criminal investigation, the preservation of individual rights and the safety of law enforcement officers and members of the community.
2. It is the policy of the Augusta Police Department to provide techniques to accomplish thorough and legal searches and seizures, to observe the constitutional rights of all persons involved, and to minimize the level of intrusion during the execution of search warrants.
3. It also is the policy of the Augusta Police Department to provide for the highest degree of safety for all persons concerned in the execution of search warrants.

D. Legal Considerations:

1. The Fourth Amendment to the United States Constitution prohibits unreasonable searches and seizures.
2. Officers conducting warrantless searches bear the burden of proving the searches were reasonable and in accordance with the standards established in applicable criminal procedure.

Generally, officers should consider obtaining a warrant whenever time and circumstances permit.

- a) When Exigent Circumstances exist the officer may proceed without a search warrant. Exigent searches are as follows:
 - i. To render aid and assistance – scope is defined by what is reasonably necessary to render that aid or assistance
 - ii. To prevent evidence destruction – courts are very cautious of this
 - iii. Hot pursuit/fleeing felon

Chapter 5K: Search and Seizure

3. Officers with questions concerning the requirements for a legal search and seizure should immediately confer with their supervisors.
4. When necessary, officers should contact an attorney for the Commonwealth (Commonwealth's Attorney and/or County Attorney) to obtain their advice prior to proceeding with a warrantless search where questions exist.

E. Affidavit Preparation:

1. The person, place or thing to be searched will be described with specificity within the affidavit and search warrant. When appropriate, the search warrant should include:
 - a) The numerical address, to include a street number and apartment number;
 - b) A physical description of the search site;
 - c) Name of owner or occupant of the search site;
 - d) Photographs or maps to help specify the location of the search site;
 - e) Specific names and descriptions of persons and vehicles to be searched, including license plate numbers, when available;
 - f) The items to be seized based upon the probable cause stated will also be specifically set forth therein;
 - g) All affidavits should be reviewed by the Commonwealth or County Attorney's Office before presenting the affidavit before a judge.

F. Scope of the Search:

1. As a general rule, only those items specifically described within the affidavit and search warrant will be seized.
2. Recognize that the scope of the search may be expanded where contraband or other items of evidentiary value not specifically set forth in the original affidavit and search warrant are seen in plain view. Plain View is defined as:
 - a) Legitimately upon premises
 - b) Legitimate vantage point
 - c) Immediately apparent contraband or evidence of crime
 - d) In plain sight
3. Officers should confer with their supervisor and/or attorney for the Commonwealth (Commonwealth's Attorney and/or County Attorney) to determine whether seizure is appropriate or whether an additional affidavit and search warrant is necessary.
4. Areas searched should be reasonable and consistent with the size of the objects being searched for; that are listed in the warrant.
5. Affidavits and search warrants will be either prepared by, with the assistance of, or reviewed by an attorney for the Commonwealth (Commonwealth's Attorney and/or County Attorney).
6. In order to obtain a search warrant, officers must show probable cause to believe that specific evidence, contraband or fruits of a crime may be found at a

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particular location.

7. Facts establishing probable cause are to be set forth in the affidavit with clarity and specificity. They may be based on personal observation and/or knowledge of the officer or information from other reliable sources. Facts should be corroborated, whenever possible.
8. Use of information received from anonymous or confidential informants will comply with the requirements of Chapter 6B, *Informants*, of the Augusta Police Department Policy and Procedure Manual.

G. Execution / General:

1. All affidavits will be sworn to in front of the magistrate.
2. Only detached and neutral magistrates will be approached with an affidavit and search warrant.
3. Where an officer is unable to make contact with a district or circuit judge they will immediately contact an attorney for the Commonwealth (Commonwealth's Attorney and/or County Attorney) to determine the proper course of action.
4. All search warrants will be executed within a reasonable time period after being signed by a judge.

H. Planning and Preparation:

1. The supervising officer will investigate the search site and potential persons located at the search site. The investigation should include some or all of the following:
 - a) Surveillance by the supervising officer or other member of the search team;
 - b) A criminal history check of all known residents;
 - c) Photographs and physical descriptions on suspects and residents;
 - d) Obtaining information regarding children at the search site;
 - e) Obtaining information on the search site to include surroundings and floor plan;
 - f) Obtaining information on vehicles at the search site;
 - g) Obtaining information on potential firearms and other hazards at the site, including dogs and other animals that may hinder the entry or search
2. The use of the SWAT will be considered in situations involving high-risk warrants or where there is credible information a suspect at the search site is armed and/or has a history of violent crime or violent behavior.
3. Prior to entering the premises, the supervising officer will conduct a pre-entry briefing of the execution process with all team personnel. The briefing should cover:

Chapter 5K: Search and Seizure

- a) A review of the actual order of operations and procedures the search personnel will follow;
 - b) A simulation of the conditions of the search site (using maps, charts and diagrams, when appropriate);
 - c) Tactics and equipment to be used in the event of a forced entry;
 - d) Radio procedure (channel) to be used;
 - e) A description of the items to be searched and seized
4. The Chief of Police, or his designee, through the chain of command, will be notified when a search warrant that might involve forced entry is to be executed.
 5. When practical, a uniformed officer should accompany non-uniformed officers during the execution of a search warrant.
 6. All non-uniformed officers will be clearly identified as law enforcement officers by distinctive jackets or vests, or some other indicator of office.
 7. Prior to the execution of the search warrant, the supervising officers will attempt to determine if any circumstances have changed that make executing the search warrant undesirable.

I. Entry Procedures:

1. The approach to the search site will be conducted carefully and orderly.
2. The approach should be without sirens and emergency lights.
3. If surveillance personnel are on scene, they should be notified of the approach and it should be verified that conditions exist allowing for the execution plan to proceed.
4. The supervising officer will be responsible for ensuring that the search warrant is valid and the place about to be searched is consistent with that listed on the warrant.
5. The supervising officer or other officer will knock and announce in a voice loud enough to be heard by persons inside the search site that he/she is a police officer and has a warrant to search the premises, and that he/she demands entry to the premises at once.
6. The law requires officers wait a reasonable time before entering after a knock and announcement is made. The United States Supreme Court has ruled 15-20 seconds is reasonable. (*United States v. Banks* 540 U.S. 31 (2003)).
7. The knock and announce rule does not apply to situations in which a judge has specified an exemption to the rule in the search warrant.
8. The least intrusive entry tactics possible will be utilized.
9. When there is no intelligence or information available indicating violent subjects, dangerous weapons, drugs, multiple suspects or other factors are present or exist that present a specific danger to officers or others, officers should try to enter without force and without causing damage to the premises.

Chapter 5K: Search and Seizure

10. If forced entry is made, exits from the search site will be covered during the execution of a search warrant.
11. Officers will draw their firearms only when they can articulate an officer safety need. Examples include situations involving violent subjects, dangerous weapons and drugs or drug-related incidents.
12. Other examples that could cause officers to draw their firearms might include, but are not limited to observations of:
 - a) Commotion from inside the premises indicative of escape;
 - b) Aggressive behavior by subjects inside;
 - c) Signs of the presence of a dog;
 - d) Inflammatory literature on the premises
13. Non-uniformed officers entering a search site are prohibited from wearing a mask, balaclava or any other item covering their faces without permission from shift supervisor.
14. Officers may use handcuffs if they have an articulable reason to believe it is necessary for the officer's safety. Examples include, but are not limited to:
 - a) The person is indicating he/she is about to flee;
 - b) The person is indicating he/she is about to become violent;
 - c) The person is not compliant with an officer's lawful orders;
 - d) There is information that weapons are on the search site and may be accessible to the person
15. Once an officer determines the person is no longer a threat to the officer's safety and the person is not arrested or about to be arrested, handcuffs will be removed as soon as practical.

J. Other Activities:

1. The supervising officer will ensure that members of the search team conduct a security sweep of the search site upon entry.
2. After the search site has been secured, search personnel will develop a prioritized strategy that details the likely whereabouts of the items to be seized and an order of operation for conducting the search. For example, if reliable information exists indicating contraband is in a specific location, that area should be searched first.
3. If the search site is to be left vacant after the search and it cannot be secured, a guard will be posted until the site can either be secured or released to an appropriate person.
4. If damage occurs to the search site during the execution of a warrant, the supervising officers will cause a memorandum to be completed documenting how the damage occurred. The memorandum will include statements of officers involved and photographs of the damage. The memorandum will be completed at the end of the supervising officer's shift and forwarded through the Chain of Command to the Chief of Police or his designee.
5. The supervising officer will cause a copy of the search warrant and a receipt of

Chapter 5K: Search and Seizure

property seized to be given to the person from whom or from whose premises, the property was taken. If that person is not at the search site, a copy of the warrant, which includes a receipt of property seized, will be left in a conspicuous place at the search site.

6. The supervising officer will cause the search warrant and a receipt of property seized to be returned to the court within a reasonable amount of time.

AUGUSTA POLICE DEPARTMENT SEARCH/ARREST WARRANT

RISK ASSESSMENT MATRIX

Risk assessment is based on facts and circumstances stated in the affidavit for the arrest or search warrant, knowledge of the target location and the criminal history of the suspect(s). A copy of the warrant should be attached to the Risk Assessment Matrix.

NOTE: The supervising officer must consider the presence of non-involved persons and children when determining the manner of any entry into a residence.

Section 1 Search Warrant Considerations		
Points	Facts	Score
0	Warrant for Property Crime	
1	Warrant for Crime against Person	
2	Warrant for Major Drug Possession/Dist.	
Section 2 Arrest Warrant Considerations		
Points	Facts	Score
0	Warrant for Property Crime	
1	Warrant for Crime against Person	
2	Warrant for Major Drug Possession/Dist.	
Section 3 Subject History Considerations		
Points	Facts	Score
0	History of Property Crimes	
1	History of Crimes against Persons	
2	Subject Statements regarding intent to resist	
3	Criminal History of Resistance or Drug Offenses	
4	Criminal History of Violence	
10	Criminal History of Firearms Use	

Chapter 5K: Search and Seizure

Section 4 Location Considerations		
Points	Facts	Score
1	Location of Service requires Minimal Force	
2	Location has Surveillance by Suspects	
3	Presence of Hazardous Materials	
3	Location requires use of Ram/Sledgehammer	
10	Location is Fortified requiring Specialty Breeching	
10	Location guarded by dog(s)	
Section 5 Firearms Considerations		
Points	Facts	Score
2	Firearms are readily available to Suspect	
3	Previous history of location involved weapons or involved violence to officers	
4	Subject known to carry and has been arrested for unlawful possession of firearm	
6	Subject is known to be always armed	
8	Subject has history of Assault on Officers or Resisting Arrest when confronted by Law Enforcement	
25	Automatic weapon is possessed by Suspect or was used by Suspect in the commission of prior crime	

Circle only one provision in each of the 5 sections. The circled provision should be the highest known provision that is applicable to the subject location.	
Points	
0-14	Service/Execution may be handles by the unit supervisor.
15-20	Consultation with SWAT Commander is optional; warrant service requires approval of District/Unit Commander or designee
21-24	Consultation with SWAT Commander is required ; warrant service requires approval of District/Unit Commander or Designee
25 or More	SWAT Team is required for service/execution of warrant; warrant service requires approval of District/Unit Commander and notification of Commanding Officer of Supporting Units

**Signature of Highest Ranking Officer
of Review**

Date

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5L	Vehicle Stops and Searches		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-11-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this policy is to provide department personnel with guidelines for motor vehicle stops and searches.

B. POLICY

It is the policy of this department to conduct motor vehicle stops and searches that are both legal and thorough. Vehicle stops and searches are to be conducted both in strict observance of the constitutional rights of the operator, owner, and occupants of the motor vehicle being stopped and searched; and with due regard for the safety of all officers, other persons, and property involved.

C. DEFINITIONS

Motor vehicle: Any vehicle operating or capable of being operated on public streets or highways, to include automobiles, trucks, trailers, recreational vehicles, mobile homes, motor homes, and any other type of vehicle, whether self-propelled or towed. This policy does not apply to vehicles of any type that have been immobilized in one location for use as a temporary or permanent residence or storage facility, or which are otherwise classified by the law as residences or buildings.

Search: An examination of all or a portion of the vehicle with an investigatory motive (i.e., for the purpose of discovering fruits, instrumentalities, or evidence of a crime or contraband). A vehicle search may also be conducted to determine the vehicle identification number or the ownership of the vehicle. Inventories of personal property conducted pursuant to impoundment of a vehicle are not covered by this policy.

D. PROCEDURES

1. Vehicle Contacts

a. Vehicles may be lawfully stopped under the following circumstances:

1. **Reasonable Suspicion Based Stop:** Occurs when an officer has articulated facts that support a belief that criminal activity is occurring and that a vehicle is involved, after which, the officer may stop the vehicle to investigate further. The stop may continue as long as the officer diligently investigates to confirm or dispel his or her suspicion that criminal activity is occurring and the occupant(s) of the vehicle are involved.
2. **Probable Cause Based Stop / Traffic Violation:** Occurs when an officer has probable cause to believe that a violation of the motor vehicle code has occurred after which, the officer may stop the vehicle and detain the vehicle for a reasonable amount of time while the citation is completed.

3. Probable Based Stop / Arrest – Search: Occurs when an officer has probable cause to believe that a person in a vehicle has committed a crime or probable cause to believe the vehicle contains evidence of a crime or contraband, the officer may stop the vehicle to arrest the occupant (in the arrest situation) or stop the motor vehicle to search the vehicle in the search scenario.
4. Consensual Contact: An officer may approach any stopped vehicle (a vehicle which is stopped by the operator's own volition prior to police contact) and attempt to speak to person(s) in the vehicle. The officer has no power to force compliance with his/her attempt to conduct a consensual contact. In this event, Officers should not obstruct the ability of the stopped vehicle to move by blocking them in the stopped location or operate their overhead lights (except for safety purposes). No reasonable suspicion or probable cause is raised by a vehicle that drives away or flees an officer's attempt at consensual contact.

2. Types of Vehicle Searches

a. Searches with a Warrant

1. Whenever feasible, officers desiring to search a motor vehicle should first obtain a warrant. Warrantless searches are to be conducted only when lack of time or other exigencies make it impractical for a warrant to be obtained. When searching with a warrant, officers may search all areas of the vehicle unless the warrant specifically limits the areas of the vehicle to be searched.

b. Searches and Entries without a Warrant

1. When it is impractical to obtain a warrant for the search of the vehicle, a warrantless search of, or entry into, the vehicle may be conducted in the following situations:

Probable Cause

1. Officers may search a vehicle without a warrant where there is probable causes to believe that the vehicle contains fruits, instrumentalities, or evidence of a crime, or contraband. This type of warrantless search shall be conducted only when the vehicle appears to be mobile. When a vehicle has broken down, or there is otherwise no significant chance the vehicle will be driven away or that evidence contained within it will be removed or destroyed, officers shall search the vehicle only after a warrant has been obtained or the officers determine that some other exception to the warrant requirement is applicable. Probable cause searches may extend to all areas of the motor vehicle, unless the probable cause is limited to a specific area of the vehicle. Officers may not search areas of the vehicle that could not contain the fruits, instrumentalities, or evidence of a crime or contraband being sought.

Consent

1. Officers may search a vehicle with the oral or written consent of the operator or owner of the vehicle. If the consent to search is not captured via audio/video means, it is preferred that a written consent be obtained whenever possible. Officers shall not obtain consent by any form of coercion or duress. The extent of a consent search depends upon the terms of the consent itself. If the consent is general, all areas of the

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vehicle may be searched. If the consent is limited to specific areas of the vehicle, officer may search only the portions of the vehicles covered by the consent.

Incident to an Arrest

1. Officers may conduct a search of a vehicle incident to an arrest of the operator or occupants of the vehicle only if:
 - a. It is reasonable to believe that the arrestee might gain access to the vehicle at the time of the search.
 - b. There is reason to believe the vehicle contains evidence of the offense of arrest.
 - c. The officer can demonstrate that another exception to the warrant requirement applies.
2. Searches of vehicles conducted incident to the arrest shall be limited to areas within reach and control of the arrestee (normally the passenger area of the vehicle). A search of the trunk, engine compartment, or locked compartments within the passenger area may not normally be searched without a warrant, probable cause, consent, or exigent circumstances.

Search for Weapons

1. Where there is an objectively reasonable belief that a driver or occupant of a vehicle is potentially dangerous, officers may conduct a search of the vehicle for weapons. Searches for weapons normally must be confined to the passenger area of the vehicle and those areas of the passenger compartment in which a weapon could be hidden. Areas may not be searched that are not immediately accessible to the vehicle's occupants, such as locked glove compartments.

Vehicle Identification Number or Vehicle Ownership

1. Where circumstances require that officers determine the vehicle identification number or ownership of a vehicle, and such information cannot be acquired from the exterior of the vehicle, officers may enter the vehicle to obtain this information. Entries made to examine the vehicle identification number or to determine the ownership of the vehicle must be limited to actions reasonably necessary to accomplish these goals.

Emergencies

1. Officers may enter a vehicle without a warrant where emergency circumstances make it necessary for them to do so in order to protect life or property, or when the demands of the situation otherwise require such action. Search of a motor vehicle under emergency circumstances not otherwise covered under the warrant exceptions mentioned above must correspond with the nature of the emergency. The proper extent of the search must therefore be determined by search personnel in each specific situation.

3. Containers or items in Vehicle

If any otherwise-lawful search of a vehicle is being conducted, containers found in the vehicle may be opened and searched as follows:

Probable Cause Searches

1. In a probable cause search, containers such as paper bags, cardboard boxes, wrapped packages, etc., wherever found in the vehicle, may be opened, provided that they could contain the items being searched for.

Consent

1. Containers discovered during a consent search of the vehicle may be opened provided that the terms of the consent expressly permit or reasonably imply that the particular container may be opened.

Incident to Arrest

1. When the passenger compartment of a vehicle is being searched incident to an arrest in compliance with section IV, B, 5 of this policy, unlocked containers found within the passenger compartment may be opened, provided that they could contain the items being searched for.

Other Circumstances

1. Unlocked containers found in a vehicle under circumstances that do not justify an investigatory search of the container under any of the foregoing exceptions to the search warrant requirement may be secured but not searched until a warrant is obtained to search them.

Locked Containers

1. Locked containers such as attaché cases, suitcases, and footlockers found during a vehicle search should be opened only in the following cases:
 1. The search is being conducted under a search warrant.
 2. There is probable cause to believe that the container located in the motor vehicle contains contraband or evidence.
 3. A valid consent to open the locked container is first obtained. In other types of searches, locked containers may be secured by search personnel and opened only after a warrant has been obtained.

Items Belonging to Passengers

1. Items belonging to passengers (e.g., wallets, handbags, purses) may be examined only in the following cases:

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- a. Officers have probable cause to search the vehicle, and the belonging in question is capable of concealing the item or items being searched for.
- b. Officers have received valid consent to search the item.
- c. A passenger has been placed under arrest, and the arrested passenger's belongings are being lawfully searched incident to that arrest in compliance with section IV, B, 5 of this policy.

Location and Time of Search

1. Whenever possible, search of a motor vehicle and containers found therein should be conducted at the location where the vehicle was discovered or detained. Under exigent circumstances, search of the vehicle or container may be delayed and/or conducted after the vehicle or container has been moved to another location. However, in all instances searches shall be conducted as soon as is reasonably possible, that is, as soon as adequate personnel are available to conduct a thorough search with due regard for the safety of all officers, citizens, and property concerned.

4. Conduct of the Search

a. Minimizing Intrusiveness

1. Although all searches should be conducted with thoroughness, motor vehicle searches shall be conducted in a manner that minimizes the intrusiveness of the search and the inconvenience caused to vehicle owners, occupants, and other persons involved. Where possible, damage to the vehicle or to other property in the course of the search should be avoided. Where unavoidable, such damage should be confined to that reasonably necessary to carry out a lawful, safe and thorough search. It is recommended that a backup officer should be summoned if available.

b. Ordering Occupants Out of Vehicles

1. For the safety of the occupants or police officer, police officers may order both operator and passengers out of a vehicle during a search.

c. Abandoned Vehicles

1. If it is determined by an officer that a vehicle has been abandoned, the vehicle may be searched without a warrant.

d. Handling of Evidence Found during Vehicle Searches

1. Any evidentiary items discovered in the course of a motor vehicle search shall be collected, handled, packaged, marked, transported, and stored in accordance with applicable policies and procedures of this department. Where appropriate and feasible, itemized receipts for seized property shall be given to the owner and/or occupants of the vehicle.

e. Seizure of Forfeitable Vehicles

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1. If there is probable cause to believe that the vehicle is forfeitable under federal or state law, no warrant is needed before seizing the vehicle from a public place. Once seized, vehicles shall be inventoried under established departmental inventory policy Chapter 6C.

f. Compliance with Health and Safety Requirements

1. Searches of motor vehicles are to be conducted in strict compliance with all applicable laws, governmental regulations, and departmental policies and procedures pertaining to the protection of department personnel from communicable diseases and hazardous substances. Any exposure of search personnel or others to such substances shall be reported in accordance with regulations, policies, and procedures of this department.

5. Security of Vehicles and Property Contained Therein

- a. If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

6. Responsibility of Supervising Officer

- a. An officer supervising a vehicle search shall be responsible for ensuring that it is conducted in accordance with this policy. In the event that the vehicle search is conducted under a warrant, the officer shall ensure that the execution of the warrant is properly reported to the issuing court or other authority. The officer shall also be responsible for making any other reports regarding the search that may be required by law, policy, or procedure.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5M	Stop, Search and Arrest of Persons		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-11-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

To direct the members of this agency on the lawful limits of authority with respect to contacts with persons, while protecting and serving the constitutional rights of all citizens when stopping, arresting or searching individuals.

B. Policy

The policy of this department is to protect and serve the constitutional rights of all citizens when stopping, arresting or searching individuals while balancing the needs of law enforcement in solving crime for the protection of the community.

C. Definitions:

1. *Probable Cause* - (search) - Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.
2. *Probable Cause* - (arrest) - Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that a crime has been or is being committed and the person to be arrested is the one who is or has committed the crime.
3. *Reasonable Suspicion* - (temporarily detain) - Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that criminal activity is afoot.
4. *Reasonable Suspicion* - (frisk) - Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that a person who is lawfully stopped is in possession of a weapon.
5. *Frisk* - (weapon) - A limited type of search, the limit being to those areas capable of holding a weapon and located within the subject's immediate area of control.

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6. *Strip search* - The removal or rearrangement of clothing that results in the exposure or observation of a portion of a person's body where that person has a reasonable expectation of privacy.
7. *Consensual Contact* - An interaction between a member of law enforcement and the public that is voluntary in nature. The law enforcement member has shown no authority that would cause a reasonable person to believe that they had no choice but to respond or comply with the officer's efforts. Under this type of contact, an officer has no power to detain an individual who chooses not to participate in the contact.
8. *Objectively Reasonable*: This term means, in determining the necessity for and appropriate level of force, officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the community.
9. *Gender Identity*: A person's sense of being a man or a woman. This gender-related identity, appearance, or behavior may be different from that traditionally associated with the person's physiology or assigned gender at birth.
10. *Transgender*: It is a term used to refer to a person who is born with the genetic traits and anatomy of one sex and self-identifies as another gender. This term includes transsexuals, intersex individuals, and others whose identity is perceived to be gender nonconforming.
11. *Transsexual*: A person whose personal sense of their gender differs from their anatomical sex at birth.

D. Procedures

1. Consensual Contact
 - a. An officer may approach anyone and attempt a consensual contact.
 1. Officers are not required to have reasonable suspicion for this type of contact.
 2. Officers may not take any steps through words or conduct to stop the person's movement under this type of stop.
 3. A person cannot be compelled in any way to participate in the stop.
2. Reasonable Suspicion Based Stops/Terry Stops
 - a. An officer who is aware of facts and circumstances that would lead a reasonable police officer to conclude that criminal activity is afoot, may stop a person, using objectively reasonable force, and detain the person for a reasonable amount of time to investigate further.

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- b. Officers may detain the person for a reasonable amount of time at the location of the stop while a diligent investigation is conducted such that the officer has an opportunity to confirm or dispel their suspicion.
 - c. Anonymous tips that merely describe a person's location and physical/clothing description without providing a prediction of the subject's future, or past, actions that can be corroborated by the police prior to contact are insufficient to justify a stop or frisk.
 - d. The duration of the stop should not exceed the amount of time that it would normally take to investigate the conduct that the officer suspected at the time the stop was made.
3. Reasonable Suspicion Based Frisk
- a. An officer may conduct a limited frisk/pat-down of a person's outer clothing when the officer has reasonable suspicion to believe that a person who has been lawfully stopped is in possession of a weapon that poses a danger to the officer or others present.
 - b. Officers may not frisk every person who is stopped in accord with this policy. An officer may only frisk those individuals for whom the officer has reasonable suspicion to believe is armed with a weapon.
 - c. Items that may support reasonable suspicion:
 - 1. The type of crime for which the stop is based is one that would lead a reasonable officer to conclude generally involves a weapon.
 - 2. The officer observes a bulge in the subject's clothing that has the appearance of a weapon.
 - 3. The officer has information (an uncorroborated anonymous tip merely providing description and location is not enough) indicating that a person is armed.
 - 4. The officer is aware of the subject's history of carrying weapons.
 - 5. The officer observes behaviors or movements of the subject as if reaching for, or attempting to hide a weapon.
 - d. The frisk is limited to a pat-down of the outer-clothing and does not include reaching into pockets etc. unless the officer feels an item during the frisk that the officer reasonably believes is a weapon or knows intuitively by plain feel that an item is contraband.

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4. Arrest

- a. An officer may arrest an individual if the officer has probable cause to believe that a crime for which the offense is arrestable has been committed and probable cause to believe that the person to be arrested is the person who committed that crime. Once probable cause is established an officer may take custody of the subject and involuntarily transport the subject.

NOTE: If the person to be arrested is in a dwelling refer to Policy 5K, *Search and Seizure*. If the person to be arrested is in a vehicle refer to Policy 5L, *Vehicle Stop & Search*.

- b. Under Kentucky law, officers may make an arrest with or without a warrant:

1. In obedience to a warrant; or
2. When a felony has been committed in his or her presence; or
3. When he or she has probable cause to believe the person to be arrested has committed a felony; or
4. When a misdemeanor as defined by K.R.S. § 431.060 has been committed in his or her presence; or
5. An officer may also arrest without a warrant for the commission of offenses enumerated in K.R.S. § 431.005 (1) (e); or
6. When the officer has probable cause to believe that the person has intentionally or wantonly caused physical injury to a family member or member of an unmarried couple.
7. When the officer has probable cause to believe that the person has committed an Assault in the 4th Degree under KRS 508.030 in the Emergency Room of Hospital.
8. When the officer has probable cause to believe that the person is a sexual offender who has failed to comply with the Kentucky Sex Offender Registry requirements based upon information received from the Law Information Network of Kentucky.
9. When the officer has probable cause to believe that the person has violated a condition of that person's pretrial release conditions for a violation of KRS Chapter 508 or 510, or for a violation of protective order issued pursuant to KRS 403.740 or 403.750.

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10. Any peace officer may arrest without warrant any person he/she has probable cause for believing has committed larceny in retail or wholesale establishments pursuant to KRS 433.236(3)
 - c. Under K.R.S. § 431.15 an officer may issue a citation in lieu of an arrest for enumerated offenses under this statute.
 - d. Factors and/or considerations when developing probable cause include:
 1. Officer observations through 5 senses
 2. Officer background and experience
 3. Specialized Training
 4. Information Received
 5. Physical Evidence
 6. Circumstantial Evidence
 - e. Juvenile Arrest Procedures
 1. Juveniles may be taken into custody for non-criminal offenses under the following conditions:
 - a. Pursuant to an order from a court for failure to appear before the court for a previous status offense; or
 - b. If there are reasonable grounds to believe that the child has been a habitual runaway from his parent or person exercising custodial control or supervision of the child.
5. Search Incident to Arrest of a Person
- a. When an officer arrests a person on the street, the officer may conduct a thorough search of the subject's person (not strip search).
 - b. Cross-gender pat-downs and searches are restricted to those circumstances where exigent circumstances are present and no officer of the subject's gender is available to conduct the search.
 - c. The purpose of this search is the following:
 1. Protecting the officer from attack;
 2. Preventing the person from escaping;

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3. Discovering or seizing the fruits of the crime for which the person has been arrested; or
 4. Discovering or seizing any instruments, articles, or things that are being used or which may have been used in the commission of the crime for which the person has been arrested.
 - d. This search may include the subject's pockets as well as any items they are in possession of at the time of the arrest. (For search incident to arrest in dwelling refer, to Policy 5K, *Search & Seizure*. For search incident to arrest in vehicle refer to Policy 5L, *Vehicle Stop & Search*.)
 - e. A peace officer is in the process of effecting a lawful search may seize any stolen or embezzled property, any item, substance, object, thing, or matter, the possession of which is unlawful, or any item, substance, object, thing, or matter, other than the private papers unrelated to a crime of any person, which is tangible evidence of the commission of a crime against the laws of this state.
6. Strip Search
- a. The Augusta Police Department recognizes that the use of strip searches and body cavity searches may, under certain conditions, be necessary to protect the safety of officers, civilians and other prisoners; to detect and secure evidence of criminal activity; and to safeguard the security, safety and related interests of detention facilities. Recognizing the intrusiveness of these searches on individual privacy, however, it is the policy of this agency that such searches shall be conducted only with proper authority and justification, with due recognition and deference for the human dignity of those being searched and in accordance with the procedural guidelines for conducting such searches as set forth in this policy.
 - b. In order to conduct a strip search of an individual two threshold issues must be met:
 1. The person must first be arrested based upon probable cause to believe that person has, or is, committing a crime.
 2. Field - It shall be the policy of this agency to conduct a strip search only when extreme exigent circumstances require such action. Only in the rarest of instances, where the safety of officers or others is clearly at risk, and where other alternatives are not readily available, should a strip search be performed outside of the jail. In such a case, the officer shall obtain supervisory authorization before making this search. If no supervisor is on duty the officer will make contact with an off duty commander or

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supervisor for authorization. In all cases the officer must seek a private area to conduct the search which is out of view of the public and other persons.

3. Booking - Strip searches during the booking process may only be conducted when officers can articulate reasonable suspicion to believe that the subject is concealing weapons or contraband.
- c. In all cases where a strip search has been conducted, the officer will document the following:
 1. The offense the suspect was arrested for.
 2. Facts and circumstances that led the officer to believe that the suspect was hiding weapons on his or her person.
 3. The manner in which the search was conducted.
 4. The persons who were present during the search.
 5. The location where the search occurred.
 6. The items that were recovered as a result of the search.
7. Interactions with Transgender Individuals
 - a. Forms of Address
 1. Transgender persons should be treated in a professional and courteous manner that reflects respect for the individual's gender identity and gender expression.
 2. When a person identifies himself/herself as a transgender, respect the expressed gender and do not question it.
 3. Officers should refer to, address and discuss transgender persons by their preferred name and use personal pronouns that reflect their gender self-identity and expression.
 - a. A person who transitions, or is transitioning, from female-to-male should be addressed using masculine pronouns, unless the person informs the officer otherwise.
 - b. A person who transitions, or is transitioning, from male-to-female should be addressed using feminine pronouns, unless the person informs the officer otherwise.

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4. If the individual does not self-identify as transgender or the officer is not certain of the person's gender identity, the following options apply:
 - a. When the intention of the person's gender presentation is clear to a reasonable person (based on attire and other cues), this should be used as the basis for gender determination.
 - b. If officer(s) are uncertain which pronouns are appropriate, it is appropriate to respectfully ask how the individual wishes to be addressed.
5. If a transgender person is unwilling to provide information that enables the officer to know what name and/or gender is preferable, then the officer should make a determination about the person's gender based upon the person's gender expression (clothing, language, and demeanor) and other available evidence.
 - a. Issued identification, such as a driver's license, or any other government issued form of identification, including a passport, may be acceptable as initial proof of gender identity in the absence of self-identification by the individual.

b. Searches

1. The safety of officers and citizens is of primary importance. When an immediate cursory search in the field for weapons is necessary for safety, it may be conducted by an officer of either sex.
2. No person shall be stopped, detained, physically examined, searched or frisked for the sole purpose of determining an individual's anatomical gender or genital status.
 - a. Requests to remove appearance-related items (prosthetics, clothing, wigs, and cosmetic items) should be consistent with requirements for removal of similar items by non-transgender individuals; and in a manner to not cause humiliation or embarrassment.
4. When an arresting officer has reason to believe the arrestee is a transgender individual, the officer should specifically inform the arrestee that, as with any other arrestee, he or she must be searched.
 - a. All searches of the transgender prisoner's person should be conducted by officers of the same gender as the transgender prisoner's gender expression whenever possible.
 - b. If it becomes apparent the gender of the subject being searched is not as

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previously identified then the guidelines pertaining to the search of the opposite gender shall apply.

5. No officer should refuse to search a transgender arrestee based upon the arrestee identifying as a transgender.
6. Officers should be aware the presence of needles may be indicative of prescribed hormone treatment and/or therapy, not necessarily evidence of criminal misconduct.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 5N	Intranasal Naloxone		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-11-2017		
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this policy is to establish procedures in regards to the carry, storage, and deployment of intranasal Naloxone when on the scene of a suspected drug overdose by Augusta Police personnel.

B. POLICY

It is the policy of the Augusta Police Department to provide assistance to any persons(s) who may be suffering from an opioid overdose. Officers trained in accordance with this policy shall make every reasonable effort to use naloxone to revive victims of any apparent drug overdose. This policy will apply to all Augusta Police personnel, until such time it is revoked, superseded or rescinded.

C. DEFINITIONS

Drug Intoxication: Impaired mental or physical functioning resulting from the use of physiological and/or psychoactive substances; i.e. euphoria, dysphoria, apathy, sedation, attention impairment.

EMT: Emergency Medical Technician, medical care rendered by EMT practitioners, which ensure the provisions of emergency medical assistance in the field for those persons suffering from an illness or injury.

Naloxone: An opioid receptor antagonist and antidote for opioid overdose which is produced in intramuscular, intranasal or intravenous forms.

Opioid: An opioid is a psychoactive chemical pain medication such as, fentanyl, morphine, buprenorphine, codeine, hydrocodone, methadone, and oxycodone.

Heroin: A white, crystalline narcotic powder that is a highly addictive drug derived from morphine.

Opioid Overdose: An acute condition due to excessive use of narcotics, indicated by symptoms including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death, resulting from the consumption or use of an opioid or another substance with which an opioid was combined, or that a layperson would reasonably believe to be caused by an opioid- related drug overdose that requires medical assistance.

Universal Precautions: An approach to infection control whereby all human blood and human body fluids are treated as if they were known to be infectious for HIV, HBV, and other blood-borne pathogens. The use of latex gloves for purposes of this policy is a highly recommended best practice.

Chapter 5N: Intranasal Naloxone

Diminished Capacity: Any persons encountered in the field who exhibit unusual behaviors commonly referred to as irrational, bizarre, and/or unpredictable. These outward observable symptoms could be the result of intoxication, drug use, suicidal ideations, mental illness, or medical complications.

D. PROCEDURE

1. Signs of Overdose: A person who has overdosed may:
 - a. Breathing very slow or not breathing
 - b. Blue or purplish lips or fingernails
 - c. Be limp
 - d. Pinpoint pupils
 - e. Vomiting or gurgling
 - f. Not wake up or unresponsive if you try to rouse them
2. Naloxone Kits: Naloxone for intranasal use will be issued to all sworn officers. Each kit will include:
 - a. Instructions for administering intranasal naloxone.
 - b. One (1) single-use prefilled intranasal naloxone spray.
 - c. One (1) single-use CPR face shield.
 - d. One (1) refill card.
3. Initial Training: Officers shall receive Agency approved and authorized training on responding to persons suffering from an apparent opioid overdose and the use of naloxone prior to being issued and intranasal naloxone kit and/or being authorized to administer naloxone.
4. Refresher Training: Officers of this Agency shall receive approved and authorized refresher training on responding to persons suffering from an apparent opioid overdose and the use of naloxone every two (2) years.
5. Event Procedure: Whenever an officer encounters a person who appears to be the victim of a drug overdose, the officer shall:
 - a. Maintain universal precautions throughout the event.
 - b. Contact and advise the dispatcher of a possible overdose and request EMS response.
 - c. Keep the dispatcher apprised of the condition of the overdose victim.
 - d. Perform an assessment of the victim checking for unresponsive and decreased vital signs.

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- e. Check for Medic Alert tags or the like, which may indicate a pre-existing medical condition, around the wrist or neck of the victim.
- f. Ask witnesses, family or friends of the victim what type of drug the victim ingested.
- g. Observe your surroundings for any evidence of drugs that may indicate what the victim ingested such as; prescription drug bottles, heroin packages, needles and syringes.
- h. Prior to the administration of naloxone, officers shall ensure that the victim is in a safe location and shall remove any sharp or heavy objects from the victim's reach, as the sudden onset of immediate opioid withdrawal may result in physical symptoms such as agitation, rapid heart rate, nausea, seizures and difficulty breathing.
- i. Administer naloxone using the approved MAD.
- j. Seize all illegal and/or non-prescribed narcotics found on the victim or around the area of the overdose and process in accordance with agency policy and inform medical personnel of the drugs recovered.
- k. Once used, the intranasal naloxone device is considered bio-hazardous material and shall be turned over to EMS or hospital personnel for proper disposal.

6. Administration of Naloxone:

Step #1. Remove the Naloxone nasal spray from the packaging.

Step #2. Gently insert the tip of the nozzle into either nostril.

Step #3. Press the plunger firmly to administer the Naloxone.

Step #4. Maintain constant observation of the victim and update dispatch and medical personnel on the condition of the victim. You should notice improvement in breathing in 2- 3 minutes, only one dose should be administered.

- 7. Effects: Naloxone is specifically designed to temporarily block the effects of drugs on the person to which it is administered. As the effects of Naloxone will wear off in a short period of time, all persons administered Naloxone must be transported via Squad to a treatment facility.
- 8. Refusal of Treatment: Any individual to which Naloxone has been administered is considered to be an ongoing medical emergency requiring treatment by a medical professional. Should an officer encounter an individual who after having been administered Naloxone refuses transport to a medical treatment facility; he/she shall consider the following options:
 - a. Consider the individual to be in a state of diminished capacity and after consultation with paramedics, comply with the procedures as set forth in the policy and procedures manual Chapter 5J – Persons of Diminished Capacity and cause to occur an emergency detention as authorized under KRS 202A.041.

Chapter 5N: Intranasal Naloxone

- b. Consider arrest based on probable cause for criminal charges and transport the person to the hospital and upon clearance onto the Detention Center in accordance with procedures as set forth in these policies and procedures manual.

9. Criminal Charge considerations: KRS 218A.133:

A person shall not be charged with or prosecuted for a criminal offense prohibiting the possession of a controlled substance or the possession of drug paraphernalia if:

- (a) In good faith, medical assistance with a drug overdose is sought from a public safety answering point, emergency medical services, a law enforcement officer, or a health practitioner because the person: (1.) Requests emergency medical assistance for himself or herself or another person; (2.) Acts in concert with another person who requests emergency medical assistance; or (3.) Appears to be in need of emergency medical assistance and is the individual for whom the request was made;
- (b) The person remains with, or is, the individual who appears to be experiencing a drug overdose until the requested assistance is provided; and
- (c) The evidence for the charge or prosecution is obtained as a result of the drug overdose and the need for medical assistance.”

NOTE: Officers should not place criminal charges for possession if the circumstances meet the criteria described in KRS 218A.133. This KRS does not apply if the drug crimes amounts to trafficking or other unrelated criminal offenses. In the event a charge is filed and based on probable cause, immunity applies for false arrest and false imprisonment under KRS 218A.133.

10. Reporting: After utilization of naloxone, officers shall:

- a. Prepare an incident report to include a description of the individual’s condition, symptoms and behaviors; the fact that naloxone was deployed; EMS response; the hospital to which the victim was transported; any narcotics seized; and the outcome of the agency and EMS response.
- b. The supervisor or the Chief of Police will review and approve the report.
- c. If a person requested emergency medical assistance and that person’s contact information is available, the Officer or the on-duty supervisor shall ensure a report is prepared with the person’s contact information and directed to the Health Department in accordance with KRS 218A.133.
- d. If the Officer used his/her issued kit: Fill out the provided Narcan Rescue Kit card and get a replacement Naloxone nasal spray.

11. Storage and Replacement:

- a. Inspection of the intranasal naloxone kit shall be the responsibility of the officer to whom it is issued and shall be conducted by the officer prior to each shift along with the

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rest of the Agency issued equipment.

- b. Check the expiration date found on the box or vial.
- c. Check the condition of the MAD. When unopened it is considered sterile for 4-5 years.
- d. Naloxone will be stored in accordance with the manufacturer's instructions, avoiding extreme cold, heat and direct sunlight.
- e. Missing, damaged and expired kits will be reported to the officer's immediate supervisor as soon as the discrepancy is noted.
- f. Replacement kits will be provided to officers.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 50	Law Enforcement Canines		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-11-2017		
Distribution:	Sworn Personnel	References:	

Note: *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 for the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.*

A. Purpose

- B. The purpose of this policy is to outline mandates relating to the use of canines in the law enforcement operations.

C. Policy

- D. This department recognizes the value of law enforcement canines as a part of the overall police operation. Canines are used for several purposes. In cases where the canine may bite a suspect, the use constitutes a use of force and must meet the mandates of this department's policies on response to active resistance. The use of drug-detecting canines, in some instances may be deemed unreasonable. In recognizing the rights of citizens, the policy of this department is to ensure that canine use is balanced against the rights of all persons

E. Certification

- F. In all cases, the reliability of the law enforcement canine will be subject to challenge. Officers shall not rely upon a canine team that is not fully certified in order to justify a search. Officers shall not utilize a patrol canine that has not met certification standards.
- a. Documentation: Trainers and handlers shall maintain training records and all other documentation of the canine's certification for drug-detection.
 - b. Training: All agency canines shall be trained in accordance with certification guidelines and shall continue regular in-service training.

Chapter 5O: Law Enforcement Canines

G. Procedure Patrol Canines

- i. Off-Leash Canine Deployment Limitations (Searches and other instances where there is a significant risk of a canine bite to a suspect): These deployments are limited to searches of public and commercial buildings following an announcement in accord with this policy. Under exigent circumstances, a canine can be used or deployed off-leash in a residence, however, officer shall verify that no innocent third parties are at risk.
- ii. Supervisory Approval: Canine officer must have approval from an immediate supervisor before the canine can be deployed, except in cases involving an on-leash article search. If no canine supervisor is available, approval must be sought from a supervisor in charge at the scene before the canine can be deployed. The approving supervisor will not serve as a canine handler in the deployment. Where no supervisor is available, decisions under this section shall be delegated to the senior officer available.
- iii. Announcements: Canine handlers shall give loud and clear announcement(s), appropriate for the particular deployment area at issue, indicating that a canine will be deployed and advising the suspect to surrender and remain still if approached by the canine. The handler shall allow a sufficient interval of time between the announcement and the deployment to allow the suspect to surrender.
- iv. Bites: Canine handlers shall not allow a canine to bite a suspect except where the suspect poses a risk of imminent danger (i.e., is armed with a weapon or other instrumentality capable of producing significant bodily injury) to the handler is actively resisting or escaping after committing a violent felony.
- v. Calling off the Canine: In all cases where a canine is permitted to bite or apprehend a suspect by biting, the handler will call off the dog at the first possible moment that it is safe to do so, taking into account that the average person will struggle if being seized or confronted by a canine. Struggling alone does not justify allowing the canine to continue to hold the suspect.
- vi. Non-Resistant Subjects: Officer shall ensure that the canine does not bite a non-resistant subject.
- vii. Medical Treatment: Whenever a canine-related injury occurs, immediate medical treatment shall be provided. Treatment requires an EMS response or transportation to an emergency room/hospital.
- viii. Summon a supervisor to the scene.

Chapter 5O: Law Enforcement Canines

- ix. Examine the affected area to determine the seriousness of the injury or bite.
- x. Photograph the injury before and after treatment.
- xi. Complete an incident report in all cases where it is known or alleged that a canine has apprehended or otherwise injured an individual. This report shall detail the circumstances surrounding the incident, the identity of the individual involved and any witnesses, the nature and extent of the injury, and any measures taken in response to the event.
- xii. A RCAR report shall also be filled out.
- xiii. Copies of all reports shall be completed before the end of the shift and forwarded up the chain of command to the chief or his/her designee.
- xiv. Complete an incident report whenever it is known or alleged that a canine has apprehended or otherwise injured an individual. The report shall detail the circumstances surrounding the incident, the identity of the individual involved and any witnesses, the extent of the injuries, if known, and measures taken in response to the incident. A RCAR report shall also be filled out. Copies of the incident report shall be forwarded to the supervisor prior to the end of the watch.
- xv. The supervisor of the canine unit shall track all canine deployments and apprehensions and calculate and track canine bite ratios on a monthly basis to assess the canine unit overall as well as individual teams.

H. Procedure Narcotics Detection Canines

- a. The use of drug-detecting canines for purposes of sniffing an inanimate object in a public place does not constitute a search for 4th Amendment purposes.

I. Automobiles: The use of a drug-detecting canine to sniff the exterior of a vehicle in a public place does not constitute a search.

- a. In cases where a certified canine alerts for narcotics in a vehicle, probable cause to believe that the vehicle contains narcotics has been established. Once probable cause has been established, officer should refer to agency policy on probable cause searches of motor vehicles.
- b. In cases where a certified canine alerts for narcotics in a vehicle, probable cause to believe that the vehicle contains narcotics has been established.

Chapter 5O: Law Enforcement Canines

Once probable cause has been established, officer should refer to agency policy on probable cause searches of motor vehicles.

- c. In dealing with motor vehicle stops, officer need not establish reasonable suspicion to utilize a canine however; they may not prolong the stop beyond what justified it to begin with awaiting the arrival of the canine. In cases where the stop has resulted from reasonable suspicion to believe the motor vehicle contains contraband, the officer may reasonably detain the vehicle for the arrival of the canine.
 - d. In dealing with motor vehicle stops, officer need not establish reasonable suspicion to utilize a canine however; they may not prolong the stop beyond what justified it to begin with awaiting the arrival of the canine. In cases where the stop has resulted from reasonable suspicion to believe the motor vehicle contains contraband, the officer may reasonably detain the vehicle for the arrival of the canine.
- J. Schools: A drug-detecting canine's open-air sniff of lockers in a school hallway does not constitute a search for 4th Amendment purposes. These use of a canine at a school should be limited as follows:
- i. The use of a canine at a school may only be conducted with the authorization of the chief working in cooperation with local school authorities.
 - ii. In cases where the canine alerts on a locker, the handler shall notify school authorities who shall then be responsible for all further action.
 - iii. Canines shall not be utilized to sniff students.
- K. Inanimate Objects: In cases where drug detecting canines are called upon to sniff inanimate objects such as luggage, packages, etc., and the canine alerts on the item in question, personnel shall seek a search warrant before opening the item unless consent can be obtained or exigent circumstances exist.
- L. Agency: Agency should input its method of selection of canine handlers and agency specific procedures, which are outside the legal issues outlined by this policy.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 6A	Investigations		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-11-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To set guidelines for making the determination of whom, or which agency, shall be responsible for the investigation of crimes and incidents.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 11, 2017, until such time as it is superseded, revoked, or rescinded.

C. Procedure

1. Criminal Investigations, including traffic.

- a) The primary responding patrol unit arriving on the scene shall be responsible for the preliminary investigation and all documents associated with same.
- b) The reporting officer shall be responsible for the follow-up investigation or coordination of the follow-up investigation of all misdemeanor crimes. The reporting officer may assume responsibility for the follow-up investigation of felony crimes with the permission of the Chief of Police.
- c) The follow-up of felony crimes and death investigations shall be the responsibility of the officer under the authority of Section C.1.b., herein.
- d) When the initial responding officer determines the Chief of Police or an outside agency is needed, he will notify the Chief of Police or his/her designee, who will respond to the scene. The Chief of Police will then make the request for assistance from the outside agency.
- e) Incidents which may be processed by an outside agency will include, but are not limited to:

1. Death scenes;

Chapter 6A: Investigations

2. Sexual assaults;
 3. Officer involved shootings;
 4. Business robberies;
 5. Major burglaries;
 6. Felony assaults;
 7. Any other crime scene where there is physical evidence which the supervisor believes is of value to the proper investigation and requires special collection techniques.
- f) For follow-up investigations of crimes, the Chief of Police or his/her designee shall be notified as soon as possible and will determine if an outside agency will respond to the following types of incidents:
1. Death scenes, including fatal traffic collisions;
 2. Burglaries or thefts involving safes or large amounts of cash or property;
 3. Armed robberies;
 4. Felony narcotics violations;
 5. Sexual assaults;
 6. Officer involved shootings;
 7. Unusual situations (disasters, hostage situation, kidnapping, bombings);
 8. Felony narcotics arrests; and,
 9. Any incident a supervisor determines to require an outside agency investigation.
2. Internal Affairs Investigations
- a) The Chief of Police will assign himself/herself, or any competent authority to investigate the matter. Internal matters concerning personnel holding the rank of Assistant Chief or above shall be investigated by the Chief of Police, or any competent jurisdiction deemed appropriate by the Chief of Police.

Chapter 6A: Investigations

3. Use of Force by Department Personnel

- a. Command Officers/Supervisors shall respond to the scene and investigate the use of force by Department personnel as directed in the *Use of Force* Policy.
- b. Incidents involving deadly use of force, or force resulting in serious physical injury, shall be jointly investigated by the concerned employee's command/supervisory officer or independent investigating body, following procedure set forth in the *Use of Force* Policy.

4. Traffic Accident Investigations.(Refer to *Traffic Accident Investigation* Policy 7D)

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 6B	Cooperating Individuals		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-11-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this policy is to establish procedures to be followed in the establishment and use of Cooperating Individuals, hereafter referred to as CI, consisting of informants and confidential informants.

B. POLICY

It shall be the policy of the Augusta Police to utilize CI's as necessary to uncover criminal activity, and during the course of criminal investigations, to assist in the successful prosecution of criminal offenders. While personnel are encouraged to cultivate relationships with persons who may be valuable as CI's, there will be no toleration of indiscretion used when working with CI's.

C. PROCEDURES

1. CI's

Definitions: Anyone who provides information to law enforcement, either in a confidential or open civic minded fashion; and categorized as follows:

- a) Crime Stoppers CI: Anyone who provides information to Crime Stoppers and typically receives money for the information (CI File not required).
- b) Working CI: Anyone who provides information to law enforcement and receives benefit in exchange for the information; typically the informant is working off a criminal charge (CI file required).
- c) Qualified CI: Anyone who provides information to law enforcement and has provided reliable information on at least two separate occasions. This informant may or may not receive benefit for information (CI File required).
- d) Informational Source: Anyone who provides information to law enforcement and receives no benefit for the information (CI File not required).

2. CI Procedures

- a) Extreme discretion shall be used when working with CI's. All personnel are expected to display a high level of professionalism and judgment in their association with CI's. Personnel should become aware of identities of persons who conduct or manage legitimate businesses and whose assistance would be beneficial if needed. CI's are to be developed through the court system if possible.

- b) All CI 's, other than a Crime Stopper's Informant or Informational Source, will require the presence of two officers any time a CI is met in person. Although, it is also recommended that even meetings with Crime Stoppers Informants or Informational Sources occur with two officers present whenever possible. An exception to the requirement for the presence of two officers would only occur under extraordinary circumstances and when approved in advance by a command level officer. In all instances of meeting a CI of the opposite gender or transgender there shall be two officers present.
- c) CI's will not be permitted to carry weapons while acting in a Cooperating Individual capacity.
- d) CI's will not be permitted to use, test, or possess controlled substances while acting in a Cooperating Individual capacity unless it can be shown that failure to do so will endanger the life of the CI. CI's may possess controlled substances under the direction of an officer (i.e., undercover buy) only if the substance is the object of the official investigation. Prior to a CI conducting controlled buys, the CI shall be searched to offset any allegations of impropriety.
- e) CI's will not be permitted to search any person, place, or the personal effects of others in any situation.
- f) CI's will not be permitted to engage in any activities that would constitute entrapment.
- g) CI 's will not be permitted to use Augusta Police owned property except for the use of audio, video, transmitting equipment, etc. provided by, and under the guidance of, Augusta Police personnel for legitimate police investigations.
- h) Augusta Police personnel shall not knowingly fraternize, solicit, accept gratuities from, or engage in any private business transaction with a working or qualified CI.
- i) CI's will be advised of the possibility of their identity being revealed in court (in advance when possible).
- j) Any defendant/ CI who is cooperating in exchange for leniency for pending criminal charges will not be promised anything by Augusta Police officers without the prior approval of the appropriate prosecutor. No defendant shall be made promises or threatened with prosecution in order to encourage his or her assistance.
- k) No defendant shall be used as a CI and told that his charges will be amended unless authorized by a prosecutor in advance.
- l) No promise of fees is to be made to CI's.
- m) No person who has proven to be unreliable will be used as a CI without the permission of the Chief of Police. When a CI is proven unreliable, proper documentation will be placed in the CI's file.

3. Special CI Approval Requirements

Certain individuals who are being considered for use as a CI require special review and approval. They include the following classes of individuals:

a) Juveniles

- 1) Use of a juvenile under the age of 18 as a CI may only be undertaken with the advance approval of the chief of police, and with the written notarized authorization and release of liability of the individual's custodial parent or legal guardian. Authorization for such use should be granted only when a compelling public interest can be demonstrated and there is not a workable alternative.
- 2) The Commonwealth's Attorney's Office and County Attorney's Office have been appraised of the intent before the fact and both agree that such utilization is essential to subsequent court conviction. Additionally a representative from one or both offices is requested to be present during the use of a juvenile CI.

b) Individuals Obligated by Legal Privilege of Confidentiality

This class of individuals includes, but may not be limited to, attorneys, physicians, and members of the media. The office of the prosecutor and the chief of police shall be consulted before any officers use such individuals as CIs.

c) Governmental Officials

This includes persons in high-level and highly sensitive local, state, or federal governmental positions. The office of the prosecutor and chief of police shall be consulted before any officers use such individuals as CIs.

d) Wards of the Corrections Authority

This includes persons who are in the custody of local or state departments of corrections or under their supervision in the community through probation, parole, supervised release, or other programs. It may also include persons who are current or former participants of the federal witness security program. Use of such individuals as CIs requires, at a minimum, approval of the department of corrections.

4. Cooperating Individual Files

- a) A centralized CI file system shall be maintained by the Chief of Police or his/her designee for all working and qualified CI's.
- b) CI files shall be used for the following purposes:
 - 1) Provide a source of background information about the informant
 - 2) Provide a complete history of the information received from the informant
 - 3) Enable supervisory review and evaluation of information given by the informant
 - 4) Minimize incidents which might question the integrity of investigators or the reliability of the CI

Chapter 6B: Cooperating Individuals

- c) Hard copy CI files shall be maintained in a separate and secured area in the police department. Electronically maintained CI files shall be preserved in a manner so as to limit access in the same manner as hard copy CI files.
- d) Sworn personnel who are not actively handling a CI may review an individual's CI file only upon the approval of the Chief of Police. The requesting officer shall submit a written request explaining the need for review. A copy of this request, with the officer's name, shall be maintained in the CI's file. Such officers shall not remove, copy, or disseminate information from the file; all CI files shall be reviewed only in designated areas of the police facility and returned as soon as possible to their secure file location.
- e) All disclosures or access to informant files beyond those of the assigned handler shall be recorded by the Chief of Police or his/her designee to include information such as the requesting officer or agency, the purpose of access or disclosure, the information conveyed, and the date and time of access or dissemination.
- f) Employees leaving employment with the department have a continuing obligation to maintain as confidential the identity of any CI and the information he or she provided unless obligated to reveal such identity or information by law or court order.
- g) Each CI file shall be assigned an informant number created by using the handling officer's last name, the last four digits of the informants' social security number, hyphen, then calendar day of the informant's birth, e.g., "Smith - 0951-16."
- h) CI files shall include the following information:
 - 1) Completed CI Information Sheet
 - 2) Completed CI Checklist
 - 3) Completed CI Agreement Form
 - 4) Current photograph
 - 5) Local criminal history check and warrants check
 - 6) Documentation of all activities performed
 - 7) Briefs of information provided by the CI and their subsequent reliability
 - 8) CI Files shall be updated annually or when utilized again if longer than one year.

Chapter 6B: Cooperating Individuals

Augusta Police Department Cooperating Individual Information Sheet

Name: AKA:

Add: APT#:

City: State: ZIP:

DOB: Sex: Race: SSN:

POB: OLN/State:

Home Number: Cell Number:

Pager Number: Other Number:

Marital Status: Maiden Name:

Employer:

Scars/Marks/Tattoos:

Spouse:

Emergency Contact:

If different than spouse

Add: APT#:

City: State: ZIP:

Home Num: Cell Num:

Vehicles Owned/Operated:	Year	Make	Model	Color
<input type="text"/>				

Associates:

Officer

Date:

AUGUSTA POLICE DEPARTMENT CONFIDENTIAL WITNESS AGREEMENT

C.I. CONTROL # _____

This confirms that agreement entered into between the Augusta Police Department (A.P.D.) and _____.

1. A.P.D. has asked me to assist in an official investigation. In the furtherance of this investigation, I agree to _____.
2. A.P.D. has assigned Officer _____ to serve as my supervisor. It is my alternate point of contact.
3. I will not participate in any unfaithful activities except insofar as A.P.D. determines that such participation is necessary, and A.P.D. expressly authorizes such acts in *advance*. I understand that any violation of law, not expressly authorized by A.P.D., may result in my prosecution.
4. Under no circumstances will I participate, or be permitted to participate, in acts of violence. If I am asked to participate in any act of violence, or learn of such plans, I will attempt to discourage those plans or acts and will promptly notify A.P.D.
5. I will not initiate any plans to commit criminal acts. Further, I understand that I will not induce any individual to commit a crime that he or she has not predisposition to commit.
6. I will not attempt to be present during conversations between individuals under criminal indictment and their attorney (s). If I am inadvertently present and learn of defense plans or strategy, I am not permitted to report such conversations without prior approval from the prosecuting attorney's office.
7. Since I will be working closely with A.P.D. for the purposes of investigation, I understand that I am not a law enforcement officer, an employee or an agent of A.P.D. and that I will not represent myself as such.
8. I understand that information that I provide to A.P.D. may be used in a criminal proceeding. All legal means available will be used to maintain the confidentiality of my identity but I may be required to testify before a grand jury and at subsequent hearing and trials. I understand that I have an obligation to provide truthful information and testimony, and that any deliberate false statement or testimony will subject me to criminal prosecution.

9. If, as a result of being a cooperating witness, it is determined by A.P.D. that my life (or that of any member of my immediate family) may be in danger, A.P.D. will, with my permission, apply to the Department of justice to admit me to the Witness Protection Program. I understand that the final decision is made solely by, and at the discretion of the Department of Justice and not A.P.D.
10. I will in no way reveal the confidential and sensitive nature of investigations. Further, I will not undertake any publication or dissemination of any information or material that results from investigations without the prior expressed authorization of A.P.D. and in furtherance of this investigation.
12. I understand that I may be asked to conduct investigative eavesdropping. I understand that I may not solicit illegal activities or conversation in violation of KRS Chapter 526. I further understand that I may not discuss the contents of conversations conducted during investigative eavesdropping 'with anyone without the expressed permission of A.P.D. I also understand that I may not possess my own eavesdropping equipment and may not in any form reproduce contents of eavesdropping conversations. Knowing that participation in eavesdropping activities may carry special legal considerations as to my confidentiality or may affect my personal safety, I do ____*/do not ____ agree to participate in eavesdropping activities.

* By agreeing to participate, I hereby give my unconditional consent to have my conversations monitored and recorded for use as evidence or the furtherance of an investigation. I understand that I may withdraw my consent on a case by case basis before initiation of any eavesdropping activities.

Signature	Date
-----------	------

Witness Signature	Date
-------------------	------

A.P.D. Officer Signature	Date
--------------------------	------

A.P.D. Alternate Officer Signature	Date
------------------------------------	------

DATE:_____

OFFICER:_____

CASE #_____

DESCRIPTION OF CONTACT:

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 6C	Forfeiture of Assets by Law Enforcement Agencies		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-11-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to standardize the law enforcement policies and procedures used in seizing, maintaining and forfeiting assets pursuant to the provisions of law, and to ensure that seized property is seized and maintained in an efficient and lawful manner. The provisions contained in this policy are intended to serve as guidelines for the Augusta Police Department in the seizure and forfeiture of property. Substantial compliance will further this goal.

The Kentucky Controlled Substance Act, KRS 218A.410 et seq, authorizes law enforcement agencies to seize and forfeit any property or contraband article which has been used, is being used, or was intended to be used in violation of any provision of the Act. It is the policy of this law enforcement agency to utilize the forfeiture provisions to the fullest extent possible in order to impact upon crime, yet protect innocent owners, while providing this agency with the maximum amount of economic benefit for the continued enforcement of the Kentucky Controlled Substances Act.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 12, 2017, until such time it is superseded, revoked or rescinded.

C. Procedure

A. Seizure of Vessels, Vehicles, Aircraft, Currency, or other Personal Property or Contraband Articles.

1. The Augusta Police Department may seize property for forfeiture under the Act without process if it determines that:
 - a) The seizure is incident to an arrest or a search under a search warrant; or,
 - b) The property subject to seizure has been the subject of a prior final order of forfeiture; or,
 - c) The agency has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or,

Chapter 6C: Forfeiture of Assets by Law Enforcement Agencies

- d) The agency has probable cause to believe the property is subject to forfeiture pursuant to KRS 218A.410.
2. Probable cause seizures taking place at the time of violations may be made without prior judicial approval.
3. Property not seized at the time of violations presently located on private premises should be seized pursuant to a court order authorizing entry onto the private premises, unless otherwise authorized by law.
4. As soon as practicable following seizure, the seizing officer shall make a diligent effort to determine ownership of the seized property, including the identification of the registered owner(s), title holder(s), and bona fide lienholder(s), if any. Assistance in research should be sought through the Bracken County Commonwealth Attorney office.
5. The Augusta Police shall give notice of the seizure to the owner(s) and/or bona fide lienholder(s), if any, once identified, within twenty-one (21) days after the identification is made. Such notice may be made by certified mail, return receipt requested.
6. Following a determination not to proceed with forfeiture based upon innocent owner considerations, the property shall be released to the lawful owner or his legally authorized designee.
7. As soon as practicable after the seizure, the seizing officer, shall complete an offense or seizure report, particularly describing the circumstances attendant to the seizure and forward same to the Commonwealth Attorney who will be handling the forfeiture action.

B. Seized Vessels, Vehicle & Aircraft Storage and Maintenance

1. At the time of seizure, the Augusta Police should have vessels, vehicles, aircrafts, etc. transported or towed to a secure storage facility or other appropriate storage location. The On Call Towing Service should be utilized in the case of an arrest or impound. Movement of vessels, vehicles, aircraft, etc. post arrest shall be done through the On Call Towing Service as well.
2. A complete inventory of the seized property and all containers, open or closed, found therein shall be completed at the time of the seizure. As soon as practicable after seizure, the seizing officer shall make a good faith attempt to release to the lawful owner all personal property (e.g., clothing) seized with items impounded and not being retained as evidence or for forfeiture. If the owner is unknown, has been arrested, or is otherwise unavailable to take

Chapter 6C: Forfeiture of Assets by Law Enforcement Agencies

possession of the property, the property shall be placed in a property locker to be released to the owner at a later date.

3. Any personal property seized as evidence shall be packaged and stored separately and handled in accordance with established procedures for the processing of evidence.
4. Reasonable attempts shall be made to maintain the property in time-of-seizure-condition. Although all rights, interest in and title to seized assets vest immediately in the Augusta Police Department upon seizure, seized items shall not be used for any purpose until the rights, interest in and title to the seized property are perfected by final order of forfeiture. This section does not prohibit use or operation necessary for reasonable maintenance of seized property.
5. If special maintenance is required to maintain seized property in time-of-seizure-condition as may be necessary with aircraft and vessels, the Augusta Police shall ensure that such maintenance is provided within a reasonable time after seizure, with such care continuing through the pendency of the forfeiture action. Appropriate forms should be maintained with seized property to document special or required maintenance.
6. Augusta Police personnel shall make periodic inspections of all property which has been seized subject to forfeiture to insure continued the time of seizure conditions of the property is being maintained. Such inspections shall be documented appropriately.

C. Seizure and Forfeiture of Real Property

1. The agency may seize real property only with process:
 - a) Real property subject to forfeiture may be seized pursuant to final judgement and order of forfeiture by the court **with** jurisdiction over the forfeiture action; or,
 - b) Real property may be seized prior to final judgement by the agency if it obtains a seizure order from the court following a hearing. Seizure prior to judgement is only permissible on a showing by the Commonwealth that seizure is necessary to preserve the property pending final judgement.
2. Real property which is seized prior to final judgement must be maintained at time-of-seizure condition. On-going Businesses, including agricultural enterprises, must be continued. For this reason, seizure of real property prior to final judgement of forfeiture is not recommended.
3. Agencies with probable cause to believe that real property is subject to forfeiture will as soon as practicable consult with the appropriate Commonwealth Attorney

Chapter 6C: Forfeiture of Assets by Law Enforcement Agencies

to perfect the lien created in KRS 218A. A lien is preferred over pre-judgement seizure of real property.

D. Release of Seized Property

1. If at the conclusion of the judicial process the claimant prevails, the seized property shall be released to the lawful owner immediately. Under these circumstances, the Augusta Police shall not assess any towing charges, storage fees, administrative costs, maintenance costs, etc. against the claimant, unless so authorized by the appropriate court.
2. In all other instances, if a seized vessel, vehicle, aircraft, etc. is to be released to the lawful owner, the Augusta Police may assess against the owner the actual costs of towing, storage, and maintenance of the seized property. Absent settlement, administrative costs, which do not reflect actual expenses, shall not be assessed.
3. Property that has been seized as having evidentiary value shall be treated accordingly, and shall NOT be released pursuant to this policy.

D. RETENTION FOR OFFICIAL USE, SALE, AND DISTRIBUTION

A. Retention of Vehicles

1. Any vehicle seized and subsequently forfeited to the Augusta Police Department may be retained for official use.
2. Any vehicle retained may be sold by the Augusta Police Department. Funds from such sale shall not be considered as funds to be distributed.
3. Proceeds from sale of retained vehicles must be spent on a specific law enforcement purpose. "Specific law enforcement purpose" means any agency activity, which materially facilitates enforcement of the law of the Commonwealth of Kentucky.
4. The Augusta Police must pay any bona fide perfected security interest on any forfeited vehicle retained for official use.

B. Sale of Forfeited Property

1. All sales of property forfeited pursuant to the Controlled Substances Act must be advertised, public sales.
2. The Commonwealth may transfer any forfeited real property sold by deed of general warranty.

Chapter 6C: Forfeiture of Assets by Law Enforcement Agencies

3. All bona fide, perfected security interests on forfeited property must be paid from proceeds of sale of such property.
4. Controlled substances which have been forfeited but which have a lawful purpose may be sold to a proper buyer as determined by the regulations of the Cabinet for Human Resources.

C. Distribution of Sale Proceeds

1. Following deduction of any direct expenses related to the sale of forfeited assets, the Augusta Police Department retains the first \$50,000 from sale of assets itemized in any final order of forfeiture. Of that, 10% is paid to the Office of the Commonwealth Attorney that handled the forfeiture action.
2. The seizing agency retains 45% of all sale proceeds in excess of direct sale expenses and \$50,000. No portion of these proceeds is required to be shared with a prosecutorial office.
3. All proceeds from sale of forfeited property must be expended for specific law enforcement purposes.
4. All sale proceeds in excess of the above proscribed amounts shall be paid into the Asset Forfeiture Trust Fund as managed by the Office for Investment and Debt Management of the Commonwealth of Kentucky.
5. When money or property is seized in a joint operation involving more than one law enforcement agency, the apportionment of funds shall be made among the agencies in such a manner as to reflect the degree of participation of each agency in the law enforcement effort resulting in the forfeiture, taking in to account the total value of all property forfeited and the total law enforcement effort with respect to the violation of law on which the forfeiture is based. The trial court shall determine the proper division and include the determination in the final order of forfeiture.

E. REPORTING REQUIREMENTS

A. Seizure Reports

1. Any officer which seizes property subject to forfeiture without court order shall immediately prepare a report completely describing and inventorying the property so seized. The original of the report shall be included in the criminal case file. Duplicates of the report shall be forwarded to the appropriate prosecutorial office and the Kentucky Justice Cabinet.
2. Any officer which wishes to obtain a court order to seize property shall submit a "Request For Forfeiture" form to the appropriate prosecutorial office. Property seized pursuant to such order should be reported in the same manner as property

Chapter 6C: Forfeiture of Assets by Law Enforcement Agencies

seized without order. A copy of the Court Order shall be attached to the seizure report.

3. Any officer which wishes to place a lien against forfeitable real property he/she shall submit a "Request for Forfeiture Lien" to the appropriate Commonwealth Attorney. A copy of the forfeiture lien notice shall be maintained in the criminal case file and a copy shall be forwarded to the Kentucky Justice Cabinet.
4. A copy of all final orders of forfeiture shall be forwarded to the Kentucky Justice Cabinet by the appropriate Commonwealth's Attorney.
5. Fiscal reports itemizing costs of sale, proceeds retained by the Augusta Police Department, proceeds paid to a local prosecutor, and proceeds paid into the Asset Forfeiture Trust Fund, shall be sent to the Kentucky Justice Cabinet within thirty (30) days after each sale of forfeited property.
6. The Augusta Police Department shall notify the Kentucky Justice Cabinet of each forfeited vehicle retained for official use or sold for the benefit of the agency.

Chapter 6C: Forfeiture of Assets by Law Enforcement Agencies

AUGUSTA POLICE DEPARTMENT **PROPERTY SEIZURE AND STORAGE FORM**

1. CAD/Case No. _____ 2. Date/Time of Seizure _____
3. Location of Seizure _____
4. Operator of Vehicle _____
5. Operator's Address _____
6. License No. _____ 7. License Yr. _____ 8. License Co/State _____
9. VIN _____ 10. Color _____ 11. Make _____
12. Model _____ 13. Year _____ 14. Mileage _____

BOAT DATA

15. Hull No. _____
16. Name _____
17. Type _____
18. Engine Hours _____
19. Transom No. _____
20. State Registration No. _____

AIRCRAFT DATA

21. Tail No. _____
22. No. of Engines [] 1 [] 2 [] 3 [] 4
23. Engine Hours _____

24. VEHICLE INVENTORY – [] Yes [] No

25. NARRATIVE (include condition of vehicle, items and reason for seizure)

26. Registered Owner _____
27. Owner's Address _____
28. Owner's DOB. _____ Sex. _____
29. Name and Location of Storage _____
30. Tow Slip Number _____ 31. Forfeiture Anticipated [] Yes [] No
32. Value of Vehicle _____ 33. Lien Amount if Known _____
34. Date Forfeiture Submitted _____ 35. Forfeiture Submitted to _____
36. Reason Released _____ 37. Date/Time Released _____ 44. Released by _____

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 6D	Eyewitness Identification		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-11-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this policy is to establish guidelines for the use of eyewitness identifications involving show-ups and photo arrays.

B. POLICY

Officers shall strictly adhere to the procedures set forth herein in order to maximize the reliability of identifications, minimize erroneous identifications and gather evidence that conforms with contemporary eyewitness identification protocols.

C. DEFINITIONS

Show-up: The presentation of a suspect to an eyewitness in a short time frame following commission of a crime to confirm or eliminate him or her as the perceived perpetrator.

Photo Array: Showing photographs to an eyewitness for the purpose of identifying or eliminating suspects.

Sequential Photo Array: Presentation of photos to a witness one at a time.

Independent Administrator: The officer administering the sequential photo array who has no knowledge of the suspect's identity.

D. IDENTIFICATION PROCEDURES

1. Show-Ups

Sequential photo arrays are the preferred method for identification of suspects; however, show-ups can be a valuable law enforcement tool when handled properly. When circumstances require the prompt display of a suspect to a witness, the following guidelines shall be followed to minimize potential suggestiveness.

- a) Show-ups should only be used when the suspect is detained within a reasonably short time frame and within a reasonably close proximity to the scene following the offense.
- b) Prior to the show-up, the witness should provide officers with as complete a description of the suspect as possible. This description must be documented.

Chapter 6D: Eyewitness Identification

- c) Transport the witness to the location of the suspect whenever possible, rather than bringing the suspect to the witness. If there is more than one witness, each witness should be transported to the location separately.
- d) Do not conduct show-ups when the suspect(s) are in patrol cars, handcuffed or physically restrained by police officers, unless necessary due to safety.
- e) Advise the witness that that the person he or she is about to see may, or may not, be the perpetrator.
- f) Separate witnesses and do not allow communication between them before, during or after conducting a show-up until the investigation pertaining to the affected witnesses and the related show-up presentation is complete.
- g) Do not present the same suspect to the same witness more than once.
- h) Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.
- i) Officers should avoid words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator. Officers will not provide feedback to the witness regarding status of the suspect or the identification.
- j) Ask the witness how certain he or she is of any identification that is made of a suspect, and document the exact words used by the victim without prompting the witness to elaborate.
- k) Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it permissible.
- l) Document the time and location of the show-up, the officers present, and the outcome of the procedure.

2. Sequential Photo Array

The sequential photo array, in which the photos are shown individually, one at a time, is (as of the effective date of this policy) the approved photographic identification process for Patrol and Investigations. (Terms “sequential photo array” and “photo array” are interchangeable in the below text.)

- a) Creating a Sequential Photo Array
 - 1) The sequential photo array should consist of a minimum of six photographs.
 - 2) Use a minimum of five filler photos together with only one suspect.
 - 3) Use contemporary photographs of individuals who are reasonably similar in age, height, weight and general appearance, and of the same sex and race in accordance with the

Chapter 6D: Eyewitness Identification

witness's description of the suspect.

- 4) If scars or tattoos were present on the suspect, all in the photo array should be similarly marked or the area of the body should be covered for all.
- 5) The photographs themselves should be similar.
- 6) Do not mix color and black-and-white photos.
- 7) Use photos of approximately the same size and basic composition.
- 8) Avoid mixing mug shots with other snapshots.
- 9) Do not include more than one photo of the same suspect.
- 10) Cover any portions of mug shots or other photos that provide identifying information on the subject, and similarly cover photos used in the array.

b) Conducting a Sequential Photo Array

- 1) It is preferred an officer or detective who is unaware of the identity of the suspect, acting as an independent administrator, shall present the photos.
- 2) It is preferred no one who is aware of the suspect's identity participate during the administration of the photo array.
- 3) Give the witness a copy of the instructions [Sequential Photo Array Form and Instructions] prior to presenting the photo array and read the instructions aloud before the identification procedure.
- 4) Position the photos so that the witness does not know the number of photos that will be shown.
- 5) Show the photo array to only one witness at a time; separate witnesses so they will not be aware of the responses of other witnesses.
- 6) Avoid multiple identification procedures in which the same witness views the same suspect more than once.
- 7) Do not comment on selections or outcomes of the procedures in any way.
- 8) Ask the witness to describe his or her certainty about any identification that is made. Document the witness's response.
- 9) Ask the witness to complete and sign the Witness Photo Array Form, documenting the photo array and results.
- 10) Preserve the photo array, together with full information about the identification procedure, for future reference.

Chapter 6D: Eyewitness Identification

- a. Administrator's name
- b. Procedures used
- c. Date, time and location of procedure
- d. Total number of persons shown to witness
- e. Names of those present during the procedure
- f. Whether the array was viewed more than once by the same witness

11) Video and/or audio recording devices, when available, may be used to document the sequential photo array procedure.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 6E	Sexual Assault Investigations		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this general order is to provide officers responding to sexual assault investigations with guidelines for responding to reports of sexual assault.

B. POLICY

It is the policy of the Augusta Police Department that all reported incidents of sexual assault are properly and ethically investigated in an unbiased and truth seeking manner that will support a fair and accurate decision in the criminal justice system. Due to the large amount of time and training for a sexual assault investigator to complete to be fully capable of providing the service needed to investigate a sexual assault crime the Augusta Police Department will transfer any reported sexual assault to Kentucky State Police for investigation.

C. PROCEDURES

1. Report of a sexual assault

- a. When responding to a reported sexual assault, officers are to only do the following:
 1. Responding to immediate needs – rendering aid to the injured, by noting such facts as the position of victims or injured subjects, listening for spontaneous statements, and observing any unusual actions or activities;
 2. Determining that a crime has been committed;
 3. Initiating enforcement action – arresting or pursuing the offender (if applicable) and/or communicating apprehension information;
 4. Contact Bracken County Dispatch Center and request them to notify Kentucky State Police to respond to investigate the assault.
 5. At no time should an officer begin to conduct any part of an investigation into a sexual assault.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7A	Traffic Function		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a directive governing the department's assignment of responsibility for its traffic function.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Policy

1. Officers within the Augusta Police Department are primarily responsible for:
 - a. Enforcement of traffic laws, consistent with K.R.S. and city ordinances, and pursuant to the departmental policy, *Traffic Law Enforcement*.
 - b. Investigating traffic accidents pursuant to the departmental policy, *Traffic Accident Investigation*.
 - c. Directing of traffic when necessary for safety concerns or because of undue congestion, pursuant to the departmental policy, *Traffic Direction and Control*.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7B	Violators of Traffic Law, Stopping, Approaching and Contacting		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish the procedures used by officers in stopping, approaching, and contacting traffic law violators.

B. Scope

This procedure shall apply to all Augusta Police personnel effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Objectives of Traffic Stops

There are two major objectives of a traffic stop. The attainment of these two objectives depends upon the officer's ability to evaluate the violator's mental and physical condition, and facts concerning the violation. This requires a thorough understanding of human relations and demands flexibility on the part of the officer. Enforcement procedures should minimize conflict, which may develop between the officer and violator and assist in achieving the two major objectives, which are:

1. To take proper and appropriate enforcement action.
2. To favorably alter the violator's future driving behavior.

D. Procedure - Traffic Violator/Officer Relations.

1. Followed in all traffic stops.
 - a. Be alert at all times for the unexpected.
 - b. Be absolutely certain the observations of the traffic violation were accurate.
 - c. Present a professional image in dress, grooming, language, bearing, and emotional stability.

Chapter 7B: Violators, Stopping, Approaching and Contacting

- d. Be prepared for the contact by having the necessary equipment and forms, if they are to be used, immediately available.
 - e. Decide on the appropriate enforcement action based upon the violator's driving behavior, not attitude. In most cases, decide on the formal enforcement action before contacting the violator. Exceptions include stopping an out-of-state driver committing a violation that would not be a violation in his jurisdiction. The officer may then decide to issue a warning rather than a citation.
2. Before making a vehicle stop.
- a. Maintain a reasonable distance between the vehicle and the police unit.
 - b. Locate a safe spot to stop the vehicle.
 - c. Activate the emergency bar (or dash) lights and, when necessary, horn or siren to signal the vehicle to stop.
 - d. Advise the dispatcher of the intention to stop the particular vehicle, giving:
 - (1) Location of the traffic stop.
 - (2) Vehicle's license tag number and/or other description when necessary.
 - e. Officer should position the police vehicle approximately one to one and one-half car lengths behind the violator's vehicle. The police vehicle shall be positioned so that it will offer the officer some protection from oncoming traffic. This position shall be approximately two feet outside and to the left or right of the violator's vehicle. This position provides maximum safety to the violator, the officer, and all other traffic.
3. When stopping a vehicle in which the occupant(s) is deemed to present a hazard to the officer's safety, in addition to the above:
- a. Request a backup unit and calculate the stop so that the backup unit is in the immediate area before the actual stop if able.
 - b. Position the unit's auxiliary lights (spotlight and takedown lights) on the occupant(s) of the vehicle when applicable.
 - c. When necessary use the unit's public address system to give the occupant(s) of the vehicle instructions.
4. Hazards

Chapter 7B: Violators, Stopping, Approaching and Contacting

- a. On multi-lane roadways, the officer should ensure the safety of the violator during the lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
- b. Should the violator stop abruptly in the wrong lane or in another undesirable location, the officer shall use the public address system to instruct the violator to move to a safer location. If the officer's oral directions and gestures are misunderstood, the officer shall quickly leave the patrol vehicle and instruct the violator.

5. Approaching the Violator

The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic way, the urgency to stop the violator (drinking driver) and the existing volume of traffic may require adjusting or altering the recommended procedure. Under ideal conditions, follow these procedures if possible:

- a. Officers shall exercise caution in selecting an appropriate place for the traffic stop, signaling the violator (the spot light should not be used except in what officers perceive as dangerous situations), and positioning the police vehicle. During the stop, emergency bar (or dash) lights and emergency flashers should be in use on the police vehicle, and at night, the head lights shall be on low beam for the safety of oncoming traffic,
- b. The officer shall leave the police vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.
- c. The officer shall approach from the rear of the violator's car, looking into the rear seat and stop behind the trailing edge of the left front door. This position shall be maintained if there are only occupants in the front seat of the vehicle. From this position, the officer can communicate with the violator, keeping him/her in a slightly awkward position and at the same time keep all occupants of the vehicle in view.
- d. In cases where the violator's car has occupants in both the front and rear seats, the officer should approach to the leading edge of the left front door, alert for any unusual actions on the part of the occupants and choosing a path so the door cannot be used as a weapon against the officer. From this position, the officer can communicate with the violator and keep all occupants in view.
- e. In traffic stops made by two-man police vehicles, the passenger officer shall write all notes and messages relayed from the communications center, and during the traffic stop shall leave the vehicle and act as an observer and cover

Chapter 7B: Violators, Stopping, Approaching and Contacting

for his fellow officer. At no time shall the two officers approach the violator together.

6. Communicating with the Violator.

In transacting his business with the violator, the officer shall:

- a. Greet the violator courteously with an appropriate title.
- b. Inform the violator what traffic law was violated and the intended enforcement action; the violator should not be kept in suspense.
- c. Ask for the violator's driver license and proof of insurance and accept only these forms.
- d. If the driver has no driver's license, obtain another document of identification.
- e. Allow the driver to discuss the violation. Do not argue, berate, belittle, or otherwise orally abuse the violator.
- f. Complete the forms required for the enforcement action taken or exercise an oral warning, if appropriate.
- g. Explain to the violator exactly what he is supposed to do in response to the action taken and how this action will affect him.
- h. If the enforcement action requires a court appearance, make sure the violator knows where and when to appear. Explain any alternatives to the violator, but do not predict the actions of the court.
- i. Be alert to any emotional stress exhibited by the driver. If stress is present, the instructions may have to be repeated or the violator may need to calm down before resuming driving.

7. Conducting the Transaction.

- a. Release the violator after returning the violator's driver's license, proof of insurance, and a copy of the warning or citation.
- b. Assist the violator in safely re-entering the traffic flow. Do not follow the violator.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7C	Traffic Direction and Control		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish guidelines for the department's direction and control of traffic hazards or obstructions.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure - General

1. Officers may be required to direct traffic at any of the following locations:
 - a. Accident scenes
 - b. Fire scenes
 - c. Locations affected by adverse road and weather conditions
 - d. Any other location where vehicular or pedestrian traffic is impeded
2. When an officer encounters one of the above situations, he/she shall correct the situation if possible.
3. If the traffic is impeded by a private entity (e.g., telephone, electric, cable repair, etc.), that entity is responsible for traffic control.
4. Normally, patrol officers will be assigned to this duty, however, all sworn officers or volunteers may be involved.
5. Manual traffic direction will be accomplished with consideration for the safety of the officer and/or volunteer at all times.
 - a. The police vehicle should be appropriately positioned with all emergency lighting activated, so that approaching motorists are adequately warned.

Chapter 7C: Traffic Direction and Control

- b. Officers directing traffic shall abide by the departmental policy, *Reflective Safety Vests*.
 - c. Flares and/or traffic cones should be utilized where appropriate.
6. The voice is seldom used in directing traffic. When an officer is directing traffic he knows and uses standardized, appropriate gestures, (i.e.. arm), and audible signals, (i.e.. whistle) to stop, start, and turn traffic. Oral orders are not easy to give or understand and often lead to misinterpretations that are dangerous. An order that is shouted can antagonize the motorist. Occasionally a driver or pedestrian will not understand the officer's directions. When this happens the officer should move reasonably close to the person and politely and briefly explain his directions.

D. Procedure - Specific

1. Accident scene

- a. Traffic control at an accident scene is the responsibility of the officer in charge of the scene.
- b. If there is only partial blockage of the traffic way, officers on the scene will expedite traffic flow, but not to the degree that it endangers the safety of persons on the scene or that physical evidence is altered.
- c. If an accident investigation involves the closing of the traffic way, the officer in charge of the scene shall notify the Communications Center that the roadway is closed and the estimated time that such closure will continue.

2. Fire scenes.

- a. Officers responding to the scene of a fire call will ensure observance of the following rules in regards to traffic control.
 - (1) No vehicles, excluding emergency vehicles, will be allowed to drive into the area where fire apparatus is parked and operating.
 - (a) Police vehicles should be parked in such a manner that the movement of emergency vehicles (e.g., water haulers), is not impeded.
 - (2) No vehicles will be allowed to cross fire hoses without the approval of the incident scene commander
- b. Parked vehicles, which interfere with fire operations, may be towed as needed.

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- c. Officers should remain on point control at the scene, until their assistance is no longer required by the incident scene commander.
 - (1) Officers may be relieved by fire personnel, if conditions indicate that the officer's presence is more urgently needed elsewhere.
- 3. Locations affected by adverse road and weather conditions.
 - a. The shift command/supervisory officer may close a roadway if, in his opinion, the surface conditions and terrain are unusually hazardous. He should request Bracken County Road Department/ Kentucky State Road Department/City Maintenance's assistance in alleviating the problem.
 - b. Officers may be assigned to direct traffic and safeguard movement at the scene of downed power or telephone lines, broken gas or water mains, or highway construction, when the situation endangers the safe movement of traffic.
- 4. Disabled motorists
 - a. The officer will position his/her vehicle such that it:
 - (1) Warns approaching motorists of a potential hazard
 - (2) Protects the disabled vehicle and any persons on foot
 - (3) Does not adversely impede the flow of traffic around the disabled vehicle.
 - b. The officer will assist the motorist in obtaining necessary assistance or in having the vehicle removed from the roadway.
 - c. Officers are not responsible for the repair of disabled vehicles, nor under normal circumstances shall they use their police vehicle to "jump start" disabled vehicles.
 - d. If stopping and assisting would compromise a police assignment or unduly impact the safety of the officer or others under his/her control, the officer should notify the Communications Center of the motorist's location.
 - (1) Officers driving unmarked police vehicles should advise the Communications Center of any disabled motorists
- 5. Special event traffic control.
 - a. For any other special event, the officer in charge of the scene will ensure the preparation / implementation of a special traffic plan which addresses:

Chapter 7C: Traffic Direction and Control

1. Ingress and egress of vehicles and pedestrians
2. Provisions for parking and spectator control
3. Assignment of point control duties and relief's
4. Alternate traffic routing
5. Temporary traffic controls and parking prohibitions
6. Emergency vehicle access

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7E	Speed Measuring Devices		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a policy for the enforcement of state statutes relating to excessive motor vehicle speed on public highways or traffic ways, through the use of Doppler radar speed measuring devices, Laser Speed Detection device and/or calibrated speedometers.

B. Scope

This procedure shall apply to all Augusta Police personnel effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

Speed measuring devices will primarily be operated in those areas that have shown a high accident rate caused by excessive speed, in answer to complaints received from the public, or in areas where excessive speed may create a hazard to the public. Procedures will vary in accordance with the type of equipment used. The type of enforcement action taken may depend on location of violation, severity of violation, etc., and should be guided by the departmental policy, *Traffic Law Enforcement*.

D. Radar

The following guidelines govern the use of radar, which will always be operated in compliance with manufacturer's instructions. All departmental radar units meet current NHTSA standards.

1. The radar / Lidar unit must be properly installed in the vehicle and connected to the appropriate power supply.
2. The antenna will be mounted inside of the passenger/driver compartment based on manufacturer's recommendation.
3. Operators must have been instructed in the operation of police Doppler radar, Lidar by either the Kentucky Department of Criminal Justice Training, the radar / Lidar manufacturer, or other competent training facility or qualified personnel.

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4. The operator must choose an appropriate location that is conducive to the effective and safe operation of radar and apprehension of any violators.
5. The radar unit shall be maintained properly calibrated to ensure accuracy in checking speed. Such calibration shall be checked annually by the appropriate maintenance facility.
6. The operator must follow the manufacturer's recommended specific methods of checking calibration without exception. Any problems with the operation of radar / Lidar units or apparent malfunction shall be promptly reported to the Chief of Police or his/her designee.
7. In court, officers must establish the following elements of radar speed:
 - (a) The time, place, and location of the vehicle, the identity of the operator, the speed of the vehicle, and the visual and radar speed check.
 - (b) Officer qualifications and training in use of radar.
 - (c) Proper operation of radar / Lidar unit.
 - (d) The unit was tested for accuracy before use and after use by an approved method.
 - (e) Identification of the vehicle.
 - (f) Speed limit in the zone in which officer was operating and where the signs were posted.
8. The individual officer is responsible for the proper care and daily inspection of the radar unit's calibration and operational checks. Any problems are to be reported to the Chief of Police or his/her designee.
9. The Chief of Police or his/her designee is responsible for the management of radar units requiring service, maintenance, or calibration, and maintenance of supporting records.

E. Calibrated speedometers

The officer shall follow the vehicle being paced at a constant interval for an adequate distance, normally two or more tenths of a mile, to obtain a speedometer reading. The speedometer's calibration must be checked at least every six months through the use of Doppler radar. The record of such calibration shall be forwarded to and maintained by the Chief of Police or his/her designee.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7F	Traffic Law Enforcement		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a directive for uniform procedures for taking enforcement action attendant to traffic law violations, including physical arrest, state citations, and warnings.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Policy

1. Traffic law enforcement involves all activities or operations, which relate to observing, detecting, and preventing traffic law violations and taking appropriate action. The emphasis of an officer's traffic enforcement is placed on violations that contribute to accidents and that present hazards to vehicular and pedestrian traffic.
2. Traffic law enforcement is a responsibility, which obligates police officers to make fair and intelligent applications of laws and ordinances. The policy of the Augusta Police Department will be to afford the public a fair measure of enforcement, consistent with the objectives of efficient traffic regulation and accident investigation.
3. To facilitate the safe and efficient flow of traffic upon the public highways, the police must develop a high level of voluntary compliance with traffic laws and ordinances in drivers by creating a belief:
 - a. In the fairness and reasonableness of traffic laws and policies.
 - b. That detection and apprehension of violators is a reality and penalty is a certainty.
4. True enforcement action (arrest, citation, warning) must accomplish a deterrent adequate to bring about better driving habits. The Augusta Police Department is

Chapter 7F: Traffic Law Enforcement

concerned with the quantity of enforcement activity only to the extent that it affects the traffic problems in the community. Quantity alone, without the ingredient of quality, produces no positive result and is likely to be justifiably interpreted as harassment.

5. Where traffic law enforcement is vigorous and selective, traffic laws are observed and the incidence of serious traffic accidents is reduced. Although the essential elements of each violation are set forth in statutes and ordinances, it is important that we relate these elements to every day driving. Our policy is to provide the most intelligent approach toward enforcement action.
6. By application of reasonable and meaningful tolerance in traffic law enforcement there is no intention to distort the intent of the law. Therefore, the policy of this police department will be to employ tolerances in borderline cases when:
 - a. There is reasonable possibility of human error in judgment on the part of either the police officer or the public.
 - b. There is a logical possibility of malfunction of mechanical equipment with no knowledge or intent on the part of the driver.
 - c. The content of the particular law that was violated is not common knowledge.

D. Procedure - Types of Enforcement Actions:

1. Warnings
 - a. Officers may issue verbal or written warnings to a violator. A properly administered warning can be more effective than any other type of enforcement. For minor traffic violations, courtesy may be extended by issuing verbal or written warnings. Warnings will not be issued for violations related to accidents.
2. Kentucky Uniform Citation.
 - a. The Kentucky Uniform Citation should be issued to a violator who jeopardizes the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations or operating unsafe and improperly equipped vehicles, consistent with K.R.S., city ordinances, and the departmental policy, *Criminal Charges, Supervisory Review of*.
3. Physical Arrest.

Pursuant to the departmental policy, *Criminal Charges, Supervisory Review of*, officers will make a physical arrest, in compliance with Kentucky Revised Statutes.

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- b. Arrests shall be documented on a Kentucky Uniform Citation.
 - c. Arrestees will be handcuffed and searched before transportation.
4. Information Regarding Uniform Traffic Citation.

The Kentucky Uniform Traffic Citation will be completed whenever a motorist is to be charged with a motor vehicle violation. Officers shall advise drivers of the following information:

- a. Actual charge(s) on the citation
 - b. Court appearance schedule.
 - c. Whether court appearance by the motorist is mandatory.
 - d. Whether the motorist may be allowed to prepay the fine before court and enter a guilty plea.
 - e. Any other information necessary before release of the motorist.
- E. Uniform Enforcement Policies for Traffic Law Violations

Individual police officer discretion and on-scene supervisory decisions should be guided by the following guidelines. However, each decision should be based on the specific situation.

1. Speed Violations.

Excessive speed is the second greatest cause of death and injury on the American highways. Procedures for the enforcement of laws applying to speed will vary in accordance with the type of equipment used and are in accordance with the departmental policy, *Speed Measuring Devices*. The type of action taken may depend on location of violation (congested area, school zone, etc.). Speed shall be clearly demonstrated in court.

2. Revoked/Suspended Operator's License.

- a. The Kentucky Uniform Citation will be issued when an officer has stopped a vehicle and identified the driver as driving with a revoked or suspended operator's license.
- (1) Unless a licensed driver, capable of driving the vehicle, can be secured within a reasonable period of time, the officer shall assist the violator in removing the vehicle from the roadway.

Chapter 7F: Traffic Law Enforcement

- b. An officer who sees a person driving who is known to be under suspension or revocation may file charges consistent with departmental policy, if unable to stop the vehicle.

3. Driving under the influence (DUI)

- a. An officer shall make an arrest pursuant to K.R.S. and departmental policy for a violation of these statutes.

(1) Unless a licensed driver, capable of driving the vehicle, can be secured within a reasonable period of time, the officer shall arrange the removal of the vehicle from the roadway.

- b. If the subject is injured and hospitalized, a Kentucky Uniform Citation may be issued and provisions will be made to secure the necessary evidence including blood results.

4. Other Hazardous Violations.

Consider the degree of hazard, place, previous accident history of location, current directed patrol emphasis. Violations indicating a physical arrest should have charges filed pursuant to K.R.S. and departmental policy.

5. Multiple Violations.

Normally cite the most serious violations and warn on others. (Aggravated circumstances may cause citation for multiple violations.)

6. Equipment Violations.

Consider issuance of a warning unless repetitive or flagrant.

7. Other Non-Hazardous Violations.

Consider issuance of a warning unless repetitive or flagrant.

8. Newly Enacted Laws and/or Regulations.

Normally, a grace period is established during which only warnings will be given. Thereafter, officer should use discretion. Officers may allow a reasonable period of time.

Chapter 7F: Traffic Law Enforcement

9. Seat Belt Violations

- a. A Kentucky Uniform Citation may be issued when an officer has stopped a vehicle and has identified that the driver, or any occupant, is not restrained by a seat belt.
- b. Verbal or written warnings may be extended for any seat belt violation.

F. Procedures - Traffic Law Enforcement Practices, General

1. Normal traffic enforcement involves patrol by officers who observe and handle traffic violations during the performance of their normal duties.
 - a. Area patrol involves traffic enforcement within the officer's assigned area of responsibility.
 - b. Line patrol involves traffic enforcement with concentration on a particular section of roadway.
 - c. Directed patrol instructions can specify enforcement in an area, on a line patrol, or at a specific location, depending on the nature of the hazard/violation.
 - d. Stationary observation, either covert or overt, may be used as a technique to make observations about the flow of traffic at a particular location. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location where the mere presence of the vehicle will serve to remind the other drivers of the need for compliance with traffic laws.
2. Objectives of Traffic Stops and the procedures used by officers in stopping, approaching, and contacting traffic law violators is addressed in the departmental policy, *Violators of Traffic Laws, Stopping, Approaching, and Contacting*.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7G	Roadblocks		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a policy that describes the circumstances warranting the use of roadblocks, specifies procedures for implementation and insures the constitutionality of the process and the safety of the officers and the motoring public.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

1. O.I.C. shall refer to the shift command/supervisory officer.

D. Procedure - roadblocks related to pursuits

1. Refer to departmental policy *Vehicle Pursuits*.

E. Procedure - Stationary vehicle checkpoints

1. Stationary vehicle checkpoints may be implemented to accomplish a legitimate law enforcement objective. Authorization for a stationary vehicle checkpoint must come from the Chief of Police or his/her designee and is subject to the following procedures.
2. An O.I.C. or higher-ranking officer shall be present at the checkpoint site during said operation except when other police exigencies demand his/her presence. If this occurs, the O.I.C. or higher-ranking officer shall appoint one officer to be O.I.C. of said detail. The appointee shall remain at the checkpoint site until said operation is terminated.
3. The checkpoint shall be staffed with a minimum of two officers, including the Chief of Police or his/her designee or appointed O.I.C.

Chapter 7G: Roadblocks

4. Marked police vehicles, with emergency red and blue lights activated, shall be used at vehicle checkpoints and positioned to give approaching motorists sufficient warning of the activity.
5. Officers at checkpoints shall wear reflective traffic vests pursuant to the departmental policy, *Reflective Safety Vests*.
6. Checkpoints shall be staffed by uniformed officers.
7. Under conditions of poor visibility, vehicle checkpoints shall be implemented only in exigent circumstances and then supplemental lighting sufficient to identify a legitimate police presence and function shall be used. This shall include, but is not limited to:
 - a. Headlights.
 - b. Fusees.
 - c. Traffic cones.
 - d. Spotlights.
 - e. Hazard flashers.
8. The site location for the checkpoint shall provide for the following
 - a. Sufficient visibility to approaching motorists so that they have adequate warning of the operation.
 - b. Safety of the officers and motoring public.
 - c. Sufficient road surface or adjacent pull off area that will allow vehicles to be removed from the traffic lanes for investigation.
 - d. The site should not unnecessarily interfere with the operations of businesses or disturb residents.
9. The on-site command/supervisory officer or appointed O.I.C. shall be responsible for the following.
 - a. Determination of site location.
 - b. Giving specific instructions to officers on how to conduct the checkpoint activities in order to accomplish the particular police objective while protecting the constitutional rights of the motorists. This shall include, but is not limited to,

Chapter 7G: Roadblocks

- i. Method of stopping vehicles.
 - ii. Particular questions to be asked of the motorists.
 - iii. Equipment and violations to be investigated.
 - iv. Procedure to follow should the officer have reasonable suspicion that criminal activity is being or is about to be committed.
 - v. Procedures to follow should traffic congestion occur that would endanger the motorist or cause unreasonable delays.
10. Courtesy shall be extended to motorists at all times with delays kept to a minimum.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7H	Motorist, Emergency Assistance of		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The general public relies upon the Augusta Police Department for assistance and advice when faced with the many routine and emergency traffic situations. Often there is no other private or public agency available to provide such services. The Augusta Police Department expects officers to perform such services diligently and responsibly, mindful of the expectations of the community.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 12, 2017, until such time it is superseded, revoked, or rescinded.

C. Procedures

1. Stranded or disabled motorists.

- a. Augusta Police Officers will provide reasonable assistance to motorists. This may include requesting the Communication Center to call wreckers or obtaining other services as needed. Time and duty permitting, the officer may assist stranded and disabled motorists to obtain fuel and repairs.
- b. Under normal circumstances, police vehicles shall not be used to jump-start or push vehicles. A battery pack is available for this purpose and is located at the police department.
- c. Officers shall be aware of possible dangers to motorists who are stranded in isolated areas and hazardous locations on the highway, and shall take steps to reduce these threats by transporting motorists to safer locations and/or placing flares to warn other motorists.
- d. If the officer must leave the scene before the arrival of requested assistance, he/she shall request that another unit check by the area and provide assistance or protection.

Chapter 7H: Motorist, Emergency Assistance of

- e. Officers will be familiar with the area and be able to provide directions to various locations within the City of Augusta.
- 2. Highway emergencies.
 - a. Officers arriving upon the scene of any highway emergency shall request the Communication Center to obtain necessary services and then provide emergency first aid, fire suppression, and obtain additional assistance as the situation requires, pending arrival of appropriate emergency services.
- 3. Hazardous highway conditions
 - a. Officers locating hazardous debris in the roadway shall remove it or request the Dispatch Center to notify Kentucky State Highway Department, Bracken County Road Department or City of Augusta Maintenance Department to have it removed from the road to a safe location.
 - b. Officers shall report all highway defects to the Dispatch Center.
 - c. Requests or suggestions for additional or new highway safety features will be forwarded through the chain of command to the Chief of Police, who will forward the request to the appropriate department or agency if the situation warrants. These requests will specify the services/actions requested and location.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7I	Escort Service		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a policy for the escort of other vehicles by a departmental police vehicle.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 12, 2017, until such time it is superseded, revoked, or rescinded.

C. Procedure - Ill or Injured persons

1. Officers shall not normally provide escort for other emergency vehicles. Officers may direct traffic at intersections to expedite the movement of other emergency vehicles.
 - a. Escorts of emergency vehicles may be authorized by a command/supervisory officer when there is a life-threatening situation and the escort by a departmental vehicle would be the best option available. Officers conducting these escorts must do so with due regard to the safety of others.
2. An officer confronting a civilian vehicle containing ill or injured persons should offer to summon emergency medical assistance and should render first aid pending their arrival.
 - a. Officers shall not escort civilian vehicles carrying ill or injured persons.
 - b. If the injured person can be moved to the police vehicle without further injury, the injured person may be transported in the police vehicle.

D. Procedure - Funeral escorts

1. All funeral procession escorts must be approved by the Chief of Police or his/her designee. All such requests must be made at least 24 hours before the escort.

Chapter 7I: Escort Services

- a. Funeral homes are responsible for coordinating with other agencies if the procession passes into another jurisdiction.
- b. Funeral homes must inform all procession participants of any requirements and provide all equipment necessary.

2. Officers' responsibility

- a. Officers shall have the authority to refuse to start any escort, which presents a hazard to the safety of either the officer or the public. If an officer refuses to start an escort for any reason, he/she must contact his/her command/supervisory officer.
- b. Officers shall agree on the route to be taken based upon resources available, weather, time of day, traffic flow, and road hazards.
- c. In the event the procession is larger than anticipated, the officer in charge of the procession will consider the following:
 - (1) Completing the escort as requested.
 - (2) Waiting until additional assistance can arrive.
 - (3) Escorting a manageable number of vehicles to include the family vehicle and funeral coach.
 - (4) The requesting party may choose to proceed without the benefit of an escort.

3. Vehicle requirements

- a. Police
 - (1) A police vehicle escorting a funeral procession shall have emergency lights in operation at all times. Only marked vehicles may be so used.
 - (2) The siren should be used as appropriate to warn other drivers that the procession is proceeding through the area.
- b. Other vehicles
 - (1) All vehicles participating in a funeral procession shall have their headlights illuminated and four way flashing lights activated.

E. Procedure - Parades

Chapter 7I: Escort Services

1. Parade escorts or participation in parades must be approved by the Chief of Police or Assistant Chief of Police. All such requests must be made at least 7 days before the parade.
 - a. Parade sponsors are responsible for coordinating with other agencies if they are to be involved in the procession.
 - b. Parade sponsors are responsible for securing or paying any applicable permits or fees.
 - c. Parade sponsors shall be responsible for the creation, organization, and maintenance of any staging areas that may be required.
2. Officers' responsibility
 - a. Officers shall have the authority to refuse to start in any parade or withdraw from a parade when:
 - (1) The parade presents a hazard to the safety of either the officer or the public. If an officer refuses to participate in a parade or withdraws from a parade for any reason, he/she must contact his/her command/supervisory officer.
 - (2) The officer's presence is more urgently needed on a dispatched emergency call. Withdrawal under these circumstances, requires the use of utmost caution for the safety of other parade participants.

F. Procedure - Dignitary escorts

1. Dignitary escorts must be approved by the Chief of Police or Assistant Chief of Police. All such requests should be made at least 7 days before the escort.
 - a. The requesting agency is responsible for coordinating with other agencies if they are to be involved in the procession.
2. Officers' responsibility
 - a. Officers are responsible for the prompt and proper reporting to their assigned duty position.
 - b. Officers are expected to remain in the assigned position until released from their assignment.

G. Procedure - Other escorts

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1. All other escorts (e.g., commercial vehicles, house trailers, etc.) should be approved by the shift command/supervisory officer or higher authority. All such requests should be made at least 72 hours before the escort.
 - a. The requesting party is responsible for coordinating with other agencies if their participation is required by the procession.
 - b. The requesting party is responsible for securing or paying any required permits, fees, or bonds.
 - c. The requesting party is responsible for any non-police support vehicles required.
2. Officers' responsibility
 - a. Officers shall have the authority to refuse to start or continue any escort, which presents a hazard to the safety of either the officer or the public. If an officer refuses to start or continue an escort for any reason, he/she must contact his/her command/supervisory officer.
 - b. Officers shall agree on the route to be taken based upon resources available, weather, time of day, traffic flow, and road hazards.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7J	Hazardous Materials		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish guidelines for the Augusta Police Department in the handling of incidents that involve Hazardous Materials. The Augusta Police Department's responsibility in such incidents includes traffic and pedestrian control, site security and evacuation when needed. The actual handling of the substance and the neutralizing of the incident are the responsibilities of the appropriate area Hazardous Material Response Team.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 12, 2017, until such time it is superseded, revoked, or rescinded.

C. Officer Procedures

1. Whenever an officer is involved with an incident involving hazardous materials, serious consideration **must** be given to the following:
 - a. Observe the area or scene from a safe distance with the use of binoculars or other optical enhancement device, prior to approaching the scene.
 - b. Approach the incident from an upwind direction.
 - c. Move people away from the incident scene and keep them away.
 - d. Refrain from walking into or touching any spilled material(s).
 - e. Avoid inhaling fumes, smoke and vapors.
 - f. No smoking and ignition sources.
2. The Chief of Police or his/her designee shall be notified of the incident.
3. Attempt to identify the material that is involved. Identification should be made from a distance via the hazardous material placard or panel.

Chapter 7J: Hazardous Materials

- a. The code number is a four-digit number that should be displayed on the sides and/or ends of the vehicle.
 - b. The number should also appear on the shipping papers.
 - c. The four-digit number on the shipping papers will usually be preceded by the letters "UN" or "NA".
4. The four-digit number can be cross-referenced in the Emergency Response Guidebook kept by each officer or in the Bracken County Communication Center.
 - a. The guidebook provides identifying data, specific hazards of the material(s) and precautions that must be taken while handling the materials.
5. The four-digit code shall be immediately relayed to the Communication Center for identification.
6. If it is determined that the substance presents a hazard to the safety of the officer, actual approach to the site should be avoided, if possible.
 - a. Rescue operations must be conducted with extreme care and the guidelines in section "1" above should be followed along with information provided in the Emergency Response Guidebook.
 - b. In the event of the officer being exposed to hazardous materials at the scene, the officer should not leave the scene while contaminated unless certain dangers or emergencies exist, (e.g., pending explosion or fire, severe medical emergency or illness to the officer, etc.).
 - c. The Chief of Police or his/her designee and the Incident Commander shall be contacted in the event of possible exposure and/or contamination.
7. A perimeter, as specified in the Emergency Response Guidebook, shall be established and evacuation initiated as necessary to avoid further exposure by the public at large.
8. The Augusta Police operation generally will be limited to perimeter, evacuation, and support activities and will be coordinated with the incident commander. (The ranking fire department officer on the scene shall be deemed the incident commander.)

D. Shift OIC Procedure

1. The Shift OIC shall respond to the location following the guidelines "C.1." above.

Chapter 7J: Hazardous Materials

2. The Shift OIC will notify the Chief of Police.
3. The Shift OIC shall establish an appropriate perimeter keeping the Emergency Response Guidelines and resources in mind.
4. In the event of Officers being exposed and or contaminated, the Shift OIC shall make arrangements with the Incident Commander for decontamination at the site.
5. The Shift OIC shall assist the Incident Commander as necessary.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7K	Vehicle Towing		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective: 1-23-2021	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish procedures and guidelines for the towing and removal of vehicles by the Augusta Police Department. The Augusta Police Department's responsibilities include the qualifying and administration of eligible private wrecker services for those purposes.

B. Scope

This policy shall apply to all Augusta Police personnel, effective January 23, 2021, until such time it is superseded, revoked, or rescinded.

C. Police Officer Procedures

1. Physically Arrested Persons

- a. If driver and/or owner is arrested, and vehicle is not to be held for evidential purposes:
 1. The vehicle should be towed in accordance with KRS 82.625 and follow the guidelines listed in "1.b" of this policy. However, the arresting officer has discretion and may release the vehicle to a responsible person designated by the arrested person.
 2. If the arresting officer decided to let the vehicle be parked. The vehicle shall be locked securely.
 3. If the vehicle cannot be left since it is a traffic hazard, or is parked in violation of KRS 189.450, or cannot be secured then the Dispatch Center shall be notified to contact the next wrecker on the rotation list.
 4. Prior to towing the vehicle an inventory search will be conducted by the officer in accordance with "D.1".
 5. A vehicle tow card will be thoroughly completed by the officer, including the release section. The card shall be signed by said officer.

Chapter 7K: Vehicle Towing

6. The white copy will be given to the responding wrecker driver.
 7. The blue copy will be given to the responding wrecker driver.
 8. The yellow stock copy card will be attached to the report along with the inventory form for review prior to being placed in the report basket at headquarters.
- b. If driver and/or owner is arrested and vehicle is to be held for evidential purposes; the officer will:
1. Request the next wrecker on the rotation list from the Dispatch Center.
 2. Conduct an inventory search in accordance with "D.1".
 2. Complete a Towing Request Card with all the information above the "Release" line filled in as completely as possible.
 3. In the comments box explain why the vehicle is to be held and who should be contacted prior to obtaining the release.
 4. Give the white copy to the responding wrecker driver.
 5. Attach the blue and yellow stock copy to the report for review prior to being placed in the report basket at headquarters.
2. Stolen Vehicles
- a. If a vehicle is reported and confirmed as being stolen the procedures in "1.b" will be followed.
 - b. The officer will conduct an inventory search in accordance with "D.1".
 - c. The officer will then attempt to make contact with the agency that reported the vehicle stolen and the owner of the vehicle.
 - c. The officer will require the owner to sign the blue and yellow stock copy of the tow card.
 1. Yellow stock copy will be filed in the tow card file.
 2. Blue copy given to owner
 - d. Cars towed to the wrecker agencies' lot will be released after the owner obtains a release. The release receipt will be the blue copy of the tow card.

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This receipt will be presented to the wrecker agency, who will release the vehicle.

3. Vehicles Held on Request of Other Authorities

- a. When properly notified by Police Agencies of other jurisdictions, the vehicle may be impounded as in procedure 2 – “Stolen Vehicles” and requesting agency immediately notified.

4. Vehicle Wanted for Hit-Skip Auto Accident.

- a. Where vehicle is moving or attended:
 - 1. If driver or occupant is physically arrested, follow procedure "1.b" above.
- b. If vehicle is parked and unattended:
 - 1. Where stakeout is advisable, follow procedure for conducting same.
 - 2. If stakeout is not required, make a neighborhood investigation; attempt to locate driver and/or owner.
 - 3. If owner or driver is arrested, follow procedure as described above under "1.b".
 - 4. If unable to locate the driver or owner the officer will notify the Dispatch Center to notify the next rotation wrecker, and follow procedure as described above under "1.b".

5. Parked Vehicle Involved in Auto Accident.

- a. If a parked vehicle is involved in an accident without the owner's knowledge, and it is necessary to remove it, the officer will attempt to contact the owner prior to removing the vehicle.
- b. If no contact is made the office will contact the Dispatch Center to notify the next rotation wrecker.
- c. The officer will follow procedures as described above in section "2".

6. Moving Vehicles Involved in Auto Accidents

- a. After checking the condition of the drivers and/or occupants, if the officer determines the need for a wrecker, he/she will ask the Owner/operator if they have a preference of a wrecker.

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- b. If the owner has a preference, the officer will notify the Dispatch Center of the owner's request.
 - 1. If the wrecker requested is unavailable or will take an inordinate amount of time to respond, then the officer will inform the owner/operator of this fact.
 - c. If the owner/operator has no further preference the officer will contact the Dispatch Center to notify the next rotation wrecker (a Towing Request Card will be filled out in this case, and the officer shall inform the owner of the vehicle, the destination of same and the towing service's phone number).
7. Abandoned vehicles
- a. The Officer shall attempt to determine the ownership of the vehicle reported abandoned or found abandoned on public property or public roadways.
 - b. The Officer shall contact the owner or registered owner to determine whether the owner can have the vehicle removed.
 - c. The Officer shall remove vehicles that are abandoned on the public roadways according to KRS 189.450 if no contact can be made with the registered owner.
 - d. If vehicles are abandoned on private property, the officer shall inform the property owner that the Augusta Police cannot remove the vehicle since it is on private property, but that the owner may have it removed.
8. Violation of statute or ordinance rendering the vehicle/driver unlawful.
- a. The vehicle should be towed in accordance with KRS 82.625 and follow the guidelines listed above in "1.b" of this policy. However, the lead officer has discretion and may release the vehicle to a responsible person designated by the offender.

D. Shift OIC Responsibilities

- 1. The Shift OIC shall review the request for the rotation wrecker, and review the need for a vehicle being impounded for evidential purposes.
- 2. The Shift OIC shall review the Towing Request Card to insure the card is properly completed.
- 3. The Shift OIC shall attach the completed Towing Request Card to an E-Call

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report.

4. A record of all towing requests shall be maintained for documentation purpose. This record will include the vehicle description, owner information, and justification for towing request.

E. Inventory Search

1. All vehicles towed by Augusta Police Department shall be searched for the purpose of creating an inventory.
2. The purpose of an inventory search is as follows.
 - a. Protecting the vehicle owner's property while in custody.
 - b. Protect Augusta Police Department against litigation over lost/stolen property.
 - c. Protect Officers and towing personnel from potential dangers items located in the vehicle.
3. The searching officer should examine locked and unlocked containers and all compartments of the vehicle.
4. The searching officer shall complete an inventory form and attach it to the yellow tow card.
5. The searching officer should not abuse the purpose of the inventory search by examining unreasonable areas of the vehicle.

F. Release of Vehicle

1. If an owner or owner's representative responds to the Augusta Police Department to obtain the release of a vehicle, the officer shall respond to release the vehicle.
 - a. The vehicle may be released if the officer requesting the hold has completed his/her investigation and/or the vehicle no longer needs to be held for evidence.
 - b. The owner must have:
 1. The Title and/or Registration for the vehicle.
 2. Valid identification consisting of an Operators License or Picture identification card.

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- c. The officer shall complete the Release section of the Towing Request Card to include the date, time and signature of the releasing officer, and signature of owner or owner's representative.
 - 1. If the vehicle is being held at the Augusta Police Department, the tow bill shall be presented to the owner or the owner's representative.
 - 2. The owner or the owner's representative shall be directed to first go to the wrecker service and settle the bill, then return with a receipt showing the bill has been paid.
- d. The officer shall give the blue copy of the release to the Owner or Owner's representative for the release of the vehicle.

G. Chief of Police Responsibilities

- 1. The Chief of Police shall insure that the wrecker services meet the standards set by the Augusta Police Department and K.R.S. for towing vehicles.
 - a. The Chief of Police shall direct the inspection of each wrecker service annually to ensure compliance with this policy.
 - b. The Chief of Police shall collect and file all complaints and deficiencies, related to the wrecker services.
 - c. The Chief of Police shall report to the specific wrecker services and inquire about any complaints and deficiencies that have been made against them and any possible actions.
- 2. The Chief of Police shall compile the list of wreckers to be utilized by the Augusta Police Department.
- 3. The Chief of Police shall update the list of wreckers when any wreckers are removed from or added to the list.

H. Wrecker Services -- Procedures

(A) Wreckers may be employed for any of the following purposes:

- 1. To transport disabled county vehicles to a designated location or to extricate them from difficulties in the field.
 - a. Specific wrecker service contracted or designated by the City of Augusta to tow city owned vehicles.

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2. To remove cars involved in auto accidents.
 - a. When a parked vehicle is involved in an accident without the owner's knowledge, and it is necessary to remove it without the knowledge or consent of owner or driver, a wrecker will be summoned and the vehicle removed to their impounding lot. If vehicle is locally licensed, the investigating officer will attempt to notify the owner.
3. To remove disabled vehicles from traffic obstructing positions.
4. To effect impoundage of autos, which are:
 - a. Stolen.
 - b. Abandoned on public roadways or property.
 - c. Parked unlawfully.
 - d. In possession of a person who is physically arrested and the vehicle is a traffic hazard.
 - e. When the vehicle cannot lawfully operate on the street or public roadway due to a violation of KRS or City Ordinance.

(B) Use of Vehicle Tow Request Card

1. Upon arrival at the site of the vehicle to be towed, officer making the request will surrender the Towing Request copy (white) to the Wrecker driver. No vehicle will be towed at police request without this form being completed.
2. The blue copy of the towing form will be given to the operator of the vehicle. The release section shall be completed, including the date, time and releasing Officer's signature. This copy will serve as the release form. No car will be released from the impound lot without the release from the Augusta Police Department.

I. Release of Impounded Vehicles

1. Owner or owner's representative wishing to claim a car held by the Augusta Police Department must present his/her Certificate of Title and/or License Registration to the clerk or officer at the Augusta Police Department.
2. The owner must also show a valid operators license or picture identification.

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3. When the vehicle is held in an impounding lot operated by a wrecker service, the owner or owner's representative shall obtain the blue copy of the towing request with the release section signed by the releasing officer of the Augusta Police Department. The owner shall then respond to the wrecker service and present the blue copy to the wrecker service along with payment. The vehicle shall not be released until all reasonable charges or fees are paid to the wrecker service.
4. When the vehicle is held at the Augusta Police Department, the owner or owner's representative will be directed to the wrecker service place of business to settle the fees for the towing service. The vehicle shall not be released until all reasonable charges or fees are paid to the wrecker service.
5. The Officer will complete the release section of the Towing Request card and present it to the owner.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7L	Traffic Citations, Accountability for		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure governing the accountability for Kentucky Uniform Citations.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

1. Kentucky Uniform Citation book shall refer to the book of 25 sequentially numbered citations obtained from the Kentucky State Police supply section.
2. Kentucky E-Citation (Electronic Citation) shall refer to the sequentially numbered citations downloaded from the Kentucky State Police KYOPS portal.
3. Uniform Citation Memorandum sheet shall refer to the sheet on which the date, control number and violator's name, shall be maintained on each citation forwarded to District Court.
4. Uniform Citation Log Sheet shall refer to the sheet, dedicated to each officer, on which the beginning and ending control numbers and date issued shall be maintained on each Kentucky Uniform Citation book distributed.

D. Procedure - Ordering of Kentucky Uniform Citation books

1. The Chief of Police or his/her designee shall be responsible for ordering and receiving Kentucky Uniform Citation books from the Kentucky State Police supply section.
 - a. Upon receipt of the citation books, the Chief of Police or his/her designee will
 - b. secure said citation books in a locked cabinet, accessible by supervisors.

Chapter 7L: Traffic Citations, Accountability for

- c. The Chief of Police or his/her designee shall also be responsible for maintaining a supply of Uniform Citation Log Sheet forms, in the supply cabinet with the citation books.

E. Procedure - Issue of Kentucky Uniform Citation Books or E-Citation

1. Command Officer/Supervisors will issue a Kentucky Uniform Citation book. and have the officer fill out his citation book log sheet from the designated supply cabinet.
 - a. When an officer obtains a citation book, he/she shall promptly record date issued, and listing of citation control numbers in the appropriate areas on the his/her citation book log sheet and promptly return this sheet to the command officer/supervisor for their signature on the form.
 - b. These citation book log sheets shall be maintained by the command officer(s)/supervisor(s) in a ring binder in the designated supply cabinet.
2. E-Citations shall be downloaded directly into the officers KYOPS account from the Kentucky State Police KYOPS portal.
3. The E-citations shall be downloaded in blocks of 25 sequentially numbered citations. The E-Citation control numbers are assigned and accounted for by the KYOPS portal.

F. Procedure - Accountability for citations

1. Completed Kentucky Uniform Citations and E-Citations shall be presented to the shift supervisor, prior to the end of his/her tour of duty, for subsequent review and approval.
 - a) Checked and approved E-Citations are handled in accordance with the current KYOPS policy.
2. The supervisor is responsible for ensuring the date the citation was written, the citation number, the violator's name, and Officer's printed name and signature is on the Uniform Citation Memorandum.
3. Officers are accountable for each citation. Voided citations must include all copies and be presented to the shift command officer/supervisor along with an explanation, for approval.
 - a) Voided Uniform citations shall be forwarded to the District Court on a Uniform Citation Memorandum, with "VOID" written in the Violator's name space.

Chapter 7L: Traffic Citations, Accountability for

- b) Voided E-Citations shall be voided through the KYOPS portal. Voided E-Citations shall be printed and presented to the shift command officer/supervisor along with explanation, for approval. Copies of voided E-Citations shall be forwarded to the District Court.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 7M	Notification of State Department of Transportation, Bracken County Road Department or Augusta Maintenance Department for Maintenance after Administrative Hours.		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To set a policy for the notification of the Commonwealth Department of Transportation, Bracken County Road Department or Augusta Maintenance Department after administrative hours for a problem, manmade or natural, with property owned or maintained by the Commonwealth of Kentucky, Bracken County or the City of Augusta including roadways and parks.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 12, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

When the Augusta Police Department is made aware that public maintained property is in need of maintenance or repair after normal business hours due to inclement weather, natural disasters, sudden deterioration, or manmade causes, the procedures below will be followed:

1. Patrol officers' responsibilities:

- a. It shall be the responsibility of the patrol officers to notify the Chief of Police or his/her designee of any perceived problem with roadways and road conditions or with public owned property that they observe during their tour of duty.

2. Chief of Police or his/her designee responsibilities:

- a. The Chief of Police or his/her designee will assess the need to notify the road department, either state, county, or city.

Chapter 7M: Notification of State ... After Administrative Hours

- b. For roadways located within the jurisdiction of the city, the senior city police officer on duty is considered the Chief of Police's Designee for that jurisdiction.
- c. The officer will assess the damage to public property, the need for repair and will contact the Dispatch Center to inform them of the location(s), nature of the problem(s) and request them to contact the appropriate agency to correct the problem.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 8A	LINK/NCIC Security, Access and Use		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

- B. To establish procedures governing the security, access, and operation of the LINK/NCIC terminals by Augusta Police Department personnel. Also, it is to establish guidelines for the handling, control and dissemination of LINK/NCIC Criminal History Information by Augusta Police Department personnel for internal use.

C. Scope

- D. This procedure shall apply to all Augusta Police personnel effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

E. General

- F. Federal and state guidelines governing the access and use of information obtained from the LINK/NCIC system require our agency to meet certain minimum guidelines. These guidelines are derived from, but not limited to the following sources:

1. LINK User Agreement - Entered into between this agency and the State Control Terminals Agency (Kentucky State Police).
2. LINK Operations Manual.
3. Code of Federal Regulations
4. Title 28 - Judicial Administration
5. Part 20 - Criminal Justice Information Systems
6. Subpart A - General Provisions

- G. This policy shall be reviewed annually (after the State LINK Conference) by the LINK/NCIC Terminal Agency Coordinator (T.A.C.) and the Chief of Police to make changes if necessary to adhere to the guideline revisions by the state and federal authorities.

1. In the event it is determined an employee of this agency has violated any of the listed policy requirements, that employee shall be subject to

Chapter 8A: LINK/NCIC Security, Access and Use

appropriate disciplinary action in accordance with department policy.

H. System Security

1. The LINK/NCIC computer terminals shall be placed in a room so that unauthorized persons looking into the room cannot read the data being received on the terminal. All terminals shall be located in secure areas of the Augusta Police Department that shall prevent unauthorized access when the terminals are not staffed by a certified operator.

a. The display screen will be left blank when not in use.

2. The terminals shall not be moved unless permission is first obtained from the State Control Terminal Officer (SCTO) for LINK.
3. The access to the LINK/NCIC terminal shall be restricted to Augusta Police personnel, certified to use the terminal and other persons necessary to maintain the equipment.
4. Visitors must be accompanied by departmental personnel at all times while in the areas where the LINK/NCIC terminals are located.

I. Certification Procedures and Access

1. All terminal operators and prospective terminal operators shall be subjected to a thorough background check. This screening shall include a check of local arrest files, a search through the state and FBI NCIC III computer files and the submission of fingerprint cards to the SCTO as part of the investigation.

a. Certification as a terminal operator may be denied by the SCTO based on the results of the screening process.

2. Only LINK certified operators can access the LINK terminal(s).

a. The three levels of terminal "operators" training and access that are available are as follows:

3. i. "Full Service" - 40-hour course with full access to the LINK/NCIC files, with entry and inquiry upon successful completion.
4. ii. "Inquiry Only" - 24-hour course with full access to LINK/NCIC files, however limited to inquiry only upon successful completion.
5. iii. "Remote Inquiry" - 8-hour course with limited access to

Chapter 8A: LINK/NCIC Security, Access and Use

LINK/NCIC files limited to inquiry only upon successful completion (must have "Full Service" operator run Criminal History Record Information (III) on subjects).

6. b. All Terminal "operators" must attend and successfully complete biannual LINK recertification courses.

J. Terminal Access and Inquiries

1. Access to and use of any information obtained from the LINK terminal shall be for official criminal justice purposes only. This includes information from the NCIC "hot" files, Drivers License, Motor Vehicle, and Criminal History Files, and all other files. Information shall not be used for any personal use or gain.
2. All inquiries into the LINK/NCIC systems must contain the Augusta Police NCIC ORI.

K. Criminal History Record Information (III)

1. Criminal History Record Information/III shall only be used by authorized criminal justice personnel and **ONLY** for those purposes reasonably connected with their criminal justice responsibilities. The two recognized purposes are for criminal investigation "C" and for criminal justice employment "J".
 - a. Criminal History Record Information (III) obtained from the LINK terminal shall be used for screening applicants for employment by Criminal Justice or Law Enforcement agencies, only. When employment inquiries are made, the purpose (PUR/) code of "J" must be used. Criminal history record information (III) obtained from the LINK/NCIC terminal may be used for any types of criminal investigation. When criminal investigation inquiries are made the purpose (PUR/) code of "C" must be used. An attempt to obtain Criminal History Record Information (III) for any reason not listed above, is strictly prohibited.
2. Copies of Criminal History Record Information (III) and other sensitive data obtained from the terminal must be maintained in a secure environment to prevent any unauthorized access to or use of the data.
3. All printer copies and photocopies of the criminal history obtained from the LINK/NCIC terminal shall be destroyed, preferably, in the paper shredder after utilization for the purpose for which they were run. Neither the original nor copies of the Criminal History Record Information are to

be placed in a personnel file.

4. The original or copies of the Criminal History Record Information may be retained in a case file only as long as it is a key element of that prosecution. Once the utility of the document is no longer needed the Criminal History Record Information will be destroyed.
 - a. Any time a case is closed it will be reviewed to ensure no type of Criminal History Record Information is enclosed.
5. The Attention field in Criminal History Record Information (III) inquiries **must** contain the rank, full first and last name of the person requesting the information (e.g. Sgt. Steve Ellison, Det. Mike Jones, Ptlm. Nate Boggs).
6. The Reason field in the Criminal History Record Information (III) inquiries **must** contain the Reason for the inquiry. The following are acceptable entries in the reason field:
 - a. Background investigation of a new employee,
 - b. Investigation (reason to be included) Narcotics, Burglary, Missing Person, Wanted Person, etc., Case or Citation number,
 - c. LINK Validation.

L. Procedure for recording of Criminal History Record Information (III)

1. One Criminal History Log shall be maintained at the Augusta Police Department for its LINK/NCIC terminal located in the Police Department.
2. The terminal operator making the inquiry on the LINK/NCIC terminal shall record the following information on the Criminal History Log:
 - a. The date of the inquiry in the Date block.
 - b. Message Key(s) Used
 - c. The SID number(s) and/or FBI number shall be placed in the Record Identification Number block. If there is no Criminal History Record Information (III) on the individual the word NONE shall go into the block.
 - d. The Name of Person block shall include the name, date of birth, and/or social security number of the queried person.

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- e. The first name initial and the last name of the person/officer making the request along with their unit identifier (e.g. J. Smith, CS-1, J. Doe, 666 etc.) shall be placed in the Person requesting block.
- f. The Purpose block shall have entered into it, the appropriate purpose code, "C" for criminal investigation and "J" for criminal justice employment.
- g. The operator who made the inquiries shall place the initial of the first name and the whole last name will be placed in the Operator block (i.e. J. Carter).
- h. The date the particular printer copy of the Criminal History Record Information (III) is destroyed shall be placed in the Date Destroyed block.
- i. If the results of the Criminal History Record Information (III) request are sent via facsimile machine to a requesting Augusta Police officer the word FAXED shall be noted in the Date Destroyed block. If the printer copy is photocopied then the word COPIED shall be placed in the Date Destroyed block along with the destination and/or person that received the copy will be noted.

M. Procedure for delivery of Criminal History Record Information (III) Inquiry

1. Criminal History Record Information (III) obtained from the LINK terminal shall not be transmitted by radio unless the information is needed for the safety of the officer, (e.g. suspect(s) with violent history or assaults on police officers).
 - a. Note that some states consider driving history checks as criminal history inquiries and shall be accorded the same protection as criminal histories. (Those states currently are Alabama, Arizona, Georgia, and Virginia. If there is doubt have the Dispatch Center personnel check.)
2. Extreme caution shall be utilized when disseminating Criminal History Record Information (III) over the phone. You must ensure the information is only being provided to authorized personnel.
3. Should any criminal history record information (III) be passed to personnel outside our agency the following guidelines shall be adhered to:
 - a. Criminal History Record Information (III) shall

only be shared with other criminal justice personnel who have a valid criminal justice need to know.

- b. Criminal History Record Information (III) will normally only be run for authorized officers within our department. In an emergency or in the case of a joint investigation, Criminal History Record Information (III) can only be shared with other criminal justice personnel only if LINK/NCIC guidelines are met.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 8B	LINK/NCIC Entries and Removals		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To ensure entry and removal of persons and articles from the LINK/NCIC computer system, when required.

B. Scope

This procedure shall apply to all sworn Augusta Police Officers, effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

When a police officer prepares an official report of a runaway juvenile, missing person, wanted person, or crime where property identifiable by unique number and make is unlawfully taken, or determines that persons or property currently in the LINK/NCIC computer system have been recovered, said officer shall cause the person or property to be entered into or removed from the LINK/NCIC computer system within the period of time required by statutes, following issuance or notification. The following procedure shall apply to all such entries and removals.

1. The reporting officer shall deliver to on-duty Communications personnel an accurate and complete agency case report containing all information required for each article or person to be entered.
2. The reporting officer shall deliver to on-duty Communications personnel a copy of the official agency case report containing all information required to indicate recovery of property, arrest of wanted person, or the return of a juvenile runaway or missing person, for each article or person to be removed.
3. The shift O.I.C. shall review all reports at the end of each tour to ensure that appropriate articles and persons have been entered or removed from the LINK/NCIC computer system.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 8C	Radio Dispatches		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

It is necessary for the police officer to maintain contact with the Bracken County Dispatch Center for his/her personal safety, information and direction. Since this is a critical part of the police officers job it is necessary to establish procedures for Radio Dispatch to and from police officers and specify those circumstances requiring such Dispatch by police officers.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 16, 2017, until such time it is superseded, revoked, or rescinded.

C. General

1. The responsibility for managing and deploying officers in the field rests solely with the Shift Commanders / Supervisors.
2. The dispatch protocol for Augusta Police personnel shall be "PLAIN LANGUAGE".
3. Augusta Police personnel shall utilize the following signals / codes only:
 - a. Signal 1 - Officer's place of residence
 - b. Signal 2 - Meet with another person
 - c. Signal 4 - Respond to the officer's jurisdictional office.
 - d. 10-4 - Acknowledgement
4. Augusta Police Officers shall notify the Bracken County Dispatch Center when they are "in" or "out" of service for any particular reason (e.g. calls for service, court, en route to the service station, school, etc.).
5. The primary unit is responsible for disregarding any responding units after arrival and evaluation of the situation.

Chapter 8C: Radio Dispatches

6. The Officer in charge shall notify the Bracken County Dispatch Center as soon as possible after clearing the scene.

D. Field Units

1. When the officer receives a radio dispatch the Officer shall immediately acknowledge the transmission, in the prescribed manner, indicating it has been received and the officer is responding.
2. When the officer arrives on the scene, he/she will call back to the Dispatch Center indicating that he/she has arrived on the scene.
3. When the call has been completed, the officer shall notify the Dispatch Center that officer(s) are clearing the scene and a disposition of the call for service, i.e. report taken, unable to locate, etc.

E. Procedure for Vehicle Stops

1. Prior to the stopping of a vehicle during a vehicle stop, the officer shall relate the following to the Dispatch Center by radio.
 - a. License plate information.
 - b. Location of the vehicle stop.

F. Computer Hits

1. When dispatch asks "Are you with the subject?", no additional remarks shall be transmitted which may alert the subject without a specific request from the officer.
 - a. Upon request, the officer may call the dispatcher and the dispatcher shall inform the officer of all information on the printout or screen pertaining to physical and numerical identifiers.
 - b. The officer with the subject shall determine from the information given if the subject is a match to the warrant information. If the officer makes this determination, he/she will request a "Hit Confirmation" on LINK or NCIC entries only.
2. If the Officer requesting the query information is a one-person unit, an additional unit should be requested if, the original unit is a two-officer unit, no additional units will be needed, unless requested.
3. The officer should take necessary precautions to ensure his/her safety.
4. If requested the officer will be advised of the particulars on the warrant such as

Chapter 8C: Radio Dispatches

original charge(s), bond, case number, and issuing agency.

- a. Upon request by the officer the Dispatch Center will send the LINK/NCIC Hit Confirmation Response to the Augusta Police Department for review upon the arrival by the officer.

G. Requests for Additional Information/Miscellaneous

1. When police personnel are in need of additional information regarding the call to which they are responding, any additional information, clarification, requests etc., the following shall apply:
 - a. The request(s) by the officer need to be considered prior to the radio transmission with the following in mind: the need of the officer, other events occurring at the time, other radio traffic from other units (emergency traffic, priority traffic, etc.).
 - b. To conserve airtime and notify the Dispatch Center, the police officer will be as brief and concise as possible.
 - c. The police officer shall wait until acknowledged by the Dispatch Center before requesting the additional information, clarification or other requests.
 - d. The requests shall be processed by the Dispatch Center as soon as possible with the same considerations as out lined in "a." above.

H. Investigation of Unusual Situations Requiring Back-up Using "Emergency Traffic"

1. When police personnel observe an unusual or suspicious circumstance which requires immediate attention; and which presents a high potential for the placing the officer's life or safety in jeopardy, the following shall apply:
 - a. The Police officer will request the Dispatch Center to restrict the channel and acknowledge the unit announcing an emergency.
 - b. The Police officer shall notify the Dispatch Center of the location, and the nature of the emergency situation.
 - b. The Police officer shall request another unit, if needed, to backup the investigating officer and notify the Shift Commander/Supervisor of the "Emergency Traffic."
2. Officers are encouraged to utilize the "Emergency Traffic" to obtain immediate radio clearance to report those instances, which place them in a position of potential danger.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 8D	Radio Frequencies, Naming of		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To set standard names for radio frequencies commonly used by the Augusta Police Department.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective January October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

When referring to the following radio channels while transmitting on Police Department frequencies, personnel shall use the name assigned to said channel.

1. Police frequencies.

- a. Augusta Police, Channel 1, frequency 155.580 PL 127.3
- b. Bracken County SO/FD, Channel 2, frequency 155.085 PL 192.8
- c. Bracken County Ambulance, Channel 3, frequency 155.220 PL 118.8
- d. Bracken County Schools, Channel 4, frequency 153.260 PL 162.2
- e. Bracken County Water, Channel 5, frequency 158.295 PL 131.8

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 8E	Marine Rescue, recovery, and Enforcement		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish procedure for coordinating emergency and non-emergency response of personnel to incidents that occurs on waterways within the City of Augusta.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

It shall be the policy of the Augusta Police Department to facilitate the response of personnel to incidents, which occur on waterways within the City of Augusta. In this effort, the Bracken County Office of Emergency Management (O.E.M.) Director will serve as Coordinator and liaison with those agencies best equipped for response to each incident. Buffalo Trace Water Rescue shall be notified also of any waterway incident report necessitating response of rescue or recovery personnel to said incident.

When an incident occurs on any waterway within the City of Augusta and it is reported to Augusta Police personnel, they shall notify the Bracken County Dispatch Center, so that proper notification to the appropriate agencies can be made.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 8F	Cellular Phones		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective: 11-10-2017	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish policy regarding the use of and payment for cellular phones.

B. Scope

This policy shall apply to all Augusta Police personnel, effective November 10, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

All officers are required to carry and answer cellular phones while on duty and on call. It is not required that officers carry a cellular phone while off duty, however it is recommended.

Calls/texts to off duty officers from the Chief of Police are expected to be answered or returned within two (2) hours of receipt.

Officers are encouraged not to use cellular phones while driving a department issued vehicle unless absolutely necessary. Officers should attempt to pull to the side of the street while making calls if feasible. At no time should officers send/read text messages while the department issued vehicle is in operation.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9A	Reportable Incident		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure for the completion of reports relating to incidents or offenses, but not including traffic accidents, reported to the Augusta Police Department.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 17, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure - completion of reports

1. The KYOPS reporting program shall be used for all reporting done by the Augusta Police Department. All reporting shall be done in accordance with the Kentucky Uniform Offence Report Manual
2. Reports shall be typed directly into the KYOPS program, and will contain the following information as indicated:
 - a. Report number - obtained according to departmental policy, *Case Number, Assignment of.* - Mandatory
 - b. Invest/Comp. - Type of investigation or complaint - Mandatory
 - c. Degree - based on K.R.S. - if applicable
 - d. Type - Misdemeanor, felony, etc. - if applicable
 - e. Statute (K.R.S.) - if applicable
 - f. Date - report was taken - Mandatory
 - g. Time - offense/incident was reported - Mandatory
 - h. Officer - name of officer or officers taking the report - Mandatory

Chapter 9A: Reportable Incidents

- i. Command/Supervisory Officer - name of officer in charge of reporting officer
- Mandatory
- 3. The victim information section shall contain:
 - a. Name - of the victim.
 - (1) If the "victim" is a business or company, the business/company name should be listed in this area, with the reporting individual's name listed later as the Complainant.
 - b. SS - social security number if applicable
 - c. Date of Birth - if applicable
 - d. Race - if applicable
 - e. Sex - if applicable
 - f. Address
 - g. City
 - h. State
 - i. ZIP
 - j. Phone - both home and work if applicable.
 - k. Complainant - Name of the complainant - if applicable
 - l. Phone - Phone number of the complainant - if applicable
 - m. Victim type
 - n. Injury type - if applicable
 - o. Residence
 - p. Under the influence, (Alcohol or Drug), - if applicable
 - q. Relationship to Offender - if applicable
- 4. Narrative section - a description of the incident or event, including but not limited

Chapter 9A: Reportable Incidents

to:

- a. The time frame in which the incident occurred (time and date if applicable) - estimate is acceptable.
- b. Brief description of the incident or complaint
- c. Itemized listing of any missing and/or damaged property, including any special descriptions, serial numbers, VINs, OANs, or any NCIC/LINK computer generated numbers as the result of entering this item into the computer system. Such a listing should also include a value or an estimated value for each item listed, whether the item is missing or damaged.
- d. Any other information necessary to the report.

D. Procedure - handling of completed reports by officers.

1. Reports are to be completed prior to the end of the officer's tour of duty, unless an extension has been granted by the command/supervisory officer.
 - a. Supplemental paperwork, e.g., lab request copies, etc. shall be included in the case file, according to departmental policy, *Case Reports, Management of*.
2. Completed reports are to be transferred to the shift command/supervisory officer for review.
3. Approved reports shall be filed in the Augusta Police Department filing system.
4. Report forms shall be legibly handwritten or typed and will contain the information listed above.
 - a. Completed reports are to be submitted to the command/supervisory officer for review.
 - b. Approved reports shall be placed in the designated location in the Police Department area.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9B	Case Numbers, Assignment of		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-17-2020	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

To provide for the timely assignment of case numbers to reportable incidents and crimes.

B. Scope

This procedure shall apply to all Augusta Police Officers, effective October 17, 2020, until such time as it is superseded, revoked, or rescinded.

C. When a police officer prepares an official report of any incident or crime, said officer shall assign the report a case number, using the following guidelines:

1. The Augusta Police Chief shall develop and maintain a record system for the assignment of case numbers.

2. The case number database shall include the following:

- a. Case numbers for all reports, including accidents, will be marked APD and the first four number (reflecting the year 2021) of the Computer Aided Dispatch then follow by a dash, one zero and the remaining ending numbers (APD 2021-01234).

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9C	Reports		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a policy on the preparation and processing of traffic citations, arrest reports, and other supplemental reports.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

1. Accident reports are handled in accordance with departmental policy.
2. State citations are filed with the appropriate court and handled internally in accordance with departmental policy.
3. Warning citations are handled internally in accordance with departmental policy.
4. Reportable incidents and offenses are handled according to the departmental policy, *Reportable Incidents*.
5. Child abuse, adult abuse, and domestic abuse standard reports (JC-3)
 - a. The top copy is retained for departmental files.
 - b. All other copies are forwarded to the Department of Social Services by the appropriate procedure.
6. Missing persons reports
 - a. A photocopy is made of the complete original report and retained for departmental use.
 - b. The original report is mailed to the Kentucky State Police, Missing Child Information Center.

Chapter 9C: Reports

7. Monthly administrative reports are handled in accordance with the departmental policy, *Administrative Reporting*.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9D	Case Reports, Management of		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure for the management of case reports for the Augusta Police Department.

B. Scope

This procedure shall apply to all sworn personnel effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions:

1. Investigator - felony cases - shall refer to the primary investigator for the case, usually the reporting officer.
2. Investigator - misdemeanor cases - shall refer to the primary investigator for the case, usually the reporting officer.

D. Procedure

1. Case Number Assignment.
 - a. Case numbers will be the same as the original incident report number that the investigation is based on.
 - b. If the investigation does not have an original incident report number or additional report number is needed, the officer will retrieve a new case number from the "Computer Aid Dispatch System".
 - c. All investigations shall be entered into the KYOPS program. This will provide a case log of all active investigations that will include: Case number, Title of investigation, Date/Time of occurrence, Location of incident and Investigating Officer.
2. Responsibilities of the Investigator - felony cases

Chapter 9D: Case Reports, Management of

- a. Documenting actions taken while investigating the case, including attaching copies of all documents relative to the matter to the case report.
 - i. General activity shall be documented on the KYOPS Program (or supplemental sheets), including but not limited to, indicating the date, time and activity.
- 4. Responsibility of the investigator - misdemeanor cases.
 - a. Documenting actions taken while investigating the case, including placing copies of all documents relative to the matter into the case file. This shall include but is not limited to KYOPS Report, Investigative Report, lab request copies, evidence submission forms, etc.

A case file should be created in the KYOPS Program if the investigation of the crime generates paperwork other than the initial report, following the format listed in section D.1.a-b, above. Investigation notes should also be entered into the case manager program; officers must use their own discretion to include notes into the printed case file used for submissions.
- 6. Filing of closed or inactive files.
 - a. Conventional reports will be placed in the locked file cabinets, after approval by the designated review officer.
 - b. The Chief of Police will maintain sensitive files.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9E	Activity Reporting and Management		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To provide an accurate system for maintaining department and officer activity and performance, for the planning and evaluation of goals and objectives for the department, the analysis of criminal activity, and the evaluation of personnel.

B. Scope

This procedure shall apply to all Augusta Police sworn personnel, effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

1. Officer Initiated Activity Report

a. Police Officers

- (1) Officers will immediately notify the Bracken County Dispatch Center of Officer Initiated Activity via radio, telephone or the Computer Aided Dispatch System (CAD) on their computers, in which the dispatch Center will make the appropriate entry into the CAD system as the Officer activity progresses. Officers are to identify the type of activity performed, location and final disposition of Officer Initiated activity.
- (2) Officer will provide all necessary information relating to person(s) and vehicle(s) involved with the initiated activity. Information to be included for a Person(s) are Name, DOB, License Number, SSN, person(s) Address, Telephone Number and other miscellaneous information. Information on Vehicle(s) involved should include the vehicle Plate Number, Make, Model, Vin Number, Color and registered owner data and other miscellaneous information.

2. Supervisors

- a. At the end of each workday, the supervisor will review for accuracy and completeness all Officers CAD System entry. The supervisor will discuss any

Chapter 9E: Activity Reporting and Management

errors or performance deficiencies with the officer. Should an error exist, the supervisor will cause the necessary correction to be made by that officer.

- b. The supervisor will provide counseling as soon as the need is recognized.
 - c. The Officer CAD will be discussed on a regular basis with the officers, if needed, will be used in the evaluation of officers, and will be retained within the CAD system.
3. Monthly Report
- a. A Command Officer will complete a monthly report calculating the number of activities performed by the department for that month.
 - b. Copy to:
 - (1) Chief
 - (2) Mayor
 - (3) City Council
 - c. Will be retained for the current and previous year only.
4. Yearly Report
- a. A summary of monthly reports for activities of the department during the previous year.
 - b. To be completed by the Chief or his designee.
 - c. Copy to
 - (1) Chief
 - (2) Mayor
 - (3) City Council
 - d. Will be retained for the current and previous year only.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9F	Administrative Reporting		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish an administrative reporting program which requires the collection of monthly and annual information for reports of agency activities, and statistical summaries based upon such reports, and routing requirements for same.

B. Scope

This procedure shall apply to all Augusta Police personnel effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

Dispatch - tasks assigned to Department personnel that require a response, e.g., phone call to complainant, response to a location.

D. Procedure

A Command Officer shall be responsible for data collection for the department. The Command Officer shall ensure that each organizational part of this department meets the reporting requirements set forth in this policy and will forward completed reports to the office of the Chief of Police in a timely fashion.

1. Supervisors

a. Daily Officer Initiated Activity.

(A) Vacation Check

(B) Business Check

(C) Warning Citation

(D) Motorist Assist

(E) Patrol Details

Chapter 9F: Administrative Reporting

(F) Field Contacts

(G) Parking Tickets

(H) Traffic Citation

(I) All Other Police Activities

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9G	Records Maintenance		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

Records are maintained at the Augusta Police Department in compliance with Kentucky Statutes to provide a source of routine information to aid in the investigation, crime prevention, and other law enforcement functions; to provide a basis for administrative planning, research, and day-to-day operational supervision and review of policies, procedures, and personnel; a basis for the justification of department programs and policies and to provide statistical data. Some departmental records are confidential. It is therefore necessary to provide for the initiating, safekeeping and the storage of the Augusta Police Records. Upon approval, criminal records, and arrest information may be released to qualified agencies. In addition, the department will provide certain crime and traffic reports to authorized persons.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 16, 2017, until such time it is superseded, revoked, or rescinded.

C. General Police

1. The records system serves the following purposes:
 - a. A source of routine information to aid in investigation, crime prevention, and other law enforcement functions;
 - b. A basis for administrative planning, research, and day-to-day operational supervision and review of policies, procedures, and personnel;
 - c. A basis for justification of department programs and policies.
2. The Augusta Police Department will strive to maintain a records system that is:
 - a. Comprehensive: It includes a report of the results of every request for police services and other information helpful to the department;
 - b. Adequately indexed: So quick and easy access and reference is possible;

Chapter 9G: Records Maintenance

- c. Centralized: Efficiency and security are provided by controlled access;
- d. As simple as possible; but still complete.

D. Reports in General

1. Reports submitted by officers in the field are the basis of the records system and enable command/supervisory officers to evaluate work performance and to direct and guide subordinates.
2. Every assignment and incident should be recorded in a complete, accurate and understandable manner. The language used should be simple, accurate and concise.
3. Names, addresses, phone numbers, and other particulars must be reported accurately, since the report may be the basis for continuing or follow-up investigation.
4. The Shift Command/Supervisory Officer will review reports submitted by officers for completeness, accuracy, comprehensibility, and use of proper technique.
5. Reports that contain mistakes or lack of information shall be returned to the reporting officer for correction.

E. Access and Security

1. Access to the records system is limited to persons who have to use information it contains and who are members of the following groups:
 - a. This department;
 - b. Other criminal justice agencies, including, but not limited to, court prosecutors, corrections, other law enforcement agencies and other governmental agencies that are required by statute;
 - c. Classes or faculties concerned with criminal justice at an institution of higher learning, whose purpose is research.
2. Access to a particular record or records, dealing with a particular matter, event, or individual is covered in the following section, "Release of Information."
3. A member of another criminal justice agency will be allowed access to the records system if he/she provides adequate reason for access and identification, which establishes his or her relationship with an agency.

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4. When parts of the records system are used by personnel from other agencies, a record of that use shall be made.
5. No original document may be removed from the records section without permission from the Shift Command/Supervisory Officer, who will record that removal.

F. Review of Records

1. A Command Officer shall annually conduct a review of the contents of the Augusta Police Department record system(s). Records shall be retained in compliance with sections "G" and "H" of the City Model Records Retention Schedule and its updates as developed by the Kentucky Department for Libraries and Archives. Records no longer having value to the department shall be removed and destroyed according to policy.

G. Release of Information and/or Public Records

1. The public has a compelling interest in the inspection of public documents and records and in the release of information dealing with law enforcement activities. Only if there is a countervailing interest of the same or greater magnitude or if under the law, will anyone be denied information or the opportunity to inspect or receive copies of public documents.
2. Definitions:
 - a. Requester: Any person who requests inspection or copies of a record.
 - b. Authority: Augusta Police Department.
 - c. Custodian: The legal custodian or his/her designee who is in charge of the release of information and records.
 - d. Records: Include but are not limited to, handwritten, typed, or printed, pages, maps, charts, films, photographs, recordings, tapes, (including computer tapes and computer print outs).
3. Except as otherwise provided by law, the requester has a right to inspect and record or receive a copy of a particular record that appears in written form. If a requester requests a copy of the record, the authority may provide the requester with a copy, substantially as readable as the original.
4. The Augusta Police Department (custodian), upon request for any record, shall, within three (3) business days of the initial requests, either fill the request or notify the requester of the determination to deny the request in whole or in part and the reason thereof.
5. Requests may be forwarded to the City Attorney for recommendation. Determination will be made within three (3) business days.

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6. Those records are confidential which reveal the identity of a juvenile offender or a domestic violence and abuse case.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 9H	Records, Retention and Destruction of		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose:

To set procedure for destruction of records and a retention schedule for record maintenance.

B. Scope:

This procedure shall apply to all Augusta Police personnel, effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure:

It shall be the policy of the Augusta Police Department to adopt and comply with Sections "G" and "H" of the City Model Records Retention Schedule and it's updates as developed by the Kentucky Department for Libraries and Archives. Maintenance and destruction of all records identified in said retention schedule shall be subject to the following procedure.

1. Definitions.

- A. Permanent Record for the provisions of this policy shall mean a record that may not be destroyed.
- B. Indefinite Record for the provisions of this policy shall mean a record that may be destroyed when it is no longer useful or when destruction is permitted by the City Model Record Retention Schedule, which ever is the longest in duration.

2. Destruction of Records.

- A. Records may be destroyed after their retention life expires as stated in the City Model Record Retention Schedule.
- B. When destroying records, a Records Destruction Form will be completed and disseminated as follows:

Chapter 9H: Records, Retention and Destruction of

1. The first and second copies shall be forwarded to the Kentucky Department for Libraries and Archives, Public Records Division.
2. The third copy shall be retained for the Department files.
3. A Command Officer shall serve as the Department's Records Officer and be responsible for the following :
 - A. Records destruction.
 - B. Completion and maintenance of Record Destruction Forms and dissemination of same.
 - C. Maintenance and updating of the Department's copy of the City Model Record Retention Schedule.
 - D. Maintenance of all Departmental records.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 10 A	Response to Resistance		
Rescinds:	Previous Version	Charles Blackmar Chief of Police	
Effective: 07-13-2021	10-09-2017		
Distribution: 07-13-2021	Sworn Personnel	References:	

A. PURPOSE

The purpose of this order is to set forth Department policy regarding the use of lethal and non-lethal force in response to resistance, and to ensure that each sworn member understands and complies with these standards.

B. POLICY

It shall be the policy of the Augusta Police for sworn members to use the objectively reasonable amount of force necessary in the control and apprehension of all.

C. DEFINITIONS

1. **Physical force** means force used upon or directed toward the body of another person and includes confinement.
2. **Deadly force** means force which is used with the purpose of causing death or serious physical injury or which the defendant knows to create a substantial risk of causing death or serious physical injury.
3. **Serious physical injury** is defined as injury which creates a substantial risk of death to the victim, prolonged impairment of health or prolonged disfigurement, or prolonged loss or impairment of a bodily organ.
4. **Reasonable belief** is defined as more than mere suspicion and consists of specific articulable facts or reliable information.
5. **Deescalate** is defined as reducing the intensity of a conflict or potentially violent situation.
6. **Intervene** is defined as coming between, whether verbally or physically, to change the course of events.

D. PROCEDURE

1. RESISTANCE CONTROL PRINCIPLES

Use of physical force in response to resistance shall be consistent with the training and policy of the Augusta Police and KRS Chapters 503 and 520.

- a. Only issued and/or approved weapons shall be carried or used when applying force, except

Chapter 10 A: Response to Resistance

in emergency situations when an officer must use any resource at his/her disposal.

- b. The use of restraining devices is mandatory on all prisoners unless in the officer's judgment unusual circumstances exist which make their use inappropriate. Examples of these circumstances may include, but are not limited to the following:
 - 1. The prisoner is an elderly person with a disability
 - 2. The prisoner is unconscious
 - 3. The prisoner is intoxicated and unable to support himself in the transport vehicle, or;
 - 4. The prisoner is injured, and in the officer's opinion, presents no threat to the officer.

* The foregoing examples do not preclude the use of restraining devices when the officer feels that failure to use restraints may result in the escape of the prisoner or jeopardizes the safety of the officer, the prisoner, or any other person. When using restraining devices, prescribed training methods shall be used, including: cuffing behind the back with palms out, and double locking handcuffs, which have been checked for tension. If in any circumstance flex cuffs are used, special care should be used in the application.

- c. Department approved leg hobbles may be used to restrain a resisting individual's legs to prevent kicking.
- d. Officers shall NOT connect the hand restraints with the leg restraints on any individual (e.g. hogtied position).
- e. At all times the officer should bear in mind the legal principle of "lesser force", in any apprehension, felony or misdemeanor, and use only the force necessary to affect lawful objectives.
- f. An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury.

2. RESISTANCE CONTROL CONTINUUM

The Resistance Control Continuum has been included in this policy, only as a general guideline for comparing accepted forms of control or force, against various types of resistance that may be encountered.

- a. The resistance control continuum used by the Augusta Police was designed by Pressure Point Control Techniques Management Systems, and is currently being used by law enforcement agencies throughout the United States.
- b. One or all control techniques may be used depending upon the level of resistance. However it is not necessary to follow the order of the continuum when circumstances dictate that the officer escalate to a higher level of control.

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- c. Variables which affect the Resistance Control Continuum may include, but are not limited to; the size and gender of the officer and subject, the totality of the circumstances such as the danger or imminent threat to the officer or others, and the officer's reaction time or ability to respond.
- d. Special circumstances may exist which will affect the officer's options as to how he responds. These may include: the suspect's close proximity to a firearm, special knowledge of the circumstances or suspect, injury to or exhaustion of the officer, ground position, disability, and imminent danger.
- e. Impact weapon strikes to the vital areas, which include; head, neck, spine, chest cavity, groin, kidney region, and coccyx could result in serious physical injury or death. Officers should not intentionally strike these areas (with an impact weapon) except in response to deadly force assaults, or in response to continued active aggression where lower levels of control are ineffective.
- f. The TASER, also referred to as a conducted electrical weapon [CEW] is considered an intermediate weapon on the resistance control continuum. The CEW is to be used to control suspects that use physical actions in an attempt to prevent officer control/arrest (defensive resistance, active aggression, or attempt to injure self); and lower levels of control were not effective or the officer has an objectively reasonable belief that lower levels of control will not be effective.
 - 1. Officers are permitted to only carry and use CEWs and holsters that have been issued by the Augusta Police.
 - 2. The use of CEW's shall be consistent with Department training and applicable laws.
 - 3. The officer shall consider the totality of circumstances as reasonably perceived by the officer, including but not limited to:
 - a. Is the suspect posing a current threat to the safety of officers or others?
 - b. What is the severity and violence level of the crime?
 - c. Does the suspect have a history of violent behavior?
 - 4. In addition to the specific factors identified above, the following list represents variables, if present may assist in justifying a particular level of control used. All variables which are involved in the decision to utilize the CEW should be articulated in the critical incident report. This list is not intended to be all inclusive:
 - a. The number of suspects vs. the officers involved
 - b. Size, age, and physical condition of the officer and suspect
 - c. Known or perceived physical abilities of the suspect
 - d. Perception of the use of alcohol or drugs by the subject

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- e. Perception of the suspect's mental or psychiatric state based on specific actions
 - f. The availability and proximity of weapons
 - g. Environmental factors (night, day, snow, ice, heights, heat, terrain, etc.)
 - h. Injury to the officer or prolonged duration of the incident
 - i. Officer on the ground or other unfavorable position
5. Officers are to consider the risk of secondary injury caused by the sudden incapacitation of the subject. If the risk of serious physical injury is greater than the need to incapacitate, the officer will not use the CEW.
 6. Officers should not utilize the flashlight on the CEW for illumination purposes unless the situation warrants the use of a CEW.
 7. When tactically feasible, officers will give the verbal warning of "Taser, Taser, Taser!" to alert other personnel that the CEW is about to be used so they can create a safe distance between themselves and the target as well as to prepare to move in and control while the suspect is under power if safe to do so. This will also serve as a warning to the subject that a CEW will be deployed if they do not cease their resistance and comply with the officer's verbal commands.
 8. The potential exists for CEW's to cause physical injury when striking the eyes, neck, head, breasts, and/or groin areas. Officers should not intentionally target those areas of the body. The preferred target area when deploying a Taser should be to the back or below the solar plexus on the front of the body.
 9. During any standard CEW cycle, handcuffing should occur as soon as practical to control and secure the subject in order to minimize the number of standard CEW cycles. Officers may make contact with the subject while the CEW is activated, as long as caution is taken not to touch the subject between the locations of the two probes.
 10. When using the CEW, officers shall continually assess each standard CEW cycle to verify the effects on the suspect. When activating the CEW on an individual, the officers shall activate the device the least number of times and no longer than what is objectively reasonable, to control the subject. If the subject has been exposed to three cycles of the CEW without the desired effect, the CEW may be deemed ineffective and officers should be prepared to employ other means to control the suspect including, if necessary, other levels of force consistent with Department policy.
 11. When multiple officers are present they should attempt to communicate with each other in an effort to ensure only one officer deploys the CEW. In the event the CEW is not successful based on poor probe spread, low muscle mass contact, or if both probes are not in contact with the subject, an additional officer shall shout the words "Taser, Taser, Taser" if tactically feasible and activate his/her CEW. The first deploying officer shall discontinue use of his/her CEW and shall aid in securing the person.

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12. The CEW is equipped with a “Drive-Stun” mode backup capability. The “Drive-Stun” should be used at close range with the cartridge remaining on the CEW. The officer should attempt to target the arms, legs, or motor nerve points when deploying the probes in a drive stun. This drive stun deployment alone will not typically cause the desired neuromuscular incapacitation (NMI) in a suspect. When possible a separate point of contact should be obtained with the CEW in a target area away from the probes which will create NMI. Officers should refrain from deploying to the neck, trachea, and groin unless the suspect is exhibiting high levels of active aggression towards the officer.
13. In the event that one of the probes has missed the subject, or there is clothing disconnect the “Drive-Stun” may be used to complete the conductive circuit.
14. Officers may deploy the CEW to incapacitate dangerous animals posing an immediate threat to officers or the public.
15. Immediately after utilizing the CEW on a suspect and getting the suspect in custody, the officer who deployed the CEW shall immediately notify the Chief of Police and summon medical assistance.

g. Restrictions

1. Officers should not use a CEW on a person:
 - a. When the individual is known to be within the proximity of flammable liquids, gases, or any other highly combustible materials that may be ignited by the device; including any individual known to have been exposed to combustible substances or liquids such as gasoline or other chemical irritants sprayed by any person from this or another agency.
 - b. On handcuffed persons, unless doing so is necessary to prevent the person from causing serious bodily injury to himself/herself or others, or is involved in a physical assault against the officer and lower levels of control have proven ineffective.
 - c. When a subject is in a location where he/she could drown.
 - d. On a subject who is in control of a vehicle (e.g. automobiles, trucks, motorcycles, ATV's, scooters) while that vehicle is moving or can easily be put in gear.
 - e. Faced with passive resistance “dead weight” only.
 - f. To prevent or stop the suspect from ingesting contraband.
 - g. On obviously pregnant women, elderly persons, young children and visibly frail persons.
 - h. In a situation where the officer has a reasonable belief that the subject might fall, resulting in death or serious physical injury.

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- i. When the subject is fleeing from arrest based on the charge of fleeing and evading only. Officers should have probable cause to arrest and the individual:
 - 1. Poses an immediate threat to themselves, the officer or other persons, or
 - 2. Is armed or the officer reasonably believes the subject to be armed based on actions of suspect, or
 - 3. During incident prior to flight, resisted the officer's attempt to take them under control with an overt intention to use violence or force against themselves, the officer, or another person.
 - j. The only exception to these restrictions would occur when:
 - 1. The level of resistance is Active Aggression or a Deadly Force Assault, and
 - 2. The use of another intermediate weapon (if available), less-lethal weapon or firearm would create a higher risk of serious physical injury or death to the subject or others.
 - k. Officers shall be aware of the general concerns raised when a CEW is used in any of the above incidents. Officers are not prohibited from using a CEW on such persons, but are limited to those exceptional circumstances where the potential benefit of using the device (i.e. injury reduction) reasonably outweighs the risks and concerns.
 - h. Post-Use of CEW
 - 1. In cases where the CEW probes are deployed, officers are permitted to remove probes that had been deployed into a subject in a manner consistent with their training. The CEW darts should be treated as a biohazard risk.
 - a. DO NOT attempt to remove the probes if the subject is combative.
 - b. DO NOT attempt to remove if the location of the probe is in the head, facial area, neck, groin, female breast, or deeply imbedded in the skin or bone.
 - 2. Replacement cartridges can be obtained from the Chief of Police.
 - 3. After an officer deploys his/her CEW, his/her supervisor shall download the TASER Data Download report from the CEW onto a Department computer using the appropriate software. The report shall be attached to the NIBRS.
 - 4. The Chief of Police or his/her designee shall conduct an annual maintenance download of officer s' CEWs.
- ### 3. SPECIAL CONSIDERATIONS

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DEADLY FORCE may be used in those instances where, in the officer's judgment, there exists and imminent threat of death or serious physical injury to him/herself or another and no viable alternative exists by which the threat can be removed or reduced.

- a. This provision includes such occurrences as the apprehension of a person who, in the course of committing a felony, threatened or used deadly force and who, in the reasonable belief of the officer, is likely to be an immediate danger if not apprehended.
- b. Deadly physical force may only be used against a "fleeing felon" when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury.
- c. Deadly force may never be used on mere suspicion of an offense. An officer should either have witnessed the offense or, have sufficient evidence to know, as a certainty, of the offense and the identity of the perpetrator.
- d. The use of "warning shots" is strictly forbidden by the Augusta Police.
- e. The killing of an animal is justified (1) for self-defense, (2) to prevent injury to the officer or another, (3) when the animal is so sick or badly injured that humanity requires its relief from further suffering, (4) in accordance with K.R.S. and City Ordinance dealing with animals running at large. If possible, a command/supervisory officer should authorize a seriously wounded or sick animal be destroyed. If time allows, officers may request assistance from the agency (Animal Shelter, Game Warden, etc.) responsible for the disposal of animals. When it becomes necessary to destroy an animal the officer shall use his/her department approved sidearm or rifle to accomplish this task. At all times, officers should be aware of their surroundings, to include the surface below the animal, prior to firing the weapon.

4. RESPONSIBILITY OF PERSONNEL USING FORCE

If physical force is used and there is any indication of or probable injury to the arrestee, an officer shall immediately evaluate the need for medical attention or treatment for the person upon whom the physical force was used.

- a. The officer is to arrange for transportation and treatment if that person is injured or complains of an injury.
- b. Whether or not a person refuses or accepts medical treatment, the person will be afforded transportation for the purpose of medical treatment by a qualified medical technician or hospital personnel. Refusal will be documented.
- c. The officer shall immediately notify the Chief of Police of the incident.
- d. Once an individual is controlled and handcuffed, the officer is responsible to monitor the person's color, breathing and level of consciousness.
- e. Resisting individuals, who must be placed into a prone position to gain control, will preferably be repositioned to a sitting position or if not feasible, placed on their side as soon as restraints are applied.

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- f. Officers who must use their body weight to control an individual in the prone position shall immediately remove their weight as soon as restraints are applied.
- g. The officer shall be responsible to immediately call for an ambulance if an individual does not demonstrate “functional consciousness” (voluntary movement and/or speech).
- h. When an ambulance is used to transport a prisoner, an officer shall ride in the ambulance with the prisoner.
- i. The officer shall be responsible for requesting an ambulance when he or she uses the TASER in any manner on a subject or the subject is sprayed with O.C. spray.

5. DUTY TO INTERVENE

a. Response to resistance:

- i. Augusta Police Officers have an affirmative duty to intervene if they witness a response to resistance that is clearly unreasonable.
- ii. Officers have a duty to intervene to prevent or stop any person from conducting any act that clearly violates the law.
- iii. Further, officers have a duty to prevent or stop any agency employee from conducting any act that clearly violates Augusta Police Department policy.
- iv. Failure to intervene may subject an officer to disciplinary and or legal action.

b. Required action:

- i. Officers should take a proactive approach to deescalate situations.
- ii. Officers must intervene on behalf of a citizen whose constitutional rights are being violated in his or her presence by any other officer(s).
- iii. Officers must intervene when they observe or hear conduct by another law enforcement officer that is unethical or clearly violates the law.
- iv. Any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances must, when in a position to safely do so, intervene to prevent the use of unreasonable force.
- v. Officers must notify a supervisor after observing another officer’s response to resistance that exceeds the degree of force permitted by law and conducting any type of intervention in response to a clear violation of law or agency policy.
- vi. If any person is injured and requires medical attention, officers of this agency shall request medical assistance and provide safe access to the injured person for emergency medical services as soon as safe and practical, and should render aid when safe to do so in accordance with their training.

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- vii. Officers inhibited by the chain of command may report instances of unlawful or excessive force directly to the Chief, or any supervisor with whom they feel more comfortable approaching. If officers do not feel comfortable reporting through the chain of command or the Chief, they can report the matter to the Mayor of Augusta.
 - viii. Retaliation against any agency employee for preventing, intervening, or reporting unlawful or unethical behavior or behavior that violates policy is prohibited. Any member of this agency who engages in retaliation against an individual who has prevented, intervened, or reported such conduct will be subject to discipline up to and including termination.
- c. Supervisor Responsibilities
- i. Instruct officers involved to complete appropriate documentation of the event subject to KRS 15.520
 - ii. Conduct a preliminary investigation into circumstances surrounding the intervention and submit appropriate documentation.

6. RESPONSIBILITY OF IMMEDIATE SUPERVISOR

It shall be the responsibility of the immediate supervisor, of any officer who uses force, within the guidelines of D. 6. b. to respond to the location as soon as practical. In the event the officer's immediate supervisor is not available, the Chief of Police will be contacted to respond to the specified location.

- a. In the event the person taken into custody has suffered injuries, the Chief of Police shall respond to the specified location and ensure that the injured person is transported and afforded the opportunity of medical treatment, and ensure all necessary reports are completed. He/she shall follow up the reports with his/her own observations.
- b. The supervisor will ensure that the officer receives any necessary assistance, including medical treatment and shall document and complete all required paperwork associated with injuries to the officer, e.g., Assaulted Officer Report, OSHA injury and illness report, Worker's Compensation forms, etc. In the event an officer is unable to complete the necessary reports due to injuries, the supervisor will prepare or cause them to be prepared and submitted with his/her own report and/or comments. A complete package, including the incident report, photographs (if instant/digital), and copies of designated reports will be forwarded to the Chief of Police.
- c. The supervisor shall ensure that photographs are taken of injuries to either the officer or the arrestee, including the site of TASER probe impacts. Based on the circumstances, a supervisor may choose to document the lack of injuries with a photograph.

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- d. Supervisors shall insure that prisoners who exhibit signs of drug or alcohol intoxication and require maximum restraints be controlled (hands and legs), or mental patients who are acutely psychotic and must be maximally restrained, be followed to the detention center or hospital by another officer. In extreme situations, two officers may be required to transport. The assisting officer shall constantly monitor the condition of the prisoner.
- e. Supervisors shall insure that an ambulance is called to treat and transport prisoners exhibiting the symptoms of cocaine psychosis or similar drug-induced syndromes, or who are not exhibiting a functional level of consciousness.
- f. Supervisors shall insure that such individuals are transported to a medical facility for evaluation prior to being taken to the detention center.
- g. When an ambulance is used to transport a prisoner, an officer shall ride in the ambulance with the prisoner.

7. RESPONSE TO RESISTANCE REPORTING AND REVIEW PROCEDURES

- a. It shall be the policy of the Augusta Police to ensure that all sworn personnel have access to the Response to Resistance policy through paper copies and/or electronic format and adhere to these policies, and the principles set forth in Department Rules and Regulations and the Kentucky Revised Statutes. The Department shall establish and maintain a reporting and review process for the purpose of providing adequate documentation in the event of a complaint or civil action against the officer or the Department, and to assist the Department in determining training needs. All sworn personnel shall be provided annually with instruction in;
 - 1. The resistance control continuum.
 - 2. The proper application of force with the instruments commonly available to sworn personnel.
 - 3. Policies and procedures which govern the use of force.
- b. A Use of Force report shall be completed by the officer who uses force and his/her immediate supervisor, under the following situations:
 - 1. when a firearm is discharged as an application of direct or indirect force,
 - 2. when a suspect is injured, or claims injury,
 - 3. when an officer strikes with, or uses an impact weapon,
 - 4. when an officer strikes a blow (including hands and feet), or exerts a level of control that is likely to result in injury, (i.e., forcefully taking a suspect to the ground),
 - 5. when an officer feels, for any reason, that a report may be beneficial at a later date,
 - 6. when an officer sprays a person with OC spray,

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7. when an officer uses a conducted energy weapon (TASER) to deliver a contact exposure to a person in any manner,
8. when an officer discharges any less lethal weapon, e.g. bean bag shotgun
9. when an officer's actions result in the death of another person.

8. INTENTIONAL OR ACCIDENTAL DISCHARGES OF WEAPONS

- a. All intentional or accidental discharges of weapons by sworn personnel, other than normal training or practice situations, shall be reported to the Department.
 1. If the discharge of any weapon results in the injury or death of any person, the Chief of Police or his designee shall be notified immediately. No public statement shall be made by any member of the Department unless authorized by the Chief of Police, or his designee.
 2. A Use of Force report shall be completed for all intentional and accidental discharges of a firearm and forwarded to the Chief of Police.
 3. Intentional discharges of firearms or any less lethal weapon (e.g. bean bag shotgun, TASER) toward persons shall be documented on the Use of Force report and forwarded as described in Section III, H, 4 to the Chief of Police.
 4. Accidental discharges of less lethal weapons (e.g. TASER) shall be documented on memorandum and forwarded to the Chief of Police.
- b. When an officer uses any weapon against another person which results in death or injury, or if the officer is the victim of serious injury or death, the officer's immediate supervisor and/or the Chief of Police shall respond to the scene without delay. The field supervisor or Chief of Police shall insure that:
 1. Emergency care is available for the injured and injured parties are transported to the hospital,
 2. Sufficient officers are summoned to protect the scene,
 3. To determine if the investigation is to be conducted by the Kentucky State Police or another agency.
 4. Witnesses are identified and separated, until investigators arrive,
 5. Other appropriate command personnel are contacted, including: Chief of Police or designee and the Coroner if appropriate,
 6. All necessary reports are completed (e.g. Assaulted Officer Report, OSHA injury and illness report, Worker's Compensation forms, Use of Force Report etc.), and a detailed report which covers of the circumstances of the incident.

Chapter 10 A: Response to Resistance

- c. Upon completion of the critical incident report by the officer and his/her supervisor, the supervisor will ensure that all other necessary forms are completed and submitted to the Chief of Police.
 - 1. Photographs shall be forwarded with the critical incident report.
- d. When an officer uses force that results in the death or serious physical injury of another person, the officer shall be reassigned to administrative duties pending an investigation of the incident.

9. VEHICULAR ASSAULTS

In an attempted “assault with a vehicle” situation, an officer’s primary response should be to move out of the path of the vehicle and attempt to move to an area that is not accessible to the vehicle. In an attempted “assault with a vehicle” situation, officers shall not attempt to discharge a weapon at any occupant in a moving or stationary vehicle in an attempt to stop or impede the vehicle, except in extraordinary circumstances. Examples of extraordinary circumstances include, but are not limited to:

- a. An officer is injured and unable to move out of the path of a vehicle;
- b. An officer is trapped or moving out of the path of the vehicle is not a viable option;
- c. An officer is in a restricted location and cannot get out of the path of a vehicle;
- d. The driver repeatedly attempts to run over the officer or another person, and there is no safe area available to get out away from the vehicle; or
- e. An occupant of the vehicle is shooting at an officer.

The decision to use deadly force under the aforementioned circumstances shall be weighed against the risk of harming uninvolved passengers in the vehicle (i.e. children), bystanders, or another officer.

To reduce the likelihood of an officer being dragged by a vehicle, officers are strongly discouraged from reaching into a vehicle in an attempt to turn off the vehicle ignition, remove the keys, or forcibly remove an occupant from a vehicle that is still in motion or capable of moving.

RESISTANCE CONTROL CONTINUUM

Suspect's Actions

LEVELS OF RESISTANCE

Psychological Intimidation

*Non-verbal clues which indicate
A subject's attitude, appearance,
physical readiness.*

Verbal Noncompliance

*Verbal responses indicate unwillingness
attitude.*

Passive Resistance

*Physical actions that do not prevent officer's
attempt to control, dead weight, active
passiveness.*

Defensive Resistance

*Physical actions that prevent officer's
control without attempting to harm
the officer.*

Active Aggression

Physical assault on the officer

Deadly Force Assaults

Deadly force encounters

Officer Control Options

LEVELS OF CONTROL

Officer Presence

Identification of authority

Verbal Direction

Commands of direction or arrest

Soft Empty Hand Control

Wrist and arm locks

Takedowns

Pressure point control

Handcuffing

Hard Empty Hand Control

Empty hand strikes

Elbow strikes

Kicks

Intermediate Weapons

TASER

OC pepper spray

Baton arm bars & takedowns

Impact weapon strikes to non-vital areas

Less-Lethal Weapons

Deadly Force

Impact weapon strikes to vital areas

Firearms

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 10B	Critical Incident Investigation and Review OIS		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to direct a proper response to critical incidents by this agency.

B. Scope

This procedure shall apply to all Augusta Police sworn personnel, effective November 10, 2017, until such time as it is superseded, revoked or rescinded.

C. Policy

It is the policy of this department to provide a thorough investigation and review of all critical incidents involving members of this department.

- I. In all cases, the chief of police or his/her designee shall consider whether it is in the agency's best interest to utilize the services of the Kentucky State Police to conduct the major crimes investigation that accompanies any law enforcement critical incident which involves serious physical injury or death. In cases where it is determined that the agency lacks the resources to conduct a complete and thorough investigation of the event, the Kentucky State Police shall be notified for assistance as soon as possible. This section does not relieve the agency of its responsibility to review the event for a determination as to the whether or not department policy and training issues are indicated by the action.

D. Procedure

- II. The agency shall conduct a critical incident review of all firearm discharges, in-custody deaths or serious injuries, and all uses of force/response to resistive suspects when the injury results in hospitalization. This review shall result in a written critique and specifically address the following issues and make a specific determination whether:
 - A. The force, control and/or restraint was consistent with the agency policy
 - B. There are any issues requiring a re-evaluation of agency policy and/or procedures

Chapter 10B: Critical Incident Investigation and Review OIS

- C. There are any training needs identified
- D. The equipment provided by the agency was adequate, and
- E. Supervisory involvement was reasonable

III. Initial Response:

A. First Officer on Scene:

- a. Neutralize scene- Insure that scene has reached a level of control such that there is no longer a threat of harm to citizens, officers or suspects.
- b. Provide for the immediate medical attention of all persons injured.
- c. Secure the scene (s) of the event (s); to the extent possible use crime scene tape to secure any area that may contain evidence pertinent to the events being investigated.
- d. Assign sufficient personnel to insure that the scene perimeter is not breached.
- e. Remove the involved officer from the center of the scene to a discreet area such as a police vehicle (do not place the officer in the backseat).
- f. Secure and segregate all witnesses to the event. This would include the segregation of officer so that no allegations can be made that officers got together to come with a story of the events.

B. First Responding Supervisor:

- a. Check on the well-being of involved officer (s)
- b. Allow/Assist officer in calling family member(s) Ensure notifications made to officer (s) family.
- c. Immediately assume role of incident commander and utilize the incident command concept until otherwise relieved of incident command.
- d. Ensure that the first responders have completed the above listed duties.
- e. Notify hospital of incoming injured.
- f. Determine resources necessary for circumstances i.e. community unrest etc.
- g. Assign a scribe to document all personnel present and the mission of each person entering the scene.
- h. Assign officer(s) to accompany injured officers; suspects and victims to hospital.
- i. Notifications to Chain of Command- Consider flip-chart for communications- who to notify in each type event.
- j. Notify and brief surrounding agencies.
- k. Brief arriving investigators and ranking officers.
- l. Review all initial reports and supplements.
- m. Secure all weapons (in the event of officer involved shooting).

Chapter 10B: Critical Incident Investigation and Review OIS

- 1) With officer weapons-secure discreetly and provide officer with another weapon immediately (when appropriate).
 - n. Consider notifying Commonwealth or County Attorney for on-scene response
- C. Secure all evidence. This could include but is not limited to:
- a. Secure all recorded information surrounding event:
 - 1) Video/Audio Recording
 - 2) Mobile Data Terminal (MDT) communication
 - 3) Dispatch tapes
 - 4) Computer Aided Dispatch (CAD) Log
 - 5) 911 phone calls
 - b. Other Evidence:
 - 1) Photographs
 - 2) Diagrams
 - 3) Bullet Trajectory including those that missed
 - 4) Witness officers'/deputy's equipment
 - 5) Consider light meter (illuminometer) to measure lighting conditions
- D. Provide all available information to investigators of the incident.
- E. The involved officer shall be allowed to obtain sleep before making any statements and compiling any reports. The involved officer statements and reports should be scheduled after 72 hours of incident. The interview location and time should be coordinated with the officer and their attorney.
- F. Officer (s) should be allowed to review any video/audio recording of the incident before making statements.

IV. Post Incident Procedures

- A. Administrative Leave -- Involved personnel shall be removed from line duties pending evaluation but shall remain available for any necessary administrative investigation.
- B. Counseling Assistance -- All departmental personnel directly involved in or affected by the critical incident shall be required to take part in the City sponsored Employee Assistance Program, or other program as deemed appropriate by the Chief of Police, as soon as practical after the incident. Involved support personnel should also be encouraged to take part in similar programs.

Chapter 10B: Critical Incident Investigation and Review OIS

It is recommended that you contact KCCRB (The Kentucky Community Crisis Response Board) 888-522-7228 – Available 24 hours. This recommendation is based upon the following free services:

- On Scene Support
- Liaison with incident command and family/victims/community
- Risk assessment
- Peer support
- Psychological First Aid
- Multi-component crisis intervention
- Consultation

C. Family Counseling -- The Department strongly encourages the families and significant others of the involved officer (s) to take advantage of available counseling services.

D. Investigation Timeliness -- Any Department investigation of the incident shall be conducted as soon and as quickly as practical.

VII. Departmental Debriefing

The Chief of Police may sponsor a Department-wide debriefing concerning the incident so that rumors are kept to a minimum. The Briefing should be limited to known facts, and no statements that make a conclusion of fact should be made (i.e., this was a good / bad shooting).

Department employees are encouraged to show the involved officer (s) their concern. Employees should not discuss the incident with the involved officer (s).

VIII. Daily Stress Recognition

Stress disorders may not arise immediately, or the officer (s) may attempt to hide the problem, each supervisor is responsible for monitoring the behavior of unit members for changes in behavior that may be disrupting the officer (s) job performance.

A supervisor shall report any noted changes in the officer (s) job performance through the chain of command, at which time any further action will be at the discretion of the Chief of Police.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 11	Prisoner Security and Transportation		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-16-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this policy is to establish guidelines for prisoner transportation ensuring that Department personnel provide adequately for the safety and security of the prisoner, the transporting officers, and the public.

B. POLICY

It shall be the policy of the Augusta Police to exercise due care in the transportation of arrested persons and take measures that will ensure the safety of all persons.

C. DEFINITIONS

Cage Unit: A police vehicle equipped with a safety barrier.

Functional Level of Consciousness: Voluntary movement and/or speech.

Patient Restraints: Restraints designed to secure the subject and minimize the potential for injury, either leather or soft restraints, or a restraint stretcher.

Restraining Devices: Handcuffs, leg shackles, leg hobbles, flex-cuffs, waistbands, and patient restraints.

Safety Barrier: A device which effectively separates the officer from physical contact with a prisoner, such as the “screen” or “cage.”

Transport: Includes the entire time that the prisoner is in the transporting officer’s custody for the purpose of movement to a detention facility or other location as required.

Transporting Officer: The officer(s) responsible for delivering the prisoner to a detention facility or other location as required.

D. PROCEDURE

Department personnel shall follow the procedures set forth in this policy when making arrests and transporting prisoners. The transporting officer is legally responsible for the safety and custody of the prisoner being transported.

1. Restraining Devices

- a. Handcuffs are the restraining device of first choice, unless circumstances exist which

Chapter 11: Prison Security and Transportation

makes the use, or additional use, of other restraining devices appropriate.

b. The use of restraining devices is mandatory on all prisoners, unless circumstances exist which make their use inappropriate. Such circumstances would consist of a specific reason as to why the restraints should not be used, combined with the officer's judgment that the prisoner can be adequately controlled without injury to the officer or others (without the restraints).

c. Examples of these circumstances may include, but are not limited to, the following:

1. When the prisoner is injured and the use of restraints would compound or aggravate the injury.
2. When the use of restraints would interfere with medical treatment and it is believed that the prisoner could not reasonably pose a physical threat to the officer or others.
3. When the prisoner is injured, incapacitated or handicapped to such a degree that the prisoner could not reasonably pose a physical threat to the officer or others.
4. When the prisoner is of an age that he/she could not reasonably pose a physical threat to the officer or others.
5. The prisoner's need to use bathroom facilities.

d. It is the officer's responsibility to ensure that adequate help is present to maintain the security and safety of the prisoner when restraints are not in use. Officers should use caution when deciding the degree of the prisoner's incapacity to cause harm or escape, and should be aware that a prisoner may not be as incapacitated as it would seem. Detention facility personnel may require the application of restraining devices prior to admittance to the detention facility. Department personnel will comply with detention facility guidelines.

e. The following guidelines shall apply:

1. Prisoners shall be handcuffed behind the back with palms out in accordance with prescribed training methods.
2. Handcuffs shall be double locked and checked for tension.
3. Except in extreme or extraordinary circumstances, no prisoner shall be handcuffed to any part of a vehicle or stationary object.
4. Department approved leg hobbles or shackles may be used to restrain a resisting individual's legs to prevent kicking.
5. Officers shall not connect the hand restraints with the leg restraints on any individual ("hog-tied position").
6. Once an individual is controlled and handcuffed, the officer is responsible for monitoring that person's color, breathing, and level of consciousness.

Chapter 11: Prison Security and Transportation

7. Resisting individuals who must be placed into a prone position to gain control should be repositioned preferably to the sitting position or if not feasible placed on their side as soon as restraints are applied.

8. Officers who must use their body weight to control an individual who is in the prone position shall immediately remove their weight as soon as restraints are applied.

9. Maximally restrained prisoners shall be continually monitored for color, breathing, and level of consciousness.

10. Officers shall call an ambulance to treat prisoners exhibiting the symptoms of cocaine psychosis or similar drug-induced syndromes, or who are not exhibiting a functional level of consciousness. Such individuals shall be transported to a medical facility for evaluation prior to being taken to the detention facility.

f. When arresting or transporting mentally ill persons, the transporting officer shall apply restraining devices that will secure the prisoner so as to minimize the chance of injury. When it is apparent that the use of handcuffs may cause injury, patient restraints should be used as soon as practical, but should not preclude the use of handcuffs when necessary. The use of patient restraints should be noted on the arrest citation or CIT Form.

g. When a prisoner is uncooperative, is attempting to escape, injures him/herself or the officer, or damages the transport vehicle, and the use of regular handcuffs is not sufficient the officer may use other approved restraint methods in a reasonable manner.

2. Transport Operations

a. The arresting officer and the transporting officer (if different) shall thoroughly search prisoners prior to transportation in department vehicles. Prisoners shall be searched each time they come into the control of another officer.

b. The cruiser used for transport must be searched prior to, and after, a prisoner is transported.

c. Prisoners shall be restrained with seatbelts, when available, during transport in vehicles.

d. Maximum number of prisoners to be transported per vehicle:

1. Transport vehicle equipped with a safety barrier: Two (2)

2. Passenger car not equipped with a safety barrier: One (1)

e. In a vehicle equipped with a safety barrier, prisoners shall be seated behind the barrier.

f. Transporting prisoners in a vehicle not equipped with a safety barrier is prohibited under normal circumstances. Exceptions include, but are not limited to, the following circumstances:

Chapter 11: Prison Security and Transportation

1. When, in the officer's opinion, the need to remove a prisoner from an area rapidly is necessary due to exigent circumstances.
 2. When investigators need to transport a prisoner for the purposes of completing an investigation.
- g. When transporting a prisoner in a vehicle not equipped with a safety barrier, the prisoner shall be handcuffed behind the back and seat belted in the right rear passenger position. When circumstances exist which preclude the use of handcuffs, prisoners shall not be transported in vehicles without safety barriers.
- h. Two or more officers/investigators are required when transporting a prisoner in a vehicle not equipped with safety barrier. The additional officer/investigator shall sit in the left rear seat behind the driver where the prisoner can be observed. Other officers may sit in the front. At no time will an officer sit in the middle seat directly beside the prisoner. No more than one prisoner shall be transported in this manner.
- i. The transporting officer shall maintain close proximity to the prisoner at all times and shall control the prisoner's movement to allow no opportunity to escape.
- j. The transporting officer shall maintain total control or sight of the prisoner while in the officer's custody. An officer of the same gender/gender identification as the prisoner should be present in the restroom if the prisoner is allowed to use toilet facilities.
- k. Advise the dispatcher at time of departure and arrival.
- l. Advise the dispatcher of beginning and ending mileage.
- m. In the event that a prisoner is in custody, or is being transported for an extended period, the prisoner shall be fed and given the opportunity to utilize toilet facilities. Locations for such stops should be selected randomly by the officer; requests by the prisoner to stop at specific locations should be considered as suspicious behavior and never be granted.
- n. While transporting a prisoner, the transporting officer should limit his/her attention to only that prisoner and engage in other law enforcement activities only in those situations where a clear and grave threat exists for a third party or fellow officer. In any such situation, the transporting officer continues to be responsible for the safety of the prisoner as he/she would any other civilian passenger.
- o. In the event of escape of a prisoner or person in custody, the officer shall:
1. Immediately advise Dispatch of the escape, the location, full identifiers and description of the escapee, and the charges pending against the escapee.
 2. Request assistance as needed.
 3. Attempt to apprehend the escapee.
 4. Obtain appropriate warrants for the escapee as needed.

Chapter 11: Prison Security and Transportation

5. Complete all required reporting documents and place appropriate charges or obtain warrants as necessary.

p. Prisoners shall not be allowed communications with attorneys, family, or others while being transported.

q. Juvenile and adult prisoners, or male and female prisoners, or transsexual, transgender, gender nonconforming individuals should not be transported together.

r. Prior to the booking process at the detention facility transporting officers shall:

1. Secure their firearms and ensure that other weapons are also secured.

2. Prepare arrest citations and other necessary documentation and deliver them to the booking officer/jailer/deputy jailer.

s. When a prisoner is taken to a medical facility for treatment the transporting officer shall maintain control of the prisoner at all times and should attempt to keep the prisoner in sight as much as practical. The officer shall be responsible for the security of the prisoner, his/her movements, and his/her actions.

t. Officers may request assistance from an officer of the same gender/gender identification as the prisoner to conduct a search; however, if an officer of the same sex as the prisoner is unavailable, personal safety should prevail in the search of any arrestee; regardless of gender. Searches must be in compliance with Chapter 5M, *Stop, Search, and Arrest of Persons*.

u. Prisoners shall not be transported in a prone position.

v. Supervisors shall ensure that prisoners who exhibit signs of drug or alcohol intoxication and require maximum restraints to be controlled (hand and legs), or mental patients who are acutely psychotic and must be maximally restrained, are to be transported by two officers. The assisting officer shall constantly monitor the condition of the prisoner.

w. An ambulance shall transport prisoners exhibiting the symptoms of cocaine psychosis or similar drug-induced syndromes, or who are not exhibiting a functional level of consciousness. Such individuals shall be transported to a medical facility for evaluation prior to being taken to the detention facility.

x. When an ambulance is used to transport a subject that has been arrested, an officer shall ride in the ambulance with the prisoner.

3. Special Transport Situations

a. When transporting a prisoner of the opposite gender/gender identification an officer shall:

1. Request the assistance of an officer of the same gender/gender identification as the prisoner to assist in the search and/or transportation, if necessary.

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2. Transport transgender prisoners separately.
 3. Book the individual under the name appearing on his or her government-issued identification, with an adopted (AKA) name noted as an alias. Officers should also include an adopted name as an alias on arrest documentation if the information is available.
 4. Ensure that detention facility personnel are aware of the prisoner's gender identity to facilitate potential safety and security decisions.
- b. When transporting either physically or mentally handicapped prisoners, the transport officer should attempt to determine if there are special considerations which may be necessary for the particular prisoner.
- a. If the prisoner is non-ambulatory the officer should ensure that:
 1. Adequate help is present to assist the prisoner in and out of the transport vehicle.
 2. The prisoner can be safely transported in the particular vehicle.
 3. Arrangements are made to transport any devices that the prisoner requires, such as wheelchairs, prosthetic, and crutches. (Note: Officers should be aware that such devices may be used as a weapon or may be used to conceal contraband or weapons. Officer should include such devices in their search prior to taking custody of the prisoner and may decide to maintain custody of the device while transporting the prisoner.)
 - b. If the prisoner requires medication, the officer shall keep custody of the medication and allow the prisoner the prescribed dose as requested.
- c. When an arrested person is injured during an arrest situation, or complains of injury or illness, the transport officer shall take the prisoner to a medical facility for treatment or call an ambulance, depending on the severity of the injury.
1. If the officer believes that the injury is of such a minor nature as to not require treatment at a medical facility, the prisoner may be brought to the detention facility. However, if the detention facility refuses to accept the prisoner for medical reasons the officer shall transport the prisoner to a medical facility where treatment will be made available.
 2. If the prisoner has preexisting injuries or medical conditions, the medical staff at the detention facility will be advised and will determine if the prisoner will be accepted at the detention facility.
- d. Officers will provide prisoner transport for other public law enforcement agencies when the requesting agency has an emergency or extenuating circumstances that requires outside assistance. In these situations the following guidelines will apply:

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1. The officer receiving the request will make no judgment as to the validity of the emergency or extenuating circumstance.
2. Prior to completing the transport, the officer shall contact a supervisor and inform him/her of the circumstances surrounding the transport request.
3. The transporting officer shall make the determination as to whether the other agency's arresting officer should accompany the prisoner to the detention facility for the booking process. The arresting officer's presence would be necessary in cases of juvenile arrests, emergency detentions, and booking of injured prisoners; otherwise the arresting officer's presence would not normally be required.
4. The guarding of a prisoner during any necessary medical treatment prior to booking shall be the responsibility of the requesting agency, unless otherwise directed by a supervisor.
5. The supervisor shall monitor requests for the transportation of prisoners for other agencies, and may refuse such assistance if the agency does not comply with these guidelines. The supervisor shall notify the Bureau of Patrol Commander of excessive requests for such assistance from a particular agency.

4. Transport Equipment

- a. Patrol vehicles used for transporting prisoners shall have the driver compartment separated from the prisoner by a safety barrier.
- b. Patrol vehicles equipped with barrier screens shall be modified in such a manner as to reduce the potential for escape of the prisoner. These vehicles should have the door handles and window cranks removed or disconnected from the prisoner compartment, with door locks controlled from the driver's compartment.

5. Documentation

- a. In instances in which a prisoner is picked up from a detention facility for the purposes of an investigation, the officer/investigator must verify the booking records and identity numbers assigned to the prisoner confirming that the person to be transported is the person described in the records.
- b. When personnel are aware of special considerations regarding prisoners, that information shall be passed along to court and detention personnel by checking the attention block on the front of the citation, and making the appropriate notation in the "post-arrest complaint" section. Officers should also verbally inform the booking officer of the information. This information may include a special escape risk, suicide risk, and hostility towards other inmate(s); unusual illness or physical or mental inadequacies.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 12	Juveniles		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-16-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish policy and guidelines concerning the handling of juveniles. Responsibility for maintaining a positive relationship with juveniles and supporting the Department's juvenile operations function will be shared by every officer and supervisor of the Department. It shall be the responsibility of the Department Commanders and Supervisors to ensure that the juvenile operations functions are carried out by Department personnel.

B. Scope

This procedure shall apply to Augusta Police personnel, effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

1. *Cabinet* - KRS 600.020 Cabinet for Health and Family Services.
2. *Child, Juvenile* - KRS 600.020 Any person who has not reached his/her eighteenth birthday, unless otherwise provided by law.
3. *CDW* - KRS 600.020 Court Designated Worker, that organization or individual delegated by the Administrative Office of the Court for the purpose of placing children in alternative placements prior to arraignment; conducting preliminary investigations; and formulating, entering into and supervising diversion agreements performing such other functions as authorized by law or court order.
4. *Parent* - KRS 600.020 means the biological or adoptive mother or father of a child.
5. *Person Exercising Custody or Control (PECC)* - KRS 600.020 means the person or agency that has assumed the role and responsibility of a parent or a guardian for the child, but that does not necessarily have legal custody of the child.
6. *Public Offense Action* - KRS 600.020 - means an action, excluding contempt, brought in the interest of a child who is accused of committing an offense under KRS 527 or a public offense, which, if committed by an adult, would be a crime, whether the same is a felony, misdemeanor, or violation other than an action alleging that a child sixteen (16) of age or older has committed a motor vehicle offense.
7. *Retain in Custody* - KRS 600.020 means after a child has been taken into custody, the continued holding of the child by a peace officer for a period of time not to exceed twelve (12) hours when authorized by the court or CDW for the purpose of making preliminary

inquiries. The Court or a Court Designated Worker (CDW), court, or trial commissioner must authorize an extension after the first two (2) hours of that time. (See KRS 610.220).

8. *Status Offense Action* -

- a. KRS 600.020 - means any action, brought in the interest of a child who is accused of committing an offense under KRS 527 or a public offense, which if committed by an adult, would not be a crime. Such behavior shall not be considered criminal or delinquent, and such children shall be termed status offenders. Status offenses shall include: Beyond control of school or parent, habitual runaway, habitual truant, tobacco and alcohol offenses.
- b. Status offenses shall not include violations of state or local ordinances, which may apply to children such as violation of curfew.

9. *Take into Custody* - KRS 600.020 the procedure by which a police officer or other authorized person initially assumes custody of a child. A child may be taken into custody for a period of time not to exceed two (2) hours. The taking of a child into custody shall not be termed an arrest until the court has made the decision to try the child in the district or circuit court as an adult (see KRS 610.190).

D. Procedure

Contacts with juveniles are subject to the following procedures:

1. Taking the Juvenile into Custody

a. ARREST - KRS 610.190

1. The law relating to the persons by whom and the circumstances under which a person may be arrested for a public offense SHALL be applicable to children.

b. STATUS OFFENSES

1. KRS 630.030 - Under the provisions of a status offense, a child may be taken into custody by a peace officer:

- a. Pursuant to the order of the court for a failure to appear before the court for a previous status offense, or
- b. If there are reasonable grounds to believe that the child has been a habitual runaway from his parents or PECC.

2. KRS 630.040 - Any person taking a child into custody on a status offense shall:

- a. Address any immediate medical needs of the child,
- b. Contact the CDW for determination of proper placement for the child,
- c. If the child is not released, the officer shall make a reasonable effort to give oral notice to the parents or PECC
- d. Give written statement to the CDW detailing the reasons the child was taken into custody
- e. The peace officer shall, within three (3) hours of taking the child into custody, file a complaint with the court stating the reasons why the child was taken into custody and detailing why the child was not released.

c. PROTECTIVE CUSTODY

1. KRS 610.190 - A peace officer may take a child into protective custody if the officer suspects the child to be a runaway. The child is not considered to have been arrested and may be held at the police station, a secure juvenile detention facility, a youth alternative center, a non-secure facility, or as necessary, a hospital or clinic.
2. KRS 620.040 - Any appropriate law enforcement officer may take a child into protective custody and may hold that child in protective custody WITHOUT THE CONSENT OF THE PARENT or PECC if there exists reasonable grounds for the officer to believe that the child:
 - a. Is in danger of imminent death or serious physical injury,
 - b. Is being sexually abused or is a victim of human trafficking,
 - c. That the parents or PECC is / are unwilling or unable to protect the child.
 - d. The officer SHALL, within 12 hours of taking the child into protective custody, request the court to issue an emergency custody order.
3. In such matters, the officer shall also:
 - a. Notify the shift command/supervisory officer or OIC, (if command/ supervisory officer is off duty).
 - b. The officer shall coordinate with the CHFS to find temporary placement of the juvenile.
 - c. If the child is injured the officer shall immediately arrange for the juvenile's medical treatment.
 - d. Report will be forwarded to Kentucky State Police for follow up investigation.

d. DUTIES OF THE PEACE OFFICER - KRS 610.200

1. Upon taking or receiving a juvenile into custody, he/she will be immediately advised of his/her constitutional rights, notify the parents, or if the child is committed, notify the Cabinet or DJJ as appropriate. If the parent is not available, then notify the PECC. The officer SHALL inform the contacted party that the child has been taken into custody, give an account of the specific charges, including the specific statutes violated, and the reason for taking the child into custody.
2. If the child is taken into protective custody on suspicion of being a runaway, the officer shall immediately contact the juvenile's parent or PECC, the Cabinet or DJJ, and CDW.
 - a. If the juvenile's parent or PECC has been contacted, the officer may retain custody of the child for a reasonable period of time to allow the notified person to arrive and collect the child.
 - b. If the juvenile's parent or PECC has not been identified, the officer may retain the child for a period of 2 hours to continue his or her investigation.
 - c. If the investigation identifies the parent or PECC, the officer shall notify and return the child and file a status offense case with the CDW.
 - d. If the investigation fails to identify the parent or PECC, or the notified party fails

to collect the child, the officer shall file a complaint pursuant to KRS 610.012.

a. PERMITTED PURPOSES FOR HOLDING A CHILD

1. KRS 610.220

- a. Except as prohibited by statute, if an officer takes or receives a child into custody on an allegation of committing a public offense or being a suspected runaway may be held at the police station, a secure juvenile detention facility, a youth alternative center, a non-secure facility, or as necessary, a hospital or clinic for the following purposes: identification and booking; attempting to notify the parents, PECC, Cabinet, or DJJ; photographing; fingerprinting; physical examinations; evidence collection; records checks; determination if the child is to be tried as an adult; other inquiries of a preliminary nature.
- b. The child may only be held for a period of two (2) hours unless an extension of time is granted.
- c. The child shall be separated through both sight and sound from adult prisoners, and shall not be handcuffed to or securely attached to any stationary object.

2. INTERROGATION / INTERVIEWS

- a. The officer shall explain the police department and juvenile justice system procedures to the child prior to interviewing or interrogating him/her. The number of persons conducting interrogations/interviews of a juvenile shall be limited to two (2) officers at any given time. Others (doctors, parents, social workers, translators, SANE nurse, or teachers) should also be restricted, if possible. Police and Juvenile Court procedures shall be explained to the juvenile and, when practical, to the parents or guardian.

1. Release of Juveniles - KRS 610.200

- a. Unless the child is subject to trial as an adult, or unless the nature of the offense or other circumstances are such as to indicate the necessity of retaining the child in custody, THE OFFICER SHALL release the child to the custody of his or her parents, or if the child is committed, to the Cabinet or DJJ as appropriate, or if the parents are unavailable, to a PECC or other responsible person or agency approved by the court.
- b. The officer shall receive a WRITTEN PROMISE by the child's recipient which states either the time to bring the child to court, or at such time as the court may order. This written promise shall be signed by the child's recipient and shall be submitted to the court or CDW along with a written report (citation) detailing the reasons for taking the child into custody, the release of the child, the recipient of the child, and the reasons for release. The officer shall indicate on the report "Copy to CDW."
- c. The officer shall arrange a place to meet, e.g., police headquarters, to return the child.
- d. Upon releasing the juvenile to the parent, relative, guardian or other responsible person, the officer shall provide that person with a copy of the citation and/or an account of the specific charges against the child.

- e. At no time should a juvenile be released to a person under the age of 18 or to a person that is intoxicated.
- f. KRS 610.200
 - 1. Unless the child is subject to trial as an adult, if the child is NOT RELEASED (i.e. when the officer desires to place the child in a juvenile detention facility) the peace officer SHALL contact the CDW who may:
 - a. Release the child to his parents
 - b. Release the child to such other persons or organizations as are authorized by law,
 - c. Release the child to either of the above subject to stated conditions,
 - d. Authorize the peace officer to retain custody of the child for an additional period of time not to exceed 12 hours provided that the child is NOT 10 years of age or younger (except a 10 year old or younger may be placed in a secure juvenile detention facility if he or she has committed a capital, Class A or Class B felony and there are no less restrictive means).

3. Issuing Citations or Summons to Juveniles

- a. Juveniles should be cited or summoned to court whenever practical, in lieu of referral to a juvenile detention facility. Citations should be issued to juveniles in the following circumstances:
 - 1. When the officer wishes to charge a 16 or 17-year-old juvenile with a traffic offense, the juvenile should be handled in the same manner as adult traffic offenders, except in the case of DUI or other traffic offenses in which the offender would be incarcerated. In such matters, juveniles shall be taken to a juvenile detention facility versus an adult detention facility.
 - 2. When a juvenile is cited for both traffic and criminal offenses, two citations will be issued.
 - 3. When the juvenile is being referred to juvenile detention. In such matters, the citation should be completed in full, including the POST-ARREST COMPLAINT portion, with the exception of leaving the COURT DATE line blank.
 - a. Fill in check box at the top to the citation for "JUVENILE OFFENDER".
 - b. The citation TYPE is "5".
 - c. If the officer wants a formal hearing, he/she should attach a note to the citation indicating same for the CDW.
 - d. The CDW will assign a court date for the case.
 - 4. A summons may be issued for a juvenile in lieu of a citation or referral to a juvenile detention facility. The officer may obtain a summons by filing appropriate charges against the juvenile in the Bracken County CDW's Office. The CDW's office will issue the summons and assign a court date.

4. Juvenile Records

- a. The Chief of Police or his designee is responsible for the maintenance and good order of all juvenile records.
- b. Records, including photographs and fingerprints, of juveniles shall be made available only to the following authorities:

1. Court.
 2. Probation officers.
 3. Representatives of CFC.
 4. The child, his/her family, guardian or legal representative.
 5. Other law enforcement personnel in the process of investigating and/or prosecuting crimes.
 - c. Completed juvenile fingerprint cards, photographs and other identifying records shall be processed in the same manner as adult records with the following exceptions:
 1. The juvenile arrest information shall be placed in a manila folder. The case number will be the next number issued in the "A.P.D. Case/Accident Log". The case number shall be placed on the outside of the folder with the title of the investigation.
 2. The juvenile record shall be maintained in a secured file, separate from adult records.
 3. Juvenile records obtained for the purpose of identifying a child's participation in a crime, e.g., fingerprints and photographs, shall be surrendered to the court once the child is eliminated as a suspect in that matter.
 - d. Court orders for destruction and expungement of juvenile records shall be forwarded to the Chief of Police or his designee who shall be responsible for meeting the requirements of the order.
 - e. The Chief of Police or his designee shall be responsible for the confidentiality of juvenile records and shall permit access by only those persons stated in D.4.b. of this policy.
5. The following agencies provide support and assistance in juvenile matters:
- a. Court Designated Workers
Mason County Judicial Center
100 W. Third Street Room 103
Maysville, KY 41056
(606)735-2522
 - b. Cabinet for Health and Family Services (Community Based Services)
601 Washington Avenue, Suite 360
Newport, KY 41071
(859) 292-6733
 - c. Homeward Bound
13 East 20th Street
Covington, KY
(859) 581-1111
Care center for children between the ages of 13 and 17.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13A	Radio Frequencies, Naming of		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-17-2017	Chief of Police	
Distribution:	All Personnel	References:	

A. Purpose

The purpose of this policy is to establish a control procedure for Department owned property and equipment.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 16, 2017, until such time as it is suspended, revoked or rescinded.

C. Policy

The purchase and maintenance of property and equipment is the responsibility of the Chief of Police. All fixed assets (equipment and supplies) owned by the Augusta Police Department that are valued at \$1,000 or greater or any item signed out from inventory for police use, to include: all weapons, badges, and radios shall be subject to inventory control procedures.

Items not included in this inventory process unless the value exceeds \$5000 are:

1. Office furniture items
2. Computers
3. Printers

D. Procedure

1. The Chief of Police is responsible for fixed assets assigned to the department and shall maintain an inventory list of items within the department. The Chief of Police shall maintain a listing of all equipment issued individually to personnel assigned within the department; all issued equipment shall be signed for and include the date of issue.
2. Requests for purchases, alterations, or repairs must be submitted in writing to the Chief or Assistant Chief of Police. A record of all such expenditures shall be maintained.
3. Personnel are responsible for equipment issued to them and shall not alter, trade, or give said equipment to anyone without authorization of the Chief or Assistant Chief of Police. When continuation of service requires, equipment can be shared between personnel with O.I.C. approval.

Chapter 13: Property & Equipment

4. When equipment is in need of repair, submitted for storage, or issued to another employee, the following procedure shall apply.
 - a. The employee to whom the equipment is issued must submit said equipment and its status to the Command Officer and/or Supervisor.
 - b. The Command Officer and/or Supervisor shall be responsible for the placement or repair of the equipment and updating pertinent files.
5. The Assistant Chief of Police shall maintain an inventory of all weapons and items valued in excess of \$1000. All such items shall be secured in a manner so as to prevent loss or theft.
6. The Chief of Police or his designee is responsible for the issuance as well as the proper recording and controls of Department badges and identification cards. Identification cards shall include the employee or individual's photograph.
 - a. Police officers shall be responsible for the safekeeping and maintenance of Departmental issued badges and identification cards.
7. It shall be the responsibility of any Officer who loses or has stolen their badge or credentials to:
 - a. Complete an Incident Report and include the current badge replacement cost.
 - b. Forward, via the chain of command, a request for a replacement badge; including the Incident Report number. The Chief of Police will make a determination as to if the Officer will be required to reimburse the cost of the new badge based on the totality of the circumstances. An Officer will not be required to reimburse the cost if the need for replacement was determined to be through no fault of the Officer.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13B	Firearms Proficiency, Maintenance and Qualification of		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

1. To establish a policy for the initial instruction and qualification, subsequent qualification, and the maintenance of duty weapon proficiency by the officers of the Augusta Police Department.
2. To establish a policy for qualification of honorably retired Augusta Police Department Officers.

B. Scope

This procedure shall apply to all Augusta Police personnel effective October 16, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure - Initial Instruction / Qualification

1. Prior to a duty weapon being authorized for use to a new sworn employee, a new weapon make or model to an existing sworn employee, the following conditions must be met:
 - a. Classroom instruction by a firearm instructor.
 - (1) Weapon and holster familiarization
 - (2) Instruction and testing on use of deadly physical force, covering appropriate sections of the Kentucky Revised Statutes and the Augusta Police Policy Manual.
 - b. Practical range exercises supervised by a firearms instructor
 - (1) Instruction and practice in weapon safety, function, features, malfunction clearing, practical marksmanship, and weapon retention.
 - (2) Successful demonstration of weapon proficiency on a firearm qualification course.

Chapter 13B: Firearms Proficiency, Maintenance and Certification of

2. Failure to successfully complete either section 1.a. or 1.b. above shall result in the weapon not to be authorized as the duty weapon.

- a. In the case of a new employee

- (1) He/she shall receive additional training from firearms instructor(s) in the use of this weapon, during the next thirty (30) days.
- (2) If unable to successfully qualify with this weapon after this additional training, their continued status as a sworn employee of this department shall be reviewed by the Chief of Police.

- b. In the case of an existing sworn employee

- (1) He/she shall be tested on proficiency with his/her current issued duty weapon.
 - (a) If successfully qualified, this shall remain his/her duty weapon for a period of thirty (30) days, during which time the officer will receive additional instruction from firearms instructor(s) on the new weapon. The officer shall then be tested again on the proficiency with this new weapon. If successful, the qualification shall continue until the next qualification.
 - (b) If unable to successfully qualify with his/her current duty weapon, the status of being authorized to carry an issued departmental weapon shall be referred to the Chief of Police.
- (2) If unable to successfully be qualified in the use of the new weapon, after this thirty (30) day additional training, the officer's status of being authorized to carry any issued departmental weapon shall be referred to the Chief of Police

D. Procedure - Re-qualification

1. Pistol qualification to be conducted at least one time each calendar year between January 01 and December 30, by successful demonstration of practical weapon proficiency on a firearms qualification course.
 - a. Officers not able to attend a qualification shoot must obtain an excused absence from the Chief of Police and make up the shoot within six weeks.
2. If unable to successfully complete either section D.1. or D.2., his/her status as a sworn employee authorized to carry a departmental issued duty weapon, shall be

Chapter 13B: Firearms Proficiency, Maintenance and Certification of

referred to the Chief of Police.

E. Procedure - Maintenance of Weapon Proficiency

1. Qualification Course will be developed by the Range Officer and approved by the Chief of Police.
2. Range Qualification and Training Record will be completed by the Range Officer on all officers.
 - a. File to be kept by the Chief of Police.

F. Procedure - Qualification of honorably retired Augusta Police Department Officers

1. All honorably retired Augusta Police Department Officers wishing to carry a concealed firearm pursuant to title 18 U.S.C. 926C will pass a yearly qualification.
2. A firearm instructor will develop a qualification course pursuant to standards set forth in KRS 237.140, which will consist of the retired officer hitting a standard silhouette target a minimum of eleven (11) times out of twenty (20) with a handgun from a distance of twenty one feet (21').
 - a. Retired Officer Qualification Course shall be:

Distance: 21 feet	Scoring: 1 point for striking the silhouette
Rounds: 20 handgun	Possible score: 20 points
Target: B21-PC	Minimum score: 11 points

STAGE 1: 21'

On command, subject will draw handgun and fire twenty (20) rounds at the target with no time limit.

3. Augusta Police Department will offer firearms qualification for its retirees not less than two (2) times per year, and those dates shall be approximately six months apart.
4. Retiree will furnish the handgun and ammunition for the qualification. Range officer will inspect both handgun and ammunition for safety, and range officer must approve handgun and ammunition before allowing qualifying.
5. The Chief of Police will keep a record of the qualifications.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13C	Weapons Policy		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. PURPOSE

The purpose of this order is to establish the standards and requirements of weapons to be carried by officers of the Augusta Police while on or off duty.

B. POLICY

It shall be the policy of the Augusta Police to ensure that all sworn personnel are trained and qualified in the use of agency approved weapons and ammunition.

C. PROCEDURE

1. On Duty

- a. While on duty, all officers shall be armed with an agency approved weapon, agency approved ammunition and extra ammunition on their person.
- b. Exceptions shall include those situations when an officer enters restricted areas for which the carrying of a weapon is not legal/authorized. Personal safety should be the primary consideration prior to securing or surrendering the duty weapon at any location.
- c. Exceptions may also be approved by a commander or supervisor when an officer is actively working an undercover operation for which being armed would jeopardize the investigation or officer.
- d. A weapon in a briefcase or left at a duty station is not in compliance with this policy.
- e. No officer shall carry any weapon unless he or she has successfully completed approved training and has demonstrated proficiency with these weapons by meeting qualification and certification standards. The make, model, and serial number of each weapon an officer is trained, qualified, and authorized to carry shall be maintained by the Chief of Police and updated annually.
- f. The Chief of Police shall establish a Supplementary General Order associated with this policy that established the requirements as it pertains to authorized firearms and ammunition, as well as firearms proficiency requirements.
- g. No officer shall carry an agency approved weapon unless he or she has received, acknowledged, and has been trained on the current response to resistance policy.

2. Off Duty

- a. While off duty, officers are not required to be armed unless in an agency owned vehicle.
- b. Officers who choose to be armed off duty shall be armed with an agency approved weapon, ammunition and holstering system while operating agency owned vehicle and/or when the possibility exists that the officer may have to act in an official capacity.
- c. Officers must demonstrate proficiency with agency approved and/or personally owned and approved off duty weapons by meeting qualification and certification in order to carry the weapon off duty in an official capacity. The make, model, and serial number of each weapon an officer is trained, qualified, and authorized to carry off duty shall be maintained by the agency's lead firearm instructor and updated annually.
- d. Officers who choose to be armed off duty shall keep the weapon completely concealed at all times when in public, except while inside police facilities.
- e. Off-duty officers who consume or plan to consume alcohol shall not be armed.
- f. Sworn personnel of the Augusta Police are authorized to carry concealed deadly weapons by virtue of their employment, the Federal Police Officer Safety Act, KRS 527.020 (3) and 18 USC 926B which states that:

“A police officer employed by the Augusta Police, shall be and is hereby authorized to carry concealed deadly weapons about his/her person at all times while within the USA, including the Commonwealth of KY, under the authority of the Law Enforcement Officer Safety Act of 2004 (LEOSA) 18 USCA 926B, KRS 527.020 (3)”.

3. Special Firearms and Considerations

- a. No officer shall carry or use any special firearm or side arm unless that person has demonstrated proficiency with the weapon, and met all qualification and certification standards.
- b. If an officer is approved to carry any agency approved pistols, shotguns, rifles or other authorized special weapons, then the officer may carry them in any police vehicle, either on or off duty.
- c. Deployment of rifles shall be approved for critical incidents that require their use. An on-scene supervisor or incident commander may determine the necessity for continued deployment. Examples of appropriate deployment situations include, but are not limited to:
 - 1. Active shooting incidents as described in 16C “Response to Active Shooting Incidents”.
 - 2. Barricaded subjects known to be armed with a high power weapon (e.g., shotgun, rifle, or machine gun).

Chapter 13C: Weapons Policy

3. Any situation where the officer encounters a high power weapon.
 - d. Weapons carried or maintained in the passenger compartment of a police vehicle when unattended shall be mounted in an approved locking device or secured in the vehicles trunk.
 - e. Rifles and shotguns shall be stored in the vehicle with the chamber empty and the magazine or tubes loaded.
 - f. All weapons should be secured at all times in such a manner as to prevent accidental discharge and in a location that is not accessible to children or other adults.
 - g. The Chief of Police shall review firearms which are being considered for approval to determine their suitability. The Chief of Police has final authority regarding approval of any weapon.
 - h. No approved weapon should have any optional equipment installed without the inspection of weapon and the approval of the Chief of Police.
 - i. Weapon mounted lights and mounting systems must be approved by the Chief of Police.
 - j. Information on approved weapon mounted lights and mounting systems for rifles and shotguns, along with a list of equipment restrictions, can be found in the Supplemental General Order 13C.1.
 - k. A laser function on any weapon is strictly prohibited.
 - l. Each officer who opts to equip his or her rifle with a weapon mounted light is required to attend a designated training course, demonstrate proficiency with his or her rifle equipped with the weapon mounted light, and meet qualification/certification standards established by the agency.
 1. With the exception of exigent circumstances, only officers who successfully complete the designated training and qualification courses will be authorized to carry or use a rifle equipped with a weapon mounted light.
 2. Training will include how and under what circumstances the deployment or use of a rifle equipped with a weapon mounted light is justified and appropriate.
 - m. Each officer who opts to equip his or her rifle with a weapon mounted light must maintain and carry an agency approved flashlight on the duty belt.
 - n. Weapon mounted lights on rifles shall remain affixed to the rifle or shotgun throughout an officer's shift.
 - o. Specialized units, upon approval by the Chief of Police, may carry equipment not designated in the Supplemental General Order upon the successful completion of training. Such weapons will be added to the Supplemental General Order when next updated.

4. Firearms Maintenance

Chapter 13C: Weapons Policy

- a. It is each officer's responsibility to ensure all his/her pistols, shotguns, rifles, and other special firearms are kept clean and in good working order at all times.
- b. Weapons carried by agency personnel shall either be serviced by an agency Armorer, or repairs must be coordinated through the Chief of Police.
- c. The Chief of Police or his/her designee shall document the inspection and approval of every weapon prior to permitting the weapon to be used for qualification and subsequent use. Documentation maintained by the Chief of Police or his/her designee shall also include the make, model and serial number of each weapon an officer is authorized to carry.
- d. All modifications to agency approved weapons shall be approved by the Chief of Police and meet the approval of the agency's lead firearm instructor prior to implementation.
- e. Any weapon that does not meet the standards of this directive or obtain the required approvals shall not be carried. The Chief of Police or his/her designee, has the responsibility to remove from service any weapon determined to be unsafe or nonfunctional. A weapon of the same type may be checked out by the officer from the agency, if available, until his or her defective weapon has been repaired and approved for service by the Chief of Police. Any officer issued a replacement weapon under these circumstances shall qualify with that weapon prior to carrying it on or off duty. In the event the officer's weapon is collected as part of an investigation into a critical incident, the officer may be issued a temporary weapon and allowed an opportunity to qualify on that weapon when it is reasonable to do so.

5. Less Lethal Weapons

- a. Less lethal weapons or less lethal ammunition are only to be used by officers that have completed an approved training course on the use of less lethal weapons or less lethal ammunition. Officers must prove their proficiency with these weapons by meeting qualification and certification standards with the weapon.
- b. Only the Chief of Police may authorize Officers to carry less lethal weapons. Exceptions shall include emergency situations in which an officer would be justified in using any resource at his or her disposal.

6. TASER

- a. The TASER is a force option that is intended to temporarily incapacitate subjects to enable officers to gain control over them. The TASER, also referred to as a conducted electrical weapon [CEW] delivers an electrical signal that is designed to temporarily incapacitate a suspect through neuromuscular incapacitation (NMI). The shaped pulse technology stimulates both the sensory and motor nervous systems through two (2) probes and conductive wire. The result is an involuntary contraction of the muscles as well as pain disorientation. All the effects are temporary, and will subside immediately upon completion of the discharge.
- b. Officers are permitted to only carry and use CEW's and holsters issued by the agency. The use of CEW's shall be consistent with agency training and applicable laws. Only officers

Chapter 13C: Weapons Policy

who have successfully completed the agency TASER user course are authorized to carry and use a CEW.

- c. The CEW is a mandatory carry force option for uniformed officers and supervisors.
- d. All users must demonstrate proficiency annually prior to being authorized to continue to carry the weapon. Training and annual proficiency certifications must be monitored by a certified TASER instructor. Remedial training will be conducted for those unable to qualify prior to resuming official duties.
- e. A cross draw configuration on an officer's duty belt is the only authorized method of carrying a CEW. Wearing of the CEW on the strong side is strictly prohibited. Plainclothes or off duty officers are also required to carry CEW's tasers in a cross draw fashion if being worn.
- f. Each officer is responsible for the condition of their CEW before the start of shift.
 - 1. Officers will inspect the device for any obvious damage, check the lights, laser sight, frame, trigger housing, cartridges for damaged or loose doors, and safety switch for functionality.
 - 2. Officers will turn the device on and verify that battery strength is greater than 20%.
 - 3. Officers are recommended to spark test their CEW at the beginning of every shift in order to verify that the device is working, to keep the internal capacitor charged and to avoid delayed spark or software corruption.
 - 4. If there is a delayed response during the spark test, officers shall conduct an additional five-second test.
 - 5. CEW's requiring maintenance will be taken to the Chief of Police or his/her designee for repairs or replacements.

7. Oleoresin Capsicum Agent

- a. Uniform Patrol Officers may carry OC available at all times while on duty. OC shall be carried in a holder on their duty belt.
- b. On duty plainclothes officers that carry a taser are not required to carry OC on their person; however, they may have OC available at all times while on duty either on their person or in their agency vehicle.

8. Police Baton

- a. All uniformed officers, while on duty, shall have in their possession at all times an agency approved baton. Exceptions may be approved by the Chief of Police.
- b. The requirement to be armed with an agency approved baton while engaged in other assignments shall be designated by the Chief of Police.

Chapter 13C: Weapons Policy

- c. Training in the use of approved batons shall be provided to all sworn personnel by agency instructors.

9. Knives

- a. Common pocket knives may be carried by sworn personnel.

10. Reporting Intentional or Accidental Discharge

- b. Sworn personnel shall submit a written report to the Chief of Police when they intentionally or accidentally discharge a weapon (excluding training and recreational situations).

11. Distribution of Agency Owned Weapons and Court Surrendered Weapons

- a. All agency owned firearms issued to an officer must be inspected by the Chief of Police or his/her designee prior to issuance or usage. If the officer no longer wishes to maintain the firearm, it must be turned in to the Chief of Police or his/her designee and inspected prior to reissuance. Once inspected, the Chief of Police shall determine whether to authorize reissuance of the firearm for use and who shall be issued the firearm.
- b. Upon request, a court surrendered firearm that is eligible to be assigned for use by an agency officer shall first be inspected by the Chief of Police. Once inspected, the Chief of Police shall determine whether to approve the firearm for use and who shall be issued the firearm.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13C .1	Weapon Policy Supplement		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-17-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

The information contained herein is provided as a supplement to the policy and procedure manual chapter 13C Weapons Policy. In all cases the directives contained within the policy and procedure manual supersedes information contained in this supplement. The information below provides information as to authorized weapons and weapon systems for members of the Augusta Police Department. Requests for approval to carry weapons or utilize weapons systems not listed here must be approved by the Chief of Police before being carried or utilized.

HANDGUNS

BRAND	MODEL	STYLE	AUTHORIZED FOR
Glock	22	.40	U, P, O, B, UA, NA

U= Uniformed

P= Plain Clothes

O= Off Duty

B= Back Up

UA= Uniformed Off-Duty Assignment

NA= Non-Uniform Off-Duty Assignment

The primary duty weapon of the Augusta Police Department shall be a Glock handgun of a model as listed above. Requests for the approval of additional quality handguns (i.e. Glock, Smith & Wesson, Beretta etc.) in calibers .380, 9MM, 40MM, .45 ACP, .357, and 38 for Off Duty or Back Up purposes, may be submitted to the Chief of Police for approval.

Only the above listed handguns or those additionally approved by the Chief of Police, shall be carried by officers while on or off duty. Officers who choose to be armed off duty shall be armed with an agency approved weapon, ammunition and holstering system while operating agency owned vehicle and/or when the possibility exists that the officer may have to act in an official capacity.

All primary duty handguns shall be the manufacturer's black finish or comparable finish approved by the Chief of Police.

Officers may carry an approved secondary handgun with approved ammunition as long as it is concealed.

Chapter 13C.1 Weapons Policy Supplement

PATROL RIFLE

BRAND	MODEL	STYLE
Doublestar	DS15	5.56/.223 Caliber

All rifles will have a barrel length of not less than 14.5 inches and not more than 20 inches.

Rifles will be semi-automatic direct impingement gas operated AR-15 models.

All models shall have factory standard parts unless parts are installed/approved by the Chief of Police.

All visible parts (except for magazine and magazine holder) shall be matte black.

All rifles will have adjustable sights, fixed or collapsible stock, 20 or 30 round magazines and a black tactical sling.

AMMUNITION

BRAND	MODEL	STYLE
Hornady	9MM	135gr Critical Duty
Hornady	357 Sig	135gr Critical Duty
Hornady	.40	175gr Critical Duty
Hornady	45ACP	220gr Critical Duty
Hornady	5.56/.223	55gr. TAP Urban Duty

OLEORESIN CAPSICUM AGENT

BRAND	MODEL	STYLE
Defense Technology	MK-3	Aerosol Pepper Projector (10%)
Defense Technology	MK-6	Aerosol Pepper Projector (10%)
Gall's	MK-3	Aerosol Pepper Projector (10%)
Gall's	MK-6	Aerosol Pepper Projector (10%)
Vexor	MK-3	Aerosol Pepper Projector (10%)
Vexor	MK-6	Aerosol Pepper Projector (10%)
Sabre Red	MK-3	Aerosol Pepper Projector (10%)
Sabre Red	MK-6	Aerosol Pepper Projector (10%)
Sabre Red	Keychain Case	Aerosol Pepper Projector (10%)

TASER

BRAND	MODEL	STYLE
Taser	X26	CEW
Taser	X26P	CEW

Chapter 13C.1 Weapons Policy Supplement

BATONS

BRAND	MODEL	STYLE
Smith and Wesson	21"	Expandable
ASP	21"	Expandable

*Black Gun Finish or Black Chrome, non-airweight

WEAPON MOUNTED LIGHT EQUIPMENT RESTRICTIONS

The lights must have a tail cap switch or a tethered pressure switch. No switch or pressure switch should be mounted anywhere near the pistol grip of the rifle or shotgun.

Approved lights will be from the following manufacturers:

1. Surefire: [Examples are Scout, Millennium, DSF series or G2.]
2. Streamlight: [Examples are Strion, TLR-1 with pressure pad or TL-2.]
3. ElZetta: [Examples are Modular LED flashlights.]

The lights must be affixed to the weapon through a mechanical means. The light shall be mounted with a system designed for the purpose of mounting a flashlight to a weapon. The mount shall not interfere with the function of the weapon or the functioning of the weapon by the operator. Mounts shall utilize a picatinny rail system or similar mounting device. If a rifle or shotgun does not have rails, alternate means must be approved by the Chief of Police. The ElZetta ZFH1500 flashlight mount will work with rifles that do not have rails. Universal or integrated rails may be attached to hand guards with the approval of the Chief of Police.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13D	Less-Lethal Weapons		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this directive is to establish guidelines concerning the training, and possession of less-lethal weapons by officers of the Augusta Police Department.

B. Scope

This procedure shall apply to all Augusta Police Officers, effective October 17, 2017, until such time as it is superseded, revoked or rescinded.

C. Policy

The Augusta Police Department will authorize its officers, under the following guidelines, to carry and use ASP or Smith and Wesson Batons, ECD's (Taser X26), and Oleoresin Capsicum (OC) Spray. This authorization is to eliminate potential injuries to defendants, officers, and innocent bystanders. All use of less-lethal weapons will be documented as prescribed in *Chapter 10, Response to Resistance*.

D. Procedure

It shall be the policy of the Augusta Police Department that only those officers that have successfully completed training by a qualified instructor, shall be permitted to carry, (or use), the ASP or Smith and Wesson Baton, ECD's (Taser X26), or OC Spray in performance of their duties, either on or off duty. Officer certification shall be kept current in order to continue to carry, (or use), the ASP or Smith and Wesson Baton, ECD's (Taser X26), or OC Spray.

1. ASP or Smith and Wesson Baton

- a. The ASP or Smith and Wesson Baton will be provided by the police department as part of the issued equipment.
- b. The department issued baton shall be worn by all sworn personnel, utilizing the department approved baton retention device.

2. Electronic Control Device (TaserX26)

Chapter 13D: Non-lethal Weapons

- a. The Taser X26 will be provided by the police department as part of the issued equipment.
- b. The department issued Taser X26 shall be worn by all sworn personnel, utilizing the department approved Taser X26 retention device.

3. Oleoresin Capsicum (OC) Spray

- a. OC Spray will be provided by the police department as part of the issued equipment.
- b. The department issued OC Spray shall be worn by all sworn personnel, utilizing the department approved retention device.
- c. OC Spray will be reissued to individual officers three years after the manufacturing date on the canister has passed.

E. Maintenance - Responsibilities

- a. Responsibility for keeping issued less-lethal weapons clean and in good working order shall rest with the individual officer.
- b. There shall be no attempt by an officer to alter, tamper with, or repair any issued less-lethal weapon. If repair is needed, the individual officer shall notify a supervisory officer verbally and in writing. The defective weapon will not be carried again until it is again rendered fully operable.
- c. Each issued less-lethal weapon shall be checked by the individual officer's immediate supervisor no less than once per year, and appropriate notation shall be made in a log. In addition, the less-lethal weapons are subject to inspection by any supervisor at any time.
- d. File of the less-Lethal Inspection Log shall be kept by a Command Officer.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13E	Credit Cards Issued to the Police		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish an accounting procedure for the City of Augusta credit cards that are issued to employees of the Augusta Police Department.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 17, 2017, until such time as it is superseded, revoked, or rescinded.

C. Procedure

All Augusta Police Department employees who are issued and/or authorized to use a City of Augusta credit card shall follow the below listed procedure for reporting and recording the amount of charges placed on the credit card.

1. When fueling a departmental vehicle issued, or not issued, to you while using your assigned departmental credit card:
 - a. Obtain a receipt with the date and amount of fuel dispensed recorded.
 - b. Log your name and forward the receipt to the City Clerk office.
2. Use of the City of Augusta credit card while at training:
 - a. The credit card may be used for lodging and meal purchases while at in-service training. The credit card may not be used to purchase alcohol or any other purchases not required for in-service training.
 - b. Any purchases outside of fuel, lodging or meals must be pre-approved by the Chief of Police or the Mayor.
 - c. All receipts for fuel, lodging and meals must be turned into the City Clerk office for recording/reporting.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13F	Mobile Data Terminal		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective: 01-01-2021	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a policy for the usage of Mobile Data Terminal in the Augusta Police Patrol Vehicles and to insure the proper procedures are utilized to minimize the improper dissemination of Criminal Justice information and other sensitive material contained within the Mobile Data Terminal.

B. Scope

This policy shall apply to all personnel; effective October 17, 2017, until such time it is superseded, revoked or rescinded.

C. Definitions

MDT- Mobile Data Terminal

LINK- Law Enforcement Information Network of Kentucky

NCIC- National Criminal Information Center

CAD- Computer Aided Dispatch System

C. Procedure

1. Operator Authentication

- a. Operators will log into the system by use of an individually assigned User Identification. This User Identification will be assigned by the System Administrator and that User Identification will not be shared with another individual.
- b. Passwords must be used with the User Identification to login the system. These passwords must conform to the standards set forth in LINK guidelines in that they must be a minimum of five characters in length, must be changed at least every sixty days and cannot be changed more than every ten days. As with the User Identification, it is strictly forbidden for a user to share their password.
- c. Only those officers certified on the LINK terminal will be permitted to

Chapter 13F: Mobile Data Terminal

operate or query information, in accordance to *Chapter 8A, LINK / NCIC Security, Access and Use*.

2. Information Obtained From LINK System

- a. Authorized personnel operating MDT's will follow all applicable local, state and federal guidelines regarding privacy and release of information obtained from the LINK.
- b. The LINK Terminal is to be used only in accordance with the guidelines established by the Kentucky State Police and LINK control, as outlined in the LINK and NCIC Manual.
- c. Dissemination of information will only be to Law Enforcement or Criminal Justice personnel.

3. MDT Security and Message Switch

- a. MDT transactions will be logged at the message switch and will be electronically stored for a minimum of one year.
- b. When it is necessary to leave a vehicle unattended and unoccupied, the officer will, except in extreme emergency, lock the ignition and doors.
- c. Officers shall set the MDT so that the screensaver will activate within fifteen minutes of inactivity. This is to limit the possibility of unauthorized persons viewing the screen while the MDT is inactive.
- d. Officers will log off at the end of their shift. Automatic log off will occur after ten hours from the message switch.

4. LINK / NCIC Access

- a. LINK / NCIC access on the MDT shall include, but not limited to:
 - i. Motor Vehicle Registrations.
 - ii. Motor Vehicle Wanted inquiries.
 - iii. Drivers License inquiry.
 - iv. Wanted Persons inquiry.
 - v. Stolen Article inquiry.
- b. LINK / NCIC "Hit" confirmation
 - i. When an officer receives a "Hit" on a person, vehicle or article, they shall notify Bracken County Dispatch of the hit, they will resubmit the LINK / NCIC entry and institute standard procedures for verification on wanted returns. Officers are not to take action based solely on hits via the MDT until it has been confirmed by the Bracken County Dispatch Center that the "Hit" is valid.
 - ii. LINK / NCIC returns are printed when requested by the officer either verbally or via e-messaging and when the officer submits any LINK / NCIC request to the Bracken County Dispatch for processing.

5. General Operating Procedures

- a. When operating a vehicle, the safe operation of the vehicle is the officer's

Chapter 13F: Mobile Data Terminal

primary responsibility. Use of the MDT is always of secondary importance.

- b. When the vehicle is moving, officers shall limit the use of the MDT to single keystroke operations, only when traffic conditions are favorable.
- c. Augusta County Police officers and others authorized by the Chief of Police are authorized users of the MDT upon receiving proper training.
- d. The MDT is capable of sending text messages to single police units, multiple police units and system wide. All such text messages shall be limited to police related issues and under no circumstances will be used for broadcasting jokes, sexual or racial comments, provocative or suggestive comments, and/or any language that creates an intimidating, hostile or offensive work environment of any kind.
- e. All messages sent via the MDT are recorded and subject to open records discovery. MDT text messages will be reviewed randomly to assure proper content. Specific and focused reviews will be conducted when warranted.

6. Care of MDT

- a. Officers are responsible for proper care and use of the MDT in their possession.
- b. Physical damage to or loss of the MDT and/or its components shall be immediately reported to the officer's supervisor or OIC, if the supervisor is not available.
- c. Officers will not place drinks, food or other items directly on the computer or in a location that may spill on the MDT.
- d. Magnetic objects shall not be placed in close proximity of the MDT.
- e. Officers shall protect the MDT from extreme temperature and/or environmental conditions, as much as possible.
- f. An MDT malfunctioning or in need of repair shall be reported to the officer's supervisor. Officers shall make arrangements for the delivery of the MDT to repair locations. Officers shall not attempt to repair the MDT unless authorized by the Chief of Police or other qualified technician approved by the Department.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 13G	Uniform and Appearance		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	All Personnel	References:	

I. PURPOSE

The purpose of this order is to establish the standards of dress and grooming for uniformed employees of the Augusta Police Department.

II. PROCEDURE

A. The following regulations shall apply to agency personnel while on duty or while operating agency owned vehicles. All uniforms shall be properly fitted, cleaned and pressed, and maintained in good repair.

B. The designated Duty and Dress Uniforms shall be the primary uniforms for the Augusta Police. Agency uniforms are a visible representation of the agency and must project a professional image within the community.

C. Any “test models” of equipment and/or uniforms shall have a date of service not to exceed 120 days of issuance.

D. The Chief of Police may authorize deviations from this policy as deemed appropriate.

III. APPROVED UNIFORM and EQUIPMENT LIST

A. Sworn Personnel

1. All new lateral hires and recruits are issued the items of uniform and equipment that they are required to maintain throughout their employment.

2. These personnel will also be provided with information about optional items of uniforms and equipment that they may purchase.

B. It is the responsibility of each employee to maintain all required items of uniform and equipment, as well as any optional items of uniform or equipment he/she has selected for use, in appropriate condition and in good working order.

C. It is the duty and responsibility of all supervisors to ensure personnel are utilizing appropriate, approved, and properly maintained items of uniform and equipment.

IV. UNIFORM and EQUIPMENT CONSIDERATIONS

A. Headgear

1. The ball cap is authorized to be worn with the duty or dress uniform.
2. Other optional headgear during winter weather includes a black or navy blue watch cap, ear warmers, neck scarf, or balaclava may be worn in inclement weather with Supervisor/OIC approval.

B. Uniform Shirts

1. The approved duty uniform shirt will be outfitted as follows:
 - a. Rank insignia shall be worn on the duty uniform shirt collars as indicated.
 1. Chief: Gold Eagle
 2. Assistant Chief: Gold Oak Leaf
 3. Officer: APD Silver
 - b. Agency approved patches will be worn on both the left and right sleeves of duty uniform shirts.
 - c. A nameplate, with a “serving since” plate attached, will be centered from left to right and between the button and top of the pocket on the left side shirt pocket and be in one of the following formats:
 1. First initial; last name
 2. First and middle initial; last name
 3. Suffixes such as “Jr”, “Sr” etc. may also be included
 4. The “serving since” plate denotes the year the individual began serving in a civilian sworn police officer status.
 - d. The Augusta issued metal badge will be centered over the left side shirt pocket.
 - e. A single approved bar or ribbon may be worn centered just above the right side shirt pocket. See policy chapter 3H for approved bars or ribbons.
 - f. A single approved pin may be worn 1 inch above the right side shirt pocket. See appendix for approved pins.
 - g. A single approved pin may be worn centered from left to right and between the button and top of the pocket on the right side shirt pocket. See appendix for approved pins.
 - h. A white or black cotton/fabric blend, well maintained crew neck T-shirt will be worn with the both uniform shirts. All T-shirts will be neat in appearance, not discolored or thin from wear, and will maintain a proper and snug (non-sagging) fit at the neckline.

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1. Black or Navy Blue turtlenecks and mock turtleneck shirts are approved; however, they may have no visible markings with the exception of APD lettering.

C. Dress Uniform:

1. The Augusta dress uniform shall consist of the approved gray shirt and black pants with braid. The placement of accrements upon the dress uniform will be in the same manner as the duty uniform.
2. When wearing the dress uniform with a long sleeve shirt, a black tie will be worn.

D. BDU Uniform

1. The black BDU style uniform is approved for duty wear along with the black Polo style shirt.

E. Body Armor

1. Department issued body armor shall be worn by all personnel when in uniform. Sworn personnel in plain clothes shall also wear issued body armor when engaged in high-risk assignments, e.g., search warrant execution, marijuana eradication. The following personnel shall be exempted from this provision:

b. Personnel exempted by authority of the Chief of Police. Request for exemption shall be submitted to the Chief of Police through writing.

2. Body Armor issued by the department shall be replaced at the expense of the police department. Issued body armor replacement shall occur within twelve (12) to eighteen (18) months of the date of the manufacturers recommended replacement date as indicated on the body armor at purchase date.
3. Replacement of department issued body armor that is worn, damaged or rendered unserviceable prior to twelve (12) to eighteen (18) months of the manufacturers recommended replacement date may be replaced at the discretion and expense of the department.

F. Jewelry

1. No visible necklaces, no bracelets and no earrings may be worn by uniformed personnel. Off-duty male personnel are prohibited from wearing earrings while operating Agency owned vehicles.
 - a. The Chief of Police has the discretion to authorize the wearing of an approved band on the wrist by officers while on duty, and to determine the time period each approved band is permitted to be worn.
 - b. Fitness or activity tracker wristbands of subdued colors may be approved by the Chief for wear by uniformed personnel on a case by case basis.
2. Female officers assigned to plain-clothes duty will be permitted to wear earrings and/or necklaces.

Chapter 13G: Uniform and Appearance

3. All sworn personnel are permitted to wear watches, rings, and eye wear which project the proper police image.
4. No sworn personnel are permitted to wear highly mirrored sunglasses.
 - a. No personnel should wear sunglasses when conducting an interview with the media, with the exception of glasses with transitional lenses.
5. Body piercing jewelry shall not be worn by sworn or uniformed personnel, by on-duty sworn personnel in civilian attire, or while operating an agency owned vehicle. Body piercing jewelry includes, but is not limited to tongue, lip, nose, or eyebrow posts, studs, rings, gauging disks or similar articles.

G. Web Gear for Sworn Personnel

1. Officers shall not change holsters to a holster that functions differently than the equipment on which they were previously trained without approval from the Chief of Police and completion of transitional training.
2. Uniformed officers will carry two magazines in the magazine pouch. Plain-clothes officers will carry at least one magazine in a pouch.
3. The handcuff case (single or double), will have either a concealed snap or Velcro closure.
4. With the exception of the current issued models while they remain serviceable, flashlight holders will be a loop or ring with no snaps, or a case.
5. A black key ring carrier that matches the duty gear design may be worn on the duty belt.
6. A black latex glove pouch with snap or Velcro closure that matches the duty gear design may be worn on the duty belt.
7. A black O.C. spray pouch with hidden snap closures that matches the duty gear design will be carried on the duty.
8. An approved TASER holder will be worn on the duty belt by those authorized to use a TASER, TASER's must be worn in a cross-draw function.
9. Officers may opt to wear a black cell phone holder.
10. Officers wearing variations of the duty uniform based upon assignment will wear web gear as designated by the Chief of Police.

I. Handcuffs

1. Handcuffs carried by Agency personnel shall be silver, black or other natural colors of metal. Handcuffs that are painted or artificially colored shall not be used.

Chapter 13G: Uniform and Appearance

J. Batons/ASP and Holders

1. Officers shall not change batons/ASP or holders to a baton/ASP or holder that functions differently than the equipment on which they were previously trained without approval of the Chief of Police and the completion of transitional training.

K. Socks

1. Socks worn with the dress and duty uniforms shall be black or navy blue.
2. Officers who have a foot condition which requires the wearing of white socks may wear socks with the lower portion white extending no higher than the top of an oxford shoe, and the upper portion black or navy blue in color. Socks worn with shorts shall be black, navy blue, or white crew length.

L. Gloves

1. Black gloves may be worn during cold weather conditions or during the search of suspects.

M. Footwear

2. Black athletic shoes are unacceptable for any assignment except those which are tactical in nature; and wearing them has been approved by the Chief of Police.

N. Jackets and Rainwear

- a. All jackets and rain coats, unless clearly marked on both the front and back with large letters that say "POLICE," must be outfitted with Agency shoulder patches on both sleeves (centered one inch below the shoulder seam) and a cloth badge patch over the left breast pocket.

O. Public Safety Vest

1. The public safety vest shall be worn over the duty uniform, dark jackets and dark rainwear for safety purposes and to increase visibility while working traffic control functions and other high visibility assignments.

P. Officers Assigned to Administrative Duties

1. Officers assigned to administrative duties shall wear the duty uniform unless otherwise directed by the Chief of Police.

Q. Officers Working In Non-Uniform Assignments

1. Officers assigned to units permitting civilian attire shall adhere to the following on duty guidelines:

Chapter 13G: Uniform and Appearance

- a. Male officers shall wear a business suit, a sport coat with shirt and tie or other apparel approved by the Chief of Police. Officers assigned to undercover duties or special assignments shall wear attire and equipment that is approved by the Chief of Police.
 - b. Female officers shall wear business suits, dresses, slacks or skirts with blouses or sweaters or other apparel approved by the Chief of Police. Officers assigned to undercover duties or special assignments shall wear attire and equipment that is approved by the Chief of Police.
2. Male and female officers wearing business or utility style dress on duty shall also adhere to the following:
- a. He/she will be armed with an approved Agency duty weapon carried in an approved holster.
 - b. A magazine pouch with one extra magazine shall be carried at all times on duty.
 - c. Handcuffs shall be carried in an approved handcuff case or holder.
 - d. One authorized and approved intermediate weapon (O.C., Taser, baton/ASP) carried in an approved case, clip or holder.
 - e. If the weapon and/or holster are being worn in a manner that has the potential to be seen by the public at any time outside agency facilities, the badge shall be worn on the waist positioned in front of the weapon in an approved badge holder so that it is clearly visible.
3. Attire/uniform for internal and outside training will be determined by the Chief of Police or designee.

V. HAIR RESTRICTIONS FOR SWORN/UNIFORMED EMPLOYEES

A. Sworn/Uniformed Officers - Females

1. Female personnel may wear their hair in any reasonable manner which does not interfere with their work or reflect negatively upon the agency.
2. Hair shall be clean, well groomed, and meet the guidelines of this order at all times while on duty or while operating a take home vehicle.
3. Hair extending from the back of the head may touch, but not fall below, the lower edge of the collar.
4. Afro, natural, bouffant and other similar hairstyles are permitted, but exaggerated styles are not.
5. When groomed, hair shall not extend more than two inches in height. Pigtails shall not be worn while in uniform or on duty status.

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6. Hair ornaments such as pins, combs, barrettes, and rubber bands may be worn if they are similar to the color of the hair.
7. Wigs and hairpieces may be worn by Agency personnel, and shall conform to the preceding guidelines.
8. Hairstyles of any unusual or unique nature shall not be worn by sworn personnel.

B. Sworn/Uniformed Officers – Males

1. Male personnel may wear their hair in any reasonable manner which does not interfere with their work or reflect negatively on the Augusta Police Department.
2. Hair shall be clean, well groomed, and meet the guidelines of this order at all times while on duty or while operating a take home vehicle. Hair shall not extend further than the top of the orifice of the ear. Hair shall not touch the collar when the officer is standing in the normal upright position. Hair may be groomed on the forehead but shall not extend lower than one inch above the eyebrow. Hair shall not be longer than three inches in length at any point on the head.
3. Sideburns shall extend no lower than the middle of the orifice of the ear.
4. Mustaches shall not extend lower than the corner of the mouth.
5. Beards and goatees shall be permitted with approval of the Chief of Police. Beards and goatees shall be trimmed to 1" or less and shall have defined lines. Beards shall not extend downward to the collar line at any time.
6. Hairstyles of any unusual or unique nature shall not be worn by sworn personnel (e.g. Mohawk, corn rows, pigtails, dog-ears, ponytails, spikes and pompadours.)
7. When wearing a hat or helmet, hair shall not extend below the front edge of the headgear.

VI. USE OF TOBACCO/ELECTRONIC SMOKING PRODUCTS

- A. Officers shall not smoke in any police vehicles.
- B. When in uniform, officers may smoke as long as:
 1. They are not in formation.
 2. They do not have to leave their assignment or post for the purpose of doing so.
 3. They are not engaged in traffic direction or control.
 4. They are not riding a bicycle or other vehicles.
 5. They are not talking to a citizen in an official capacity.

Chapter 13G: Uniform and Appearance

6. They are not in public view.

C. Officers shall not use snuff (herbal or tobacco), smokeless tobacco, or chewing tobacco (herbal or tobacco) while operating department owned vehicle.

D. When in uniform officers may use smokeless tobacco as long as:

1. They are not in formation.

2. They do not have to leave their assignment or post for the purpose of doing so.

3. They are not engaged in traffic direction or control.

4. They are not riding a bicycle or other vehicles.

5. They are not talking to a citizen in an official capacity.

VII. TATTOOS, BRANDS AND EXTREME BODY MODIFICATIONS

A. Definitions

1. Tattoo: A tattoo is a form of body modification typically made by inserting indelible ink under the skin to change the pigment, resulting in a generally permanent body modification. A temporary tattoo involves no permanent alteration of the skin, but can produce a similar appearance to a tattoo that can last anywhere from a few days to several weeks. This policy refers to both temporary and permanent tattoos whenever addressing tattoos.

2. Branding: A form of body modification involving controlled burning or cauterizing of human tissue with the intention to encourage intentional and permanent scarring. (Also called scarification.)

3. Body Modification: The deliberate altering of the human body for any non-medical reason, such as aesthetics, sexual enhancement, a rite of passage, religious reasons, to display group membership or affiliation, to create body art, shock value or self-expression.

B. Personnel are prohibited from undergoing visible extreme body modifications such as: tongue splitting; extraocular implants; surface piercing; microdermal, transdermal and subdermal implants, ear shaping, etc.

C. Personnel are prohibited from acquiring any new temporary or permanent tattoo or brand on any portion of the body that is visible, regardless of light source or tattoo method, while wearing required or optional uniforms including shorts or short-sleeved shirts or approved business attire.

D. Personnel are prohibited from acquiring a tattoo or brand anywhere on their bodies which are generally recognized as associated with a hate group.

E. Personnel with any visible tattoo or brand are prohibited from wearing short-sleeved shirts and/or shorts while on duty or while operating agency owned vehicles at any time, if such attire permits a

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tattoo or brand to be visible. The Chief may authorize a wrap to cover the area on a case by case basis.

1. The standard for determining compliance, while wearing a short-sleeved uniform shirt, is whether the body modification is visible below the sleeve hem line while an officer is standing with arms down to the side.

2. It is not acceptable for the t-shirt to extend below the sleeve hem line of the short-sleeved shirt.

3. If the body modification is visible while an officer stands in the above described position then the officer is in violation of this policy.

4. All command staff and supervisors are responsible to monitor for policy violations and to take appropriate action when violations are observed.

F. Personnel are subject to disciplinary action for acquiring new tattoos, brands or extreme body modifications on any area of the body that are visible while in uniform or while wearing approved attire.

G. Personnel assigned to plain-clothes assignments that have or opt to acquire a tattoo or brand on a leg/ankle will be precluded from wearing any business attire that does not conceal the body modification(s) while on duty.

VIII. DISTRIBUTING POLICE UNIFORMS

A. To limit the ability of the public to impersonate a police officer and to increase the security of current personnel, there are restrictions on the dissemination of police patches and other uniform equipment.

1. Sworn personnel are not permitted to sell, lend or give away badges, uniform patches or uniforms (shirt and pants) to anyone other than to a currently employed officer or safety officer.

2. When taking a uniform permanently out of service:

- a. Personnel will remove all official patches.

- b. Uniforms shall be damaged beyond repair prior to disposal.

- c. Old Duty Uniform pants and uniform shorts do not have to be destroyed and may be given away, sold, or donated to non-employees.

- d. Police ball caps shall be destroyed.

- e. Old patches may be retained as mementos of service or cut in pieces prior to disposal.

3. Old Dress pants and uniform shirts shall be disposed of as described in 2. a-b above.

IX. OFF DUTY APPEARANCE WHILE OPERATING A TAKE HOME VEHICLE

Chapter 13G: Uniform and Appearance

A. Proper and suitable attire shall be worn by officers and passengers at all times during off-duty use of a take home vehicle. All clothing worn shall be clean and well maintained.

1. Officers may wear shorts that are not above mid-thigh. Shirts shall cover the shoulders and upper portion of the body. The following are examples of clothing not to be worn while in the take home vehicle in an off-duty basis: short-shorts, bathing suits, halter/tube tops, spandex, or any extremely revealing clothing, except for children under twelve (12) years of age who shall wear appropriate youth apparel. When slogans, pictures, or patches are worn, they should be of a neutral or appropriate image for a police officer.

2. No hat or headgear other than those that are Agency approved may be worn in a marked Agency vehicle.

3. With the privilege of the take home plan comes the duty to respond as required. Taking this into account, appropriate footwear shall reflect a professional image and be of a practical style that will not hinder an officer in the performance of his/her duties. Prohibited footwear shall include casual sandals, and flip flops. Officers wearing dress clothes may wear appropriate dress footwear as long as it projects a professional image.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 14A	Police Vehicle Operation		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure for the proper use and operation of police vehicles.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 17, 2017, until such time as it is superseded, revoked or rescinded.

NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

C. Procedure - Operation of Police Vehicles

1. Inspections

- a. Officers are responsible, daily, to check the cleanliness, general operability of equipment, and fluid levels (oil, gas) of their assigned vehicles. Officers should ensure that their vehicle's fuel tank is full prior to ending their tour of duty.

- (1) Officers should also ensure that unless exigent circumstances exist, cruiser fuel levels should not be below one-half tank at any time during the shift.

- b. Officers are responsible for seeing that their assigned vehicles are properly equipped with routine equipment (first aid kit, road flares, fire extinguisher, etc., as appropriate or required for their duties) at the beginning of their shift.
- c. Officers shall examine their vehicles at the beginning and the end of their shifts for damage. Officers shall report any damage immediately to their command/supervisory officer or OIC.

- (1) In the event that a police vehicle is found bearing evidence of damage

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which has not been reported, it shall be prima facie evidence that the last person using the property was responsible.

- d. Officers shall examine their vehicles after transporting passengers or prisoners, to search for evidence, contraband, or property discarded by said prisoners or others. Such examination shall also be made if the vehicle has been in the possession of another individual, such as being used by another officer or at a service facility to receive maintenance or repair.
- e. Officers who discover a police vehicle in need of repairs shall immediately inform the Chief of Police or his/her designee for vehicle maintenance.
- f. If in the opinion of the Chief of Police, vehicle damage resulted from the abuse or neglect of an officer, disciplinary action may result.

2. Operating rules

- a. Circumstances permitting, the driver must check the safety features of his vehicle before commencing operation. The check should include (but not be limited to) all lights, brakes, horn, siren, and steering.
- b. No driver shall modify, remove, deactivate, or otherwise tamper with the vehicle safety belts, emission control device, or any part of the vehicle, which affects its operation.
- c. During periods of inclement weather when police vehicles cannot be washed regularly, the driver must assure that the headlights and tail light lenses are kept clean, insofar as circumstances permit.
- d. No officer or employee shall operate any police vehicle that he/she believes to be unsafe.
- e. The driver shall exercise careful observation of surrounding conditions before turning or backing any vehicle.
- f. A police vehicle shall not be left unattended with its engine in operation, without first securing said vehicle.
- g. The driver must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of the vehicle in accordance with these factors.
- h. Jumper cables or a battery pack can be used to start City of Augusta owned vehicles, and other vehicles under emergency circumstances.

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- (1) Permission of command/supervisory officer must be obtained to utilize jumper cables to start other vehicles.
 - (2) A Departmentally owned Jump starter battery pack is available for use in jump-starting vehicles.
 - i. Departmental guidelines for routine, urgent, emergency, and pursuit operation of departmental vehicles shall be adhered to by all employees.
 - (1) Response to calls - refer to departmental policy, *Police Vehicle Response to Calls for Service*.
 - (2) Pursuit of Motor Vehicles - refer to the departmental policy, *Vehicle Pursuits*.
3. Off duty use of department vehicles
- a. Employees shall have the use of departmental vehicles to attend training and education, court, firearms training and other activities related to the officer's official duties.
 - (1) Employees shall not use any departmental vehicle for other purposes without the permission of the Chief of Police.
 - (2) Except as provided in department policy, no person not an employee of the Police Department, will be allowed to ride as a passenger in a police vehicle without the permission of the Chief of Police.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 15A	Evidence Collection and Preservation		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References: KACP Chapter 27	

A. PURPOSE

The purpose of this policy is to establish responsibilities for police officers and investigators when processing crime scenes and serious traffic accidents as well as establishment of guidelines for the proper documentation, collection, packaging and submission of physical evidence to the Department Evidence Lockers and forensic laboratory.

B. POLICY

Proper documentation, collection, preservation, and submission of physical evidence to forensic laboratories may provide the key to solving and subsequently convicting a perpetrator in any investigation. The officer or investigator must always be aware that any physical evidence collected might someday be presented in a court of law. Therefore, it is imperative that evidence not be overlooked, contaminated or destroyed. The officer or investigator shall be prepared to collect, identify and package evidence so that it will not be changed in form or value when it reaches the laboratory. All items of evidence and recovered or found property shall be collected in a manner compliant with this policy and/or the Kentucky State Police Evidence Collection Handbook. Evidence will then be submitted to the Evidence Lockers for safekeeping until needed for court, forensic testing or final disposition.

C. PROCEDURE

1. The Handling of a Scene: Crime or accident scenes should be handled in the following phases; the level of detail for each phase will be case specific.
 - a) Response
 1. Render aid to victims.
 2. Identify and arrest perpetrators.
 3. Locate and identify witnesses.
 - b) Preliminary scene survey.
 1. Determine nature and scope of the scene.
 2. Notify the shift command/supervisory officer of the crime or traffic scene. The command/supervisory officer will determine who shall process the crime scene, i.e. uniform personnel, Bracken County Sheriff, Kentucky State Police or other specialized

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- unit. The command /supervisory officer or their designee is responsible for notifying the proper personnel.
3. Document scene conditions. e.g., lighting, temperature, items out of place or damaged, etc.
 4. Protect the scene to prevent the destruction or contamination of evidence.
 - a. All persons should be removed from the scene immediately and crime scene tape should be put up around the scene. In most instances it will be advantageous to establish a second ring of crime scene tape to zone off an area for police and emergency personnel apart from the general public.
 - b. As soon as possible the crime scene should be secure until the arrival of personnel who will process the scene. No personnel shall be permitted to enter the scene, without consent of personnel assigned to process the scene regardless of rank.
 - c. Evidence in danger of being lost or destroyed due to inclement weather, location, or other factors shall be protected, or if that is not possible, the items are to be collected immediately.
- c) When conducting sexual assault investigations officers shall comply with policy and procedures Chapter 6E, Sexual Assault Investigations.
- d) Crime scene management.
1. The crime scene log shall be fully completed by the first responding officer or the officer assigned the duty by the on scene supervisor/OIC and is to be used at major crime scenes, e.g., death investigations, serious assaults, etc. The following items are to be captured on the crime scene log:
 2. The name, agency, time of entrance, and departure of all persons who enter the scene.
 3. The name, agency, time of entrance, and departure of persons known to have been in the crime scene prior to the start of the log, such as: Fire and Ambulance personnel or others.
 4. The first responding officer will maintain the crime scene log until relieved at the direction of a supervisory officer, or until the personnel assigned to process the crime scene assume command of the scene. Any and all changes to the officer designated to maintain the crime scene log shall be annotated on the log.
 5. When clearing the scene all logs will be turned over to the processing agency who will check the logs for accuracy and completeness, all necessary corrections will be made.
 - a. Whenever possible, appropriate protective wear is to be worn so as to preserve the crime scene. Protective wear items include: gloves, boot covers, hats/hairnets, and additional personal protection equipment if prudent and available.

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- b. At no time will anyone be allowed to enter or remain in a scene carrying personal items, eating, drinking, smoking, or while in the possession of items that could contaminate the scene.
- e) Processing
- 1. Personnel assigned to process the scene, regardless of rank or seniority shall have the authority to direct personnel and equipment as they deem necessary for the duration of the time required to process the crime scene.
 - 2. A supervisor or higher ranking commander may assume command of the crime scene in those instances in which the crime scene processing is being compromised or exceeds the capabilities of the assigned personnel; however, they are to ensure this action is annotated on the crime scene log. They will retain command until completion of scene process or until responsibility is assigned to other personnel and further documented in the crime scene log.
 - 3. Processing Officer Walkthrough
 - a. Upon arriving on the scene, the processing officer will confer with the initial responding officer and other persons as deemed necessary so as to have a full understanding of the circumstances and scene.
 - b. The processing officer(s) shall begin with a thorough search of the crime scene
 - c. At the discretion of the processing officer, the initial responding officer may be requested to walk through the scene with the processing officer to provide further clarity.
 - d. Adjustments to the size of the crime scene or taped off areas may be adjusted as needed at any point.
 - 4. Photographing the crime scene
 - a. Officers are encouraged to take photographs when possible to better document the scene/circumstance and/or aid in the criminal or civil processes. Pictures shall be downloaded to the hard drive of the department computer network in the file designated for photo storage. The file entitled "Crime Related Photos" shall be used for all evidentiary related photos associated with criminal cases. The file entitled "Non-Crime Related Photos" shall be used for non-criminal traffic collisions and other civil/property related incidents. Officers downloading pictures to these folders shall create sub-folders, naming the folder according to the case number assigned to the incident, i.e. 17-01-001.

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- b. All photographs taken pertaining to the case, including those of poor quality, shall be preserved as evidence. Deleting a digital photo taken in a series of evidence photos is not permitted.
- c. All evidence located at a scene will be photographed as it was found in an undisturbed state and prior to being collected or marked. When possible, photographs should be taken with a ruler or similar device to indicate relative size, dimensions and detail, as needed.
- d. Photographing should begin at a significant distance from the crime scene and work inward with special attention given to photographing structures, geographical markers, and other identifying features or details, e.g., mailbox, numerical address and markings.

Additional photographs need to include:

- 1. Overall photographs from several different angles.
- 2. Photographs of the surrounding area.
- 3. Photographs of witnesses, bystanders, vehicles, license plates

- e. On major crimes, severe traffic accidents, or crime and accident scenes that are dispersed over a large area, video recordings shall also be made of the scene.
- f) The following procedures shall apply to evidence collection:
- 1. Officers are to take care to avoid cross contamination of evidence.
 - 2. With the exception of bulk quantities of like items, all items collected as evidence are to be packaged separately.
 - 3. Vehicles should be processed for evidentiary purposes either at the scene or at the contract towing company lot and released to the rightful owner as soon as possible.
 - 4. Perishable evidence shall be collected first. If destruction of evidence is not a concern, then evidence should be collected in a logical sequence that does not disrupt or contaminate other items of evidence.
 - 5. Collection of each item of evidence shall be documented on an evidence collection recovery log. The following shall be included in the log:
 - a. A description of the item, to include any identifying information such as a make, model, serial number, or owner applied number, if available.
 - b. The name or unit number of the person who located the item along with the time it was located

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- c. The name or unit number of the person collecting the item and the time the item was collected.
- d. The item number assigned to the evidence collected.
- e. Transfer of property or evidence from one officer to another shall be documented to include date and time of custody change.
- f. Completion and maintenance of the evidence collection log shall be the responsibility of the officer in charge of collecting evidence or an officer assigned the duty by the supervisor/OIC on scene.
- g. All evidence collected shall be placed in appropriate packaging and the packaging will be marked by the collecting officer. All packaging should provide a description of the item, to include any identifying information such as a make, model, serial number, or owner applied number if available, the date and time collected item number as indicated on the evidence log and the officer's initials.
 - 1. Dangerous drugs and narcotics should only be weighed outside their package/container when removal of that substance for weighing would not alter the substance's weight or composition. How the substance was weighed, i.e. in or out of the container/package, shall be noted on the evidence form.
- h. The collecting officer or investigator shall choose a container suitable to the type of evidence he/she intends to package. Considerations in choosing the proper container include:
 - 1. The size and weight of the item.
 - 2. Whether the item is moist. If so, the item shall be packaged in a paper bag and transported to the evidence locker to be air-dried outside of the package.
 - 3. Objects possessing pointed or sharp edges, shall have the potentially dangerous edge shielded by a guard, e.g. a piece of cardboard or be placed in an appropriate sharps container to afford protection from this potential hazard.
 - 4. Every package shall be at least 3" x 4" in size
 - 5. Never use staples to seal evidence bags or to secure sheets of paper to an evidence bag.
 - 6. Firearm and knife boxes are available to secure same items using the boxes along with zip ties.
 - 7. Evidence containing body fluids or suspected body fluids, shall have a biohazard label appropriately affixed to the outer packaging, with the exception of KSP blood/urine collection kit.

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8. Whenever applicable, evidence should be placed in clear plastic bags and sealed with the initials of the collecting officer and date noted on the end or ends of the package.
 9. All property and evidence that cannot be packaged shall be properly marked or tagged with the evidence /case number and item number to avoid loss or misplacement.
 10. Batteries shall be removed from electronic equipment prior to booking.
- i. All packaging will be sealed. If evidence tape is used, it will be marked with the collecting officer's initials and the date. Always leave excess room when sealing to allow for resealing if later opened.
 - j. Evidence containing substances and fluids of unknown origins, body fluids, or suspected body fluids, shall be wrapped in paper before be placed in a paper container, never plastic. Additionally they will have a biohazard label appropriately affixed to the outer packaging, with the exception of KSP blood/urine collections kits.
 - k. Location of critical evidence in serious crimes shall be measured using base line coordination, forensic mapping system, or triangulation so the exact location of the item may be determined.
- g) Fingerprinting the crime scene.
1. The officer or investigator should print items at the scene, when practical. If items are to be submitted to the KSP laboratory for printing, they should be packaged in such a way to preserve the evidence and protect the item from damage.
 2. On all major crime scenes, latent fingerprints shall be photographed and documented prior to lifting, if possible.
- h) Final organized search of the crime scene.
1. A final, thorough search shall be conducted of the crime scene in an effort to locate evidence overlooked in the original search. Whenever possible, an officer other than the original searching officer, should be used on the final search.
 2. Obtaining the wall, room and building measurements is one of the last phases to be performed in the processing of a crime scene. These measurements are vital in the production of the crime scene sketch, but must be completed last so as not to damage or alter evidence.
- i) Reporting
1. The original responding officer is responsible for the submission of all necessary reports to include inter-agency and KYOPS.

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- j) Detailed scene sketches will be required only in major crimes or accidents where the property loss is substantial or serious assault or death has occurred. The following minimal details will be contained in detailed crime scene sketches.
 - 1. Date and time of preparation the case number, and the name of the officer creating the sketch along with anyone assisting.
 - 2. Location of offense.
 - 3. Location of evidence at the crime scene.
 - 4. Whether the sketch is to scale or not.
 - 5. If the sketch is to scale, the scale should be noted
 - 6. Direction of North.
 - 7. Location and names of victims, witnesses and suspects
 - 8. Relationship of the crime scene to other rooms, buildings or roads.
- k) All officers involved in a case shall submit a supplemental report of their involvement via KYOPS. It shall be as detailed as possible and include: observations, statements made by witnesses, conversations over heard between neighbors etc.
- l) Entering Evidence into the Evidence Locker.
 - 1. All property and evidence shall be stored in the Department's Evidence Locker until such time that it is needed for court, transportation to the laboratory, return to the owner, or other legitimate purpose.
 - 2. All items of evidence, lost or found property, or seized property shall be entered into the Evidence Locker.
 - 3. The item number assigned to each piece of property shall be written on the packaging by the submitting officer
 - 4. Property, seized contraband (with or without charges), lost and/or found items where the owner is unknown or could not be contacted, shall be submitted to the Evidence Locker.
 - 5. Property to be destroyed immediately upon entering the Evidence Locker (non-charged contraband) shall be placed into an "Items for Destruction" letter listing the item to be destroyed and then turned into the Chief of Police with paperwork.
 - 6. All property and evidence recovered in the course of official duties by an officer will be submitted to the evidence lockers after hours before the officer goes off duty; unless the officer properly releases the evidence or property to the rightful owner. Officers may retain evidence or property, including evidentiary cell phones, in secure lockers under

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their control for the purposes of analyzing, evaluating, sketching, drying, packaging, or other investigative purposes with permission from a supervisor or officer in charge.

7. All property and evidence that is US currency, narcotics and dangerous drugs, jewelry, or any other items deemed high in value will be processed into evidence and secured with a gold lock before collecting officer goes off duty for shift that day.

m) Removal of Evidence from the Evidence Locker.

1. When evidence is needed for court or other legitimate purpose, the requesting case officer shall notify the Chief of Police of the request using one of the available letter templates.
2. Requests shall be made at least 3 days prior to the date needed.
3. Property/evidence shall only be released to outside individuals or agencies after receiving authorization for the release from the case officer or his/her commanding officer
4. Letters that are to be mailed out can be turned over to the clerk to be mailed.
5. The evidence will be secured in the evidence locker prior to the requested date. The requesting officer's assigned lock will be used to secure the locker.
 - a. Returning Evidence to the Evidence Locker.
6. The signed release form must be returned to the evidence lockers at the earliest possible convenience. Evidence checked for court will be returned to the Evidence Lockers as soon as the court is through with it. At no time will evidence checked out for court be retained by the Officer such as in his/her vehicle, workspace, etc
7. Returned evidence shall be secured in a locker located in the Police Department.
 - a. Evidence placed in the locker shall be secured in an available locker.
 - b. An email shall be sent to the Chief of Police informing him/her that the property has been returned. The email should include the locker number the returned property is in, as well as, the date and time the evidence was placed in the locker and a name of who placed the items there if someone other than the requesting officer.
 - c. Under no circumstances should the evidence be left overnight at the officer's work station, home, or trunk of his/her car

n) Evidence Processing.

1. All evidence that is to be processed requires a lab request form.
2. All evidence/property to be analyzed in house or through an outside agency shall be packaged and sealed in a manner as to protect the integrity of its potential evidentiary

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value.

3. A lab request must be submitted for evidence that is to be processed either in house or by the Kentucky State Police Lab.
4. Blood Tests and Sexual Assault Kits containing a request sealed within the packaging are exempt from the Lab Request Form.
5. All blood test kits shall be taken to the nearest U.S.P.S. mailbox to be mailed immediately after taking custody of the test kit. A notation shall be made in the report stating the disposition of the test kit.
6. The Chief of Police or his/her designee will be responsible for forwarding all Lab Requests to the outside agencies for processing.
 - a. When evidence is to be sent to the lab for analysis, a Lab Request Form should accompany the evidence in the evidence intake locker. The form must clearly identify item(s) to be processed. Evidence should also be separated during packaging so that only that evidence which is to be tested will go to the lab.
 - b. To request an AFIS examination, the officer must submit an AFIS request sheet which clearly identifies the items to be tested.
 - c. Results will be forwarded to the requesting officer.
7. The booking officer shall check all firearms, including those found, for stolen through NCIC and locally at the time of booking. In addition, the booking officer shall complete an ATF Gun Trace Form to include applicable information.
8. Combustible and Explosive Evidence, to include but not limited to or contaminated by communicable diseases, hazardous chemicals or waste products, explosives or highly combustible products, will not be stored inside Police Headquarters. All evidentiary items will be placed in a secured storage building with a property locker outside of the Police Headquarters building on the property grounds.

o) Field Release of Evidence

1. Any property that is recovered as evidence pursuant to offenses defined in KRS Chapter 514 (Theft and Related Offenses) or KRS Chapter 515 (Robbery), where the property has been obtained unlawfully or unauthorized control of the property has been exerted by one (1) or more of the defendants, the property should be processed in accordance with the following guidelines:
 - a. Officers should arrange for photographs of recovered property that is likely to spoil or ruin if booked into evidence and arrange for its immediate return to the rightful owner.
 - b. Officers who recover stolen items which are unusually bulky, large, or are a

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necessity to the victim should photograph the item and release it to the owner as soon as possible.

- i. After photographs have been taken, the officer should complete and attach a signed Receipt for Property Form to the KYOPS report showing the field release of property to the rightful owner(s).
- ii. All photographs are to be attached to the report for the incident.
- iii. Photographed items should be properly described and owners identified in all reports. A copy of Receipt for Property will be kept on file until final disposition of the case.

p) Disposition of Evidence.

- i. Officers will be notified as to the need review the items of evidence they have booked. Upon notification the officer will be responsible for:
- ii. Determining the disposition of their cases, informing the Chief of Police or his/her designee to destroy, convert, or release to owner. It is the Officers responsibility to notify the property owner by phone, mail, or in person that the held property is no longer needed as evidence and can be returned. Good faith attempts to find property owners should be noted in updates to the original KYOPS report.
- iii. Property not claimed within 45 days of notification shall be deemed abandoned and disposed of per department policy.
- iv. Officers should forward all signed property and evidence release forms to the Chief of Police or his/her designee for filing purposes.
- v. An NCIC criminal history check will be conducted on all persons retrieving weapons from the property unit. Officers should advise citizens that attempting to retrieve a weapon while subject to DVO may be a violation of the law.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 15B	Body Worn Video Recording (BWV)		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References: KACP Chapter 27	

A. PURPOSE

The purpose of this policy is to direct officers and supervisors in the proper use and maintenance of **Body Worn Video Recorders (BWV)** as well as directing how video will be utilized as a quality control mechanism and evidence.

B. POLICY

The policy of this Department is to provide officers with body worn video recording devices in an effort to collect evidence to be used in the prosecution of those who violate the law, for officer evaluation and training, and to provide accurate documentation of law enforcement and citizen interaction. The use of a BWV system provides persuasive documentary evidence and helps defend against civil litigation and allegations of officer misconduct. Officers assigned the use of these devices shall adhere to the operational objectives and protocols outlined herein so as to maximize the effectiveness and utility of the BWV and the integrity of evidence and related video documentation.

C. PROCEDURE

It is the intent of this policy that all officers who will be using BWV equipment shall be trained on the manner in which the BWV shall be tested, maintained, used and how the recorded events will be properly documented and maintained as evidence in future judicial proceedings. Only Departmental approved and provided BWV equipment will be utilized by any officer.

- 1) It shall be the responsibility of each individual officer to test the BWV equipment at the beginning of each tour of duty. Officers equipped with the BWV will ensure that the batteries are charged prior to the beginning of their shift or special event.
In the event that the equipment is found to be functioning improperly, the officer shall report the problem immediately to their immediate supervisor so that the information can be documented, and arrangements made for repair.

D. Uniformed Officers assigned Body Worn Video cameras will wear them at all times while on duty in any type of uniform. BWV will be worn according to manufacturer's specifications and/or recommendations. Officers will make every reasonable effort to ensure that the BWV recording equipment is capturing events by positioning and adjusting the BWV to record the event. Officers are authorized to utilize body worn video recorders during law enforcement events when the officer is a party to the conversation.

- 1) It is the policy of this agency to record with audio and video the following incidents:
 - a) All calls for service in which citizen contact is made

Chapter 15B: Body Worn Video Recording (BWV)

- b) All traffic stops
- c) All citizen transports (excluding ride-along)
- d) All investigatory stops
- e) All foot pursuits

Examples of these incidents include, but are not limited to:

1. Arrest of any person
 2. Searches of any kind
 3. Seizure of any evidence
 4. Request for consent to search
 5. Miranda warnings and response from in custody suspects
 6. Statements made by citizens and suspects
 7. K-9 searches of vehicles
 8. Issuances of Written Violations
 9. Arriving at law enforcement events and/or citizen contacts initiated by other officers
 10. Other incidents the officer reasonably believes should be recorded for law enforcement purposes
 11. Any departmental approved off-duty employment performed by uniformed personnel assigned BWV.
- 2) The recording shall continue until the law enforcement event or citizen contact is completed and the citizen involved departs or until the officer, who is recording the event through a BWV discontinues his or her participation in the law enforcement event or citizen contact by leaving the scene. In the event an officer deems it necessary to stop recording, he or she will make a verbal statement of their intent to stop the recording and his reason.
 - 3) When a BWV recording is being entered into the property and evidence storage and management area of the agency it should be done according to existing agency policy governing the retention of evidence.
 - 4) If an officer assigned BWV equipment participates in a law enforcement event or citizen contact and becomes aware that the event was not recorded using the BWV equipment, the officer shall notify their supervisor that the stop was not recorded and should notify them as to the reasons. The notification to the supervisor shall be in writing and shall be forwarded through the chain of command.

E. Issues Related to Privacy:

- a) The BWV should not be activated when the officer is on break or otherwise engaged in personal activities or when the officer is in a location where there is a reasonable expectation of privacy, such as a restroom or locker room.

Chapter 15B: Body Worn Video Recording (BWV)

- b) For safety and confidentiality reasons, encounters with undercover officers or confidential informants should not be recorded.
- c) Undercover contacts or plainclothes contacts are exempt from this policy where utilizing a camera may create a dangerous situation or otherwise diminish the investigative success of the operation.
- d) BWV activation is limited to situations involving official police activities authorized by law or court order, including consensual citizen encounters and investigation of law violations.
- e) The purposeful-intentional activation of BWVs during personal conversations between officers and between officers and supervisors involving counseling, guidance sessions, or personnel evaluations is prohibited by this policy unless all parties present agree to be recorded.

F. Supervisory Responsibility TAPES or other storage media

- a. The original digital files from body worn video recorders will be downloaded and stored on a designated storage location to prevent destruction. Officers will make every reasonable attempt to download video and audio files before the end of each shift.
- b. Non-evidentiary video and audio recordings will be maintained on the designated storage location according to KRS and/or the applicable records retention schedule after their creation.
- c. This media will be subject to the same restrictions and chain of evidence safeguards as detailed in the agency evidence control procedures.
- d. Media will be released to another criminal justice agency for trial or other reasons by having a duplicate copy made. All recording media, recorded images and audio recordings are the property of this agency. Dissemination outside the agency, other than for court proceedings, is strictly prohibited without specific authorization of the agency head or designee.
- e. To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the office BWV technician or forensic media staff.
- f. Unauthorized and/or malicious destruction, editing, or deletion of video and audio files is prohibited.
- g. All digital video and audio files are subject to open records request as allowed by Kentucky law. Recordings that are the subject of a denied open records request must be maintained until the dispute between the agency and the person or entity requesting the recordings is resolved.
- h. Digital media from the BWV shall be stored on a secured server with access limited to supervisory personnel designated by the Chief of Police.

Chapter 15B: Body Worn Video Recording (BWV)

- i. At least once every 60 day period, supervisors should review a taped event of each officer. The supervisor will document this review under the officer's name.
- j. Supervisors should use these reviews as a quality control measure. Following such a review, the supervisor will hold a meeting with the officer and provide the officer with either positive reinforcement or constructive criticism with respect to the activity reviewed. Constructive criticism may relate to officer safety issues, demeanor, policy issues or legal issues related to the stop as well as any other supervisory observation relative to performance.
- k. In cases of infractions, the agency head or his/her designee shall determine proper disciplinary or corrective action.

G. Use of BWV Recordings as Evidence in Criminal/Motor Vehicle Prosecutions

- a. When an officer makes a recording of any action covered by this policy and a citation is issued or an arrest is made, the officer shall note on the uniform citation that a video has been made.
- b. Where there is any indication that the BWV may contain "*Brady*" material, that recording must be saved and turned over to the prosecutor assigned to the case in accordance with the "Duty to Disclose" policy of this department.
- c. Civilians shall not be allowed to review recordings except as: approved by the Chief of Police or their designee; through the process of evidentiary discovery; and/or by proper public records request.

H. Special Considerations

- a. **School Resource Officers/Recording in Schools and/or Educational Facilities:** BWV should only be activated or limited to when officers are responding to criminal complaints/activity; or violations of school policy as limited by federal Family Educational Rights and Privacy Act (FERPA) guidelines. (NOTE: No release to or viewing by outside entities of this video shall be made unless authorized by a judicial order).

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 16A	Civil Disturbance, Demonstrations, and Disobedience		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to provide guidance to agency personnel in assessment and handling of civil disturbances, demonstrations, disobedience.

B. Policy

It is the policy of the Augusta Police Department to protect the rights of citizens in regard to the lawful exercise of freedom of speech and assembly, while ensuring the rights of other citizens to the lawful use of their property and unobstructed passage upon the highways or other public passageways. In the case of civil disobedience or disturbance, the agency will first strive to disperse the crowd and restore order, utilizing minimum force while trying to ensure minimum damage to property. Secondly the agency will make every effort to prosecute those individuals who have engaged in or induced others to engage in criminal behaviors. It is highly preferred that arrests should be accomplished through follow-up investigation so as to avoid the challenges of mass arrest while managing such incidents.

C. Definitions

1. Civil Disturbance: A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.
2. Demonstration: An assembly of persons organized primarily to engage in First Amendment activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention. Generally, there are two types of demonstrations. One is where the participants march, carry signs, etc. for a specific period of time and do not have being arrested as one of their objectives. The other is where their main objective is to prevent access to a business/ government office and/or be arrested.
3. Crowd Control: Techniques used to address civil disturbances, to include a show of force, crowd containment, dispersal equipment and tactics, and preparations for multiple arrests.
4. Crowd Management: Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status through event

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planning, pre-event contact with group leaders, issuance of permits when applicable, information gathering, personnel training and other means.

5. Command Staff: Chief of Police, Assistant Chief of Police.

D. Procedure

In all instances of civil disturbance, demonstration, or disobedience; command notification should be made as soon as possible. Command Staff will be responsible for evaluating the circumstances of the incident, determining potential threat to life and property, and implementing the appropriate agency crowd control/management response. In the early stages of an incident Supervisors are encouraged to make decisions on any police action which they believe is necessary to mitigate situations without waiting for higher authority to arrive on the scene. In all instances of civil disturbance, demonstration, or disobedience all media request, releases, interviews etc. shall be coordinated or conducted by the Chief of Police or his/her designee.

1. Use of Force

- a. Officers shall comply with Rules, Regulations and Procedures Chapter 10 Response to Resistance. In all instances only the minimal force necessary shall be used.
- b. Unless exigent circumstances justify immediate action, officers shall not independently make arrests or employ force without command authorization.

2. Resources

- a) Supervisors/commanders shall arrange for video capability as soon as practical from available personnel or by summoning additional officers. Video should be taken of the crowds, police actions, arrest procedures, and to aid in the identification of arrestees for prosecution.
- b) The Augusta Police Department has mutual aid agreements with numerous law enforcement agencies that may be called upon if needed. The first command officer/supervisor on scene may request additional agencies if necessary. Agencies that may be called upon to assist include, but are not limited to:
 - a. Bracken County Sheriff Office
 - b. Brooksville Police Department
 - c. Kentucky State Police
- c) So as to ensure adequate resources at the Mason County Detention Center, the incident commander shall ensure notification is made as to the possibility of arrests. Additionally, the incident commander should assess the need for prisoner transport vehicles to be placed on standby at a

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staging area.

- d) The County Judge Executive and the Chief of Police may request military support, when in their opinion, the incident is such that it requires more resources than can be provided through local agencies and the exercise of mutual aid agreements. Responding military asset deployment will be coordinated through the Emergency Operations Center and the Mobile Command Center.

3. Peaceful Demonstration

- a. Upon receiving a complaint of a demonstration an OIC/Supervisor/Commander shall respond to the scene.
- b. The incident commander will, as necessary, obtain sufficient staffing to control the demonstrators. This will depend on the number of demonstrators, location of the demonstration, and the willingness of the demonstrators to comply with lawful authority.
- c. The incident commander will maintain communication with the “group leader” and provide space, not blocking the free passage of pedestrians or vehicles, for the demonstrators to march.
- d. The demonstrators will be instructed not to interfere with the free passage of others.
- e. If the demonstrators are verbally challenging persons passing their demonstration, and the incident commander believes that their conduct constitutes harassment, they shall be informed of the law, KRS 525.070 - Harassment, and the likelihood of arrest for individuals violating the law.
- f. If the owner of the premises, or other person authorized by the owner, personally communicates to the demonstrators a lawful order to leave the premises, the demonstrators shall leave the premises or be subject to arrest for criminal trespass.

4. Blocking Access Demonstration

- a. The incident commander will make contact with the “group leader” and attempt to determine their intentions regarding the demonstration.
- b. The incident commander shall be prepared to discuss with the group leader the state and local laws pertaining to blocking public passage and trespassing, and the role of the Augusta Police in response to their actions.
- c. The incident commander shall determine the property owner’s (or other

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authorized person's) intention to make a trespassing complaint.

d. If the situation requires mobilization of additional units, the incident commander will request such units as necessary so as to ensure he/she has adequate personnel to control the situation.

e. When it becomes evident that it will be necessary to make arrests, the incident commander shall:

1. Ensure a sufficient number of officers and prisoner transport vehicles are on hand to handle the arrests.
2. When practical attempt to determine if anyone in the group is deaf or does not understand English so as to prevent a defense of not being properly warned.
3. Warn the participants, by megaphone or a cruiser P.A. system, of which law(s) they are violating, and that if they do not leave they will be arrested. Any participant wanting to leave will be allowed to do so, up to the time that an officer tells that person that they are under arrest.
4. The incident commander will then direct the arrest of demonstrators who are remaining unlawfully or obstructing passage. The incident commander should designate one officer, or as few as reasonably possible, to make the formal arrests. This will allow for uniformity in placing charges and court appearances.
5. The arresting officer should repeat the warning and attempt to elicit some type of response from the individual to be arrested. The arresting officer should then secure the arrestee with hand or flex cuffs, conduct a search, and turn the prisoner over to a transport team for removal.
6. In some instances the arrestee will sit down, go limp, or refuse to cooperate. In such instances the transport team will ensure sufficient support personnel are available to carry the arrestee to the transport vehicle. Officers will not use "pain compliance techniques" on arrestees who are not cooperating but are offering only "passive resistance". If it is necessary to carry the arrestees some distance the incident commander should consider the use of stretchers or wheelchairs to minimize the chance of injury to an officer or an arrestee.
7. Each officer assigned to the demonstration should be advised to make no comment as to their feelings about the issues which are the subject of the demonstration. Officers shall ask the arrestee to walk to the transport vehicle. If the person refuses the officers will attempt to determine if the person has any physical disability and if so adjust their transport as

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necessary. Officers shall maintain a professional attitude at all times.

5. Sudden, spontaneous disturbance.

- a. The first officer(s) who initially responds to a disturbance situation shall:
 1. Assess the situation, determine the need for additional units and attempt to aid any injured persons if practical. Officer(s) should not attempt to penetrate a hostile crowd until an adequate number of officers are present.
 2. Request the assistance of a supervisor, notify command staff, and brief the supervisor/commander upon his/her arrival.
 3. Attempt to form a loose perimeter around the crowd for the purpose of observation and containing the situation to the smallest possible area consistent with officer safety, denying access by other persons to the area if possible, while allowing persons not wanting to participate to leave the area.
 4. Designate a specific location where responding units will meet, and the safest avenue of approach.
- b. The on-scene Supervisor/Commander shall become incident commander until replaced by higher authority. The incident commander shall establish a temporary mobile command post using a patrol vehicle at a vantage point that permits the ability to make initial assessments as to the scope and potential for escalation of the incident, and provide direction pertaining to the deployment of officers.
- c. The incident commander will provide Dispatch with a brief analysis of the situation, including:
 1. Approximate size of the crowd.
 2. Nature of the disturbance.
 3. Specific location of the incident.
 4. Location of the mobile command post
 4. Estimate of additional units required or unit call out (i.e. BCSO, KSP, etc.)
 5. Need for a dedicated radio channel.
 6. Need for a dispatcher on the channel.

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d. If not already made aware, the incident commander should request Dispatch to notify the Command Staff and relay all pertinent information relative to the disturbance.

e. If the Incident Commander determines that a significant police response may be necessary, the following additional steps will be taken:

1. Attempt to disperse the participants through verbal persuasion, and if necessary, issue orders to disperse.
2. Attempt to designate an inner-perimeter with available units and unless additional units are needed for the inner perimeter, request additional units to establish an outer-perimeter, diverting vehicular and pedestrian traffic away from the scene.
3. Except in extreme circumstances when authorized by the incident commander, the authorization to use chemical agents or other crowd control measures must be approved in advance by a command level officer.
4. Assess the need and provide for the security for government buildings, firearms distributors including; gun shops, pawn shops, department stores, hardware stores, and sporting goods stores.
5. Provide escorts for Ambulance Squads and fire engine companies in the area of the disorder if needed.

6. Post-Occurrence

- a. The incident commander should survey the area and assess the need for additional security or extra patrol for damaged or unsecured businesses.
- b. A continued police presence should remain to ensure the safety of returning residents to the affected area.
- c. Agency commanders should meet with community leaders and residents to develop strategies to prevent reoccurrence of the event and to determine immediate security needs.
- d. Supervisors will ensure the submission of all necessary reports i.e. arrest, assault, arson, property damage etc.
- e. The Augusta Police Department will work closely with Bracken County Attorney's Office in an attempt to identify, arrest, and prosecute those who commit criminal offenses during civil disorder incidents.

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7. After-Action Reports

a. Following an instance of civil disorder, disturbance or disobedience, the Augusta Police Department shall complete a comprehensive after action review of the incident. This review shall include but is not limited to: intelligence management, mobilization, de-escalation, deployment procedures, mutual aid procedures, containment, property damage, arrests, prosecutions, media management, etc. A briefing in regards to this after action review shall be provided to the Mayor upon request.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 16B	Planning Unusual Occurrences		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-17-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

To specify positions in the Augusta Police Department who are responsible for the planning for unusual occurrences.

B. Scope

This procedure shall apply to all Augusta Police Department personnel, effective October 17, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

- a. Command Staff includes Chief of Police and Assistant Chief of Police.
- b. O.E.M. Director shall mean the person designated by the Bracken County Fiscal Court as the Director of Office of Emergency Management.

D. Procedure

- a. Command Staff and the O.E.M. Director as defined, shall have the responsibility of planning for unusual occurrences.
- b. In case of any unusual occurrences within the jurisdictional area of the Augusta Police Department, the officer on duty shall notify the command officer/supervisor in charge of that shift as soon as possible. That command officer/supervisor shall notify the Chief of Police and give as much information as to the extent of the damage and/or problems.
- c. The Chief of Police may call out all available department members to answer calls, to patrol the jurisdictional area, or assists the residence who are in need. If the situation requires the activation of the Bracken County Emergency Operations Plan, several points shall be followed:
 - i. The Chief of Police shall notify the Mayor of Augusta, the Bracken County Dispatch Center, and the Bracken County Officer of Emergency Management.

Chapter 16B: Planning, Unusual Occurrences

- ii. Once the Emergency Operations Plan has been activated, the Augusta County Police Department shall follow the guideline set forth in the Emergency Operations Plan, and work in cooperation with local and state Emergency Management Personnel.
- iii. If an outside agency requests assistance during a disaster, the Chief of Police can authorize a department member(s) to respond to that jurisdiction and assist. The responding department member(s) should report to the designated command post, unless otherwise ordered. The officer(s) shall work in conjunction with that jurisdiction's Emergency Operation Plan.
- iv. In the event a department member(s) is notified of the existence of an emergency situation, and is notified to report for duty; he/she is to consider that notification a direct order from the Chief of Police. Failure to comply with that order will result in disciplinary action, unless that department member is excused by the Chief of Police.
- d. An emergency situation is defined as follows: Any incident being declared an emergency situation by either the County Judge Executive, the Mayor or the Chief of Police.
- e. In the event the Mayor, Chief of Police, or Assistant Chief of Police cannot be contacted; the Command Officer/Supervisor can declare a situation to be of an emergency nature. This decision is subject to review immediately upon contacting any of the above persons.
- f. Department member(s) notified to report for duty immediately will report at the designated location in uniform ready for any duty assigned.
- g. Department member(s) who are to report immediately will have 45 minutes to respond to the designated location.
- h. Department member(s) notified to report at a specific time will report at that time to the designated location in uniform ready for any duty assigned.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 16C	Response to Active Shooting Incident		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	10-17-2017	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to provide officers with specific guidelines for a Rapid Response to an Active Shooting incident. The primary mission in an active shooting incident is to locate and neutralize the threat as soon as possible.

B. Policy

It shall be the policy of the Augusta Police to respond to active shooting incidents in a manner that stops the assailant(s) through expedient means, and in accordance with the Response to Resistance policy.

C. Definitions

1. **Active Shooting:** An incident in which at least one armed person has used, or is reasonably likely to use, deadly force and where victims are under his or her immediate control or are readily accessible. This term is commonly used to identify situations in which rapid deployment may be justified. However, as defined herein, rapid deployment may be justified not only when shots have been fired (as the term active suggests), but also when there is reasonable likelihood that some form of deadly force will be used if immediate measures are not taken.
2. **Rapid Response and Deployment:** The swift deployment of patrol personnel and resources to developing or ongoing life-threatening situations where delayed deployment of emergency personnel could otherwise result in death or bodily harm to innocent persons.
3. **Incident Commander (IC):** The on scene officer in charge of the incident location. Any officer assuming the status of IC shall notify dispatch via police radio that they have assumed the role of Incident Commander.
4. **Contact Team:** The first two to four officers at the scene of an active shooting who form a team whose priority is to locate and neutralize the life threatening behavior of the suspect/offender.
5. **Rescue Team:** A team of two to four officers whose priority is the rescue and recovery of the victims of the suspect/offender.

Chapter 16C: Response to Active Shooting Incident

Note: While the Rapid Deployment concept is generally thought of as involving a team of four officers, individual circumstances must dictate what actions need to be taken to preserve life and how many officers are utilized. Officers at the scene of an in progress active shooter should utilize the training that has been provided to them to rapidly formulate a plan that they believe will be successful in terminating the event. Nothing in the section is meant to preclude a single officer from taking necessary action to terminate the use of deadly physical force by an active shooter.

D. Procedure:

1. Role of Contact Team

- a. The first officers to arrive at the scene of an active shooting shall establish a Contact Team comprised of at least two officers, but preferably four. A Contact Team can be comprised of a combination of personnel from the Augusta Police and surrounding agencies. Notification should be made to dispatch prior to entering the scene of an active shooter. Nothing in this policy shall preclude an officer from taking appropriate action to protect life when observing a threat capable of death or serious physical injury. If scene entry is made, then an officer with tactical experience or a senior officer or supervisor shall take a leadership role as Team Leader and direct the actions of the initial entry team, including designating an officer to make all radio communications.
- b. The primary mission of the Contact Team is to locate and neutralize the life threatening behavior of the active shooter(s), suspect/offender(s). If victims are still imperiled, the shooting has not ceased, or it is believed the suspect/offender is a continued threat, the primary mission of the team is to stop the life threatening behavior of the shooter before rendering aid to wounded victims. It will be the responsibility of the designated radio officer to keep the IC (if established) and dispatch apprised of their location and status of the Contact Teams and additionally they will also notify dispatch of the location of any victims if known.
- c. More than one Contact Team can be inserted if additional officers have arrived and the suspect/offender(s) has not been located. It is imperative that prior to the insertion of any additional teams, the original Contact Team be notified and acknowledges that a second team has been deployed. If more than one team is deployed, team members must use extreme caution to avoid friendly fire or cross fire situations. It is important that Contact Teams move in unison towards the sound of an active shooter in a rapid but not hasty manner. Communication between different teams is vital.

2. Role of the Incident Commander

- a. The first supervisory or command officer to arrive on scene, once a determination has been made that a sufficient number of Contact Teams have been deployed or the immediate threat appears to have been neutralized, will function as the Incident Commander (IC). The IC may be passed to a higher ranking officer once that officer arrives on scene, has been fully briefed, and assumes incident command. Any officer assuming command will notify dispatch that they have assumed the role of the IC.
- b. The following are among the first priorities of the initial and subsequent command officers assuming the role of the IC:

Chapter 16C: Response to Active Shooting Incident

1. Assess the situation
2. Communicate with any deployed Contact Team(s)
3. Broadcast the situation to responding units
4. Number of suspects and description
5. Types of weapons involved
6. Safe approach route for responding units
7. Staging point for responding officers
8. Command post location if possible
9. Request appropriate resources i.e. Additional units, Fire/EMS, Bomb Squad, SWAT, etc.
10. Determine inner and outer perimeter boundaries
11. Deploy containment units at inner perimeter
12. Assemble Rescue Team and designate a Rescue Team Leader
- c. Establish safe areas for:
 1. Freed or rescued victims
 2. Relatives responding to the scene
 3. Reunification of victims and families
 4. Media
- d. As time and resources permit, the IC should assign someone to act as:
 1. Liaison for responding outside agencies
 2. Liaison for media
 3. Liaison for responding family members
3. Role of Rescue Team
 - a. The IC will assign a Rescue Team Leader (RTL) who will be responsible for Rescue Team assignments, deployment, plans and actions taken; which, the RTL will coordinate with the IC.
 - b. The primary mission of the Rescue Team is the rescue and recovery of victims of the active shooter. The RTL will designate someone who will serve as the radio officer responsible for keeping dispatch and the IC apprised of the teams location and status.
 - c. If enough personnel are available, the IC can consider inserting a Rescue Team while the Contact Team is still deployed. It must be remembered that inserting additional personnel into an active situation heightens the chances for friendly fire or cross fire situations. Prior to the insertion of the Rescue Team, all operational Contact Teams must be notified and acknowledges that a Rescue Team is being deployed.
 - d. Rescue Teams being deployed into an active scene must be comprised of at least one armed officer, preferably two or more.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 17A	Domestic Violence, Adult and Child Abuse and Neglect		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To clarify the police officer's authority and responsibility in domestic violence cases in accordance with established constitutional and statutory standards and to reduce the incidents and severity of domestic violence crime in the city of Augusta.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

1. Statement of Policy

- a. The Augusta Police Department recognizes domestic violence as a crime, giving such calls a high priority response.
- b. It is the policy of the Augusta Police Department that arrest is the preferred response to domestic violence crime when consistent with state law. This department will actively utilize the arrest powers granted by K.R.S. when the elements of an offense, including Violation of a Protective Order, are present.
- c. It is the policy of the Augusta Police Department to report all known or suspected cases of domestic violence and abuse, adult and child, to the Cabinet for Health and Family Services (CHFS) within forty-eight hours regardless of whether or not an arrest is made or a complaint taken. The JC-3 form shall be completed and designated copies forwarded to CHFS.
- d. It is the policy of the Augusta Police Department to respond with the same protection and sanctions for every domestic violence incident including cases involving law enforcement officers, public officials and prominent citizens.
- e. It is the policy of the Augusta Police Department that all police officers of this department shall be required to complete K.L.E.C. approved training in domestic violence issues.

2. Definitions:

- a. "Adult" means a person eighteen (18) years of age or older or a married person without regard to age, who because of mental or physical dysfunction, or who is the victim of abuse or neglect inflicted by a spouse, is unable to manage his/her own resources, carry out activities of daily living, or protect himself/herself from neglect, hazardous or abusive situations without assistance from others and may be in need of protective services.
- b. "Adult/Spouse Abuse or Neglect" means the infliction of physical pain, injury or mental injury, or the deprivation of services by a caretaker which are necessary to maintain the health and welfare of an adult or a situation in which an adult, living alone, is unable to provide or obtain for himself/herself the services which are necessary to maintain his/her health or welfare, or a situation in which a person inflicts physical pain or injury upon a spouse or deprives a spouse of reasonable services necessary to maintain the health and welfare of his/her spouse.
- c. "Child Abuse, Neglect or Exploitation" means a child whose health or welfare is harmed or threatened with harm when his/her parent, guardian or other person exercising custodial control or supervision of the child, inflicts or allows to be inflicted upon the child physical or emotional injury by other than accidental means; commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child, creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon the child; abandons or exploits such child; does not provide the child with adequate care, supervision, food, clothing, shelter and education or medical care necessary for the child's well-being. A parent or other person exercising custodial control or supervision of the child legitimately practicing his/her religious beliefs shall not be considered a negligent parent solely because he fails to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child.
- d. "Course of conduct" means a pattern of conduct composed of two or more acts, evidencing a continuity of purpose; it does not include constitutionally protected activity.
- e. "Domestic Disturbance or Dispute Call" means a call involving an argument or disagreement between family members, unmarried couple, household members, or neighbors that does not indicate violence, threats of violence, or violation of court protective orders. NOTE: These calls do not need to be reported to the Department of Social Services or have a JC-3 form completed.
- f. "Domestic Violence and Abuse" means physical injury, serious physical

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injury, sexual abuse, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault between family members or members of an unmarried couple.

- g. "Domestic Violence Call" means a call where a family member or member of an unmarried couple is alleged to be the victim of:
 - 1) Physical injury or in fear of imminent physical injury.
 - 2) Sexual abuse or in fear of imminent sexual abuse.
 - 3) Unlawful imprisonment or kidnapping.
 - 4) Property crime.
 - 5) Stalking.
 - 6) Violation of terms or conditions of a protective order by the other party.

NOTE: These calls must be reported to CFHS and a JC-3 form completed.

- h. "Exigent Circumstances" means that in response to a domestic violence call, officers may enter a dwelling without consent or a warrant when there is reasonable belief that a person within is in need of immediate aid.
- i. "Exploitation" means the improper use of an adult or an adult's resources by a caretaker or other person for the profit or advantage of the caretaker or other person.
- j. "Family Member" means a spouse, including former spouse, a grandparent, a parent, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim, or another in accordance with KRS 403.720.
- k. "Member of an Unmarried Couple" means each member of an unmarried couple, which allegedly has a child in common, any children of that couple, or a member of unmarried couples who are living together or have formerly lived together.
- l. "Stalking" means an intentional course of conduct directed at a specific person(s) which seriously alarms, annoys, intimidates or harasses; which serves no legitimate purpose; and which would cause a reasonable person to suffer substantial mental distress.

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- m. "Victim or Complainant" means any person who is the victim of domestic violence. This includes victims who, at that time, may be reluctant to see the perpetrator arrested, unwilling to file charges, or to see the offender prosecuted.

4. On Scene Officer Responsibilities

When responding to domestic violence calls, general responsibilities include: (1) to respond promptly to the call; (2) establish control; (3) assess the situation for risks to all parties; (4) attend to any emergency medical needs of those involved and call for appropriate assistance; (5) interview parties/witnesses separately and away from the line of sight and hearing of the perpetrator; (6) effect an arrest of the alleged perpetrator if legally possible; (7) inform the victim of rights; (8) offer victim information on legal remedies and community services available for protection and safety planning; (9) assist victim in securing legal protection (warrant, protective order) and medical attention; (10) report incident to the Cabinet for Human Resources, Department for Social Services; (11) collect weapons and evidence; (12) attend to any children or dependent adults and contact appropriate resources to attend to same; (13) photograph victims if allegations of physical abuse are made or signs of physical abuse are visible.

- a. Two police officers shall respond to all calls of domestic violence or domestic abuse if available.
- b. Officers shall adhere to the Augusta Police policy on emergency vehicle operation.
- c. Determine and verify the existence and status of warrants and protective orders (Emergency Protective Orders [EPOs], Domestic Violence Orders [DVOs] and/or Foreign Protective Orders [FPOs]).
- d. Conduct an assessment of the premises from outside to gather additional information about the situation prior to making their presence known.
- e. Stand to one side of the door when knocking and exercise officer safety tactics throughout the incident.
- f. Identify themselves as police officers, give an explanation as to why you are there and ask for entry into the house. If entry is refused, officers should again request entry and explain that they desire only to determine if any injured persons are inside. If entry is again refused and the officers have a reasonable belief that a person inside the premises is in need of immediate aid, the officers may make an entry without permission and conduct a limited search for injured persons. The search may only be conducted in those areas that a person may be found. If exigent circumstances have ceased, obtain a

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consent to search or obtain a search warrant when appropriate.

- g. Once inside, establish control, separate the parties, assess the need for and obtain emergency medical treatment. Dispatch shall be notified when control has been established.
- h. Interview parties separately concerning the circumstances of the incident.
- i. Determine if any witnesses, including children, are available for statements.
- j. Arrange for service of any outstanding emergency protective orders or summons. When there is an outstanding E.P.O., the officer shall make every attempt to serve same. Copies of E.P.O.'s are on file at the Bracken County Dispatch Center, and may be on file with the police department having jurisdiction over the perpetrator's place of residence. If the perpetrator is an Augusta resident, the officer shall have the respondent drive to the Police Department or the officer shall transport the respondent to the Police Department for service of the E.P.O. If a copy of the E.P.O. cannot be located, and the perpetrator is an Augusta resident, the officer shall have Dispatch page the on-call Bracken County Sheriff who will respond to the scene with a copy of the E.P.O. and make service. If service of the emergency protective order cannot be made in a timely manner, the officers should make the terms and conditions known to the respondent. Actions taken that are stated in this subsection shall be noted on the JC-3 form.
 - 1) When an Emergency Protection Order is served on a perpetrator and the perpetrator has a valid Concealed Deadly Weapon Permit, the Concealed Deadly Weapon Permit is to be surrendered to the officer. The Permit will be forwarded to the Court issuing the Protection Order. The officer will also inform the perpetrator that he/she is not allowed to carry a concealed weapon until he/she receives a court order to do so.
- k. If allegations of physical abuse or assault are made, or if signs of physical abuse are visible, photograph the victims. Include in the photographs an overall frontal picture of the victim and pictures of the injuries or areas of the body reported to be injured. Also, arrange for follow up photographs of the victim in order to demonstrate the extent of the injuries that may later become more obvious.
- l. If the victim is a child (under 18 years of age) and there are reasonable grounds to believe that the child is in danger of imminent death or serious physical danger or is being sexually abused and the parents or other persons exercising custodial control or supervision is unable or unwilling to protect the child, the child may be taken into protective custody and removed from the home without a warrant. Prior to removing the child from the home, the

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Chief of Police and CHFS should be notified.

The procedures for emergency removal of a child without a warrant are as follows:

- 1) Contact CHFS and the Chief of Police or his/her designee.
 - 2) The removing and/or child abuse officer shall transport or cause the child to be transported to a medical facility if medical attention is needed.
 - 3) Complete a Juvenile Complaint Form, AOC-JV-1, for each child to be removed. Facts identifying the child as being delinquent or dependent must be stated on this form. The document must be signed in the presence of a judge.
 - 4) Two copies of the form titled "Notice of Emergency Removal" shall be completed by the removing and/or child abuse officer. One copy shall be given to the parents/guardian of the child or left in a conspicuous place if the parents/guardian are not at home.
 - 5) The removing and/or child abuse officer shall complete the top portion of a Juvenile Emergency Custody Order, AOC-JV-22, and have the form signed by a judge within twelve hours.
 - 6) Complete a Form JC-3.
 - 7) Complete an Augusta Police Report stating facts of the case and where the child was placed.
 - 8) The AOC-JV-22 and AOC-JV-1 forms must be signed by a judge within twelve hours of the removal of the child. If the removal is made twelve hours before the next regularly scheduled session of juvenile court is to be held, the removing and/or child abuse officer shall contact the juvenile court judge through Pre-trial Services and deliver said forms to the judge for his/her signature.
 - 9) The court will issue a date for a custody hearing to be held no later than 72 hours after the removal of the child. The removing and/or child abuse officer shall make or arrange for the notification of said hearing to the child's parents/guardian.
- m. If the abused person is a dependent adult and the threat as defined in the statute still exists, then an emergency referral to the CHFS shall be made.
- 1) A dependent adult is defined as a person eighteen years of age or older or

Chapter 17A: Domestic Violence, Adult and Child Abuse and Neglect

a married person without regard to age, who because of mental or physical dysfunction, or who is the victim of abuse or neglect inflicted by a spouse, is unable to manage his/her own resources, carry out the activities of daily living, or protect himself/herself from neglect, hazardous or abusive situations without assistance of others and may be in need of protective services.

- 2) If the person is in need of medical attention, E.M.S. should be notified.
- n. Persons violating the terms of a valid Emergency Protective Order (E.P.O.) shall be arrested when the officer has probable cause to believe the provisions of the orders are violated:
- 1) Emergency Protective orders are immediately enforceable only if the respondent has been served or given notice of the contents.
 - 2) The officer should check through the LINK Domestic Violence File to verify service of the E.P.O.
 - 3) If personal service has not occurred the officer shall immediately give the respondent notice of the contents of the E.P.O.
 - 4) After notice has been given to the respondent its terms are binding and enforceable for subsequent acts.
 - 5) The officer shall then make arrangements for personal service of the E.P.O. if possible and makes notification to the Dispatch Center for appropriate LINK modification.
 - 6) When an arrest is made the appropriate charge will be VIOLATION OF A PROTECTIVE ORDER, K.R.S. 403.763.
- o. Persons violating the terms of a valid Domestic Violence Order (D.V.O.) shall be arrested when the officer has probable cause to believe the provisions of the order are violated and the provisions are confirmed through the LINK-Domestic Violence File. When an arrest is made the appropriate charge will be VIOLATION OF A PROTECTIVE ORDER, K.R.S. 403.763.
- p. Foreign Protective Orders
- 1) An Augusta Police officer has the authority to arrest for a violation, in the City of Augusta, of a Foreign Protective Order presented to him/her, even though the order has not been entered into LINK. The officer shall check out the order for its expiration date (some orders may not have an

expiration date) and the restrictions it places on the respondent (some states grant relief not available in Kentucky). The officer may assume the respondent was given notice of the order and its contents in the other state. If the officer has probable cause to believe the respondent has violated the order, the officer may arrest the respondent.

- 2) If the respondent commits a violation of a foreign protective order, or if the officer has probable cause to believe the respondent has violated the order, which has been filed at a circuit clerk's office in Kentucky and entered into LINK. The officer, before arresting, shall check through LINK for the expiration date and the restrictions imposed. The officer may assume the respondent was given notice of the order and its contents while in the other state.
 - 3) When an arrest is made under the conditions set forth in p.1.or p.2., above, the appropriate charge will be VIOLATION OF A PROTECTIVE ORDER, K.R.S. 403.763.
- q. Officers shall arrest persons for Assault 4th degree when the officer has probable cause to believe that the person has intentionally or wantonly caused physical injury to a family member, or a party of an unmarried couple.
- 1) The term "Domestic Violence" shall be clearly marked in the description portion of the citation.

Notes: (1) In order to arrest the perpetrator, the officer does not have to make a determination that the perpetrator will present a danger or threat of danger to others if not immediately restrained. K.R.S. 431.005(2)(a)

(2) If a law enforcement officer has probable cause to believe that a person has violated a condition of release imposed in accordance with KRS 431.064 and verifies that the alleged violator has notice of the conditions, the officer shall, without warrant, arrest the alleged violator whether the violation was committed in or outside the presence of the officer.

- r. When a domestic violence crime has been committed, and the officer is unable to establish probable cause for a warrantless arrest under the provisions described, or is unable to arrest the alleged perpetrator, the officer shall advise the victim about Emergency Protective Orders. If the victim desires an E.P.O. be issued, the officers shall assist her/him in obtaining same. The steps to obtain an E.P.O. are as follows:
- 1) The officer will gain access to the Kentucky eWarrants system via MDT or other computer. Once in the system, the officer will enter all information in the eEPO section. The officer will have the victim either

type or dictate the narrative section of the petition to him/her for entry. After all information is provided, the officer will print off a copy of the petition. The victim will then sign the petition. The officer will photograph the signed petition and attach it to the electronic petition file. The petition then can be see electronically to the on-call judge. After sending, contact must be made with the on-call judge to provide further clarification or answer any questions.

- 2) If the EPO is granted by the judge, he or she will electronically sign the order and send it back to the eEPO inbox. It can then be printed and served by the officer. A copy of the order and petition can be given to the victim.
 - 3) If court is in session, the officer may refer the victim to the Bracken County District Court Clerk's Office, for review and issuance of an E.P.O. If the victim has no method of transportation to the County Building to obtain an E.P.O., the officer shall arrange for same or transport the victim himself/herself.
 - 4) A copy of the signed petition will be faxed to the Bracken County Dispatch Center for filing by the officer. The officer will make contact with dispatch advising them the petition has been faxed. The Bracken County Dispatch Center has access to the eEPO system and will obtain the signed order for entry.
 - 5) The victim shall be informed by the officer that the order has been signed, entered into the LINK system and that a copy is available to her/him.
 - 6) The officer shall attempt to serve a copy of the E.P.O. and petition upon the alleged perpetrator. If this is not possible, the officer shall attempt to give notice of the existence and terms of the order to the alleged perpetrator. The time and place of service or notice shall be set out on the order. A copy of the order shall then be faxed to the Sheriff's Office.
 - 7) If the officer is unable to serve the alleged perpetrator, a copy of the order and a copy of the petition shall be faxed to the Sheriff's department for personal service. The officer shall indicate on the order that he/she was unable to make service on the perpetrator.
- s. After an arrest has been effected in a domestic situation, the arresting officer shall complete the necessary reports. A copy of the JC-3 Form shall be left with the uniform citation at the jail. It should be noted that it is not necessary for the victim to sign the JC-3 Form as a condition for affecting an arrest. However, the victim should be encouraged to sign the narrative section of the report in order to strengthen prosecution of the case. The original shall be

Chapter 17A: Domestic Violence, Adult and Child Abuse and Neglect

filed at the police department with a copy forwarded to CHFS within 48 hours.

- t. When an officer has probable cause to believe that the accused has intentionally or wantonly caused physical injury to a family member or member of an unmarried couple, despite the fact that the accused has fled the scene, a warrantless arrest for 4th degree assault would be justified. In such cases, the responding officers shall broadcast an attempt to locate for the accused and make a reasonable attempt to locate same.
- u. When officers respond to a domestic violence call involving another officer (regardless of rank), public official, or prominent citizen, the Chief of Police shall be notified. The Chief of Police shall ensure that the department's policy is fairly applied to all members of the community. The Chief of Police will make notification to other jurisdictions as necessary.
- v. Whether or not an arrest has been made and the officer has reason to suspect that a family member, member of an unmarried couple, or household member has been the victim of domestic violence, the officer shall use all reasonable means necessary to prevent further domestic violence, including, but not limited to:
 - 1) Remain on the scene as long as the officer reasonably suspects there is danger to the physical safety of the individuals present without the presence of an officer.
 - 2) Assist the victim to obtain medical treatment, including offering to transport, or arrange for transportation, of the victim to the nearest medical treatment facility capable of providing the necessary treatment.
 - 3) Advise the victim(s) of rights and services available to them. These rights and services include information about criminal complaint procedures, availability and enforcement of civil protective orders, availability of emergency shelters and other community resources, and the availability of VINE, (Victim Information and Notification Everyday). In all cases, the officer shall remove the rights information sheet from the JC-3 Form and give them to the victim.
- w. Whether or not an arrest has been made, officers shall report any known or suspected domestic violence and abuse to the CHFS. This reporting shall be done with the use of the JC-3 Form.

5. Investigation

Officers shall investigate acts of domestic violence as they do other serious

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crimes, giving specific attention to the collection and preservation of evidence. If allegations of physical abuse or assault have been made, or if signs of physical abuse are visible, the officer shall photograph the victim. The photographs shall include the area of the victim's injuries. If called upon by the county attorney, the officer should be prepared to present a case for prosecution even though the victim may decline to do so.

6. Domestic Violence Stalking

- a. Officers should complete a full report and investigation where a domestic violence victim alleges that he/she has been stalked.
- b. Officers should advise stalking victims to notify this agency of subsequent incidents.
- c. Stalking is elevated from a misdemeanor to a felony when:
 - (1) protective order is issued to protect the victim,
 - (2) A criminal complaint is currently pending by the victim against the defendant and the defendant has received notice of such,
 - (3) The defendant has been convicted, within the last five years, of a felony or a Class A misdemeanor concerning the victim, or
 - (4) The stalking was committed while the defendant has a deadly weapon.

Note: Definition for "protective order" to include EPO's, DVO's, foreign protective orders, pre-trial conditions under K.R.S. 431.064 and any condition of bond, conditional release probation, parole, or pre-trial diversion order designed to protect the victim from the offender. K.R.S.508.140 and 150

7. Duty to Warn

Officers who receive warnings from mental health professionals under the provisions of K.R.S. 202A.400 of threatened violence against an identifiable victim or victims should attempt to contact the intended victim or victims. The officers should inform the victim of the threatened violence, advise him/her of all available legal remedies and assist the victim in accessing those remedies. Officers should discuss alternative safety plans with the intended victim, provide transportation to a safe location if necessary, and give other indicated assistance. Officers should place the information on the Pass On Board for extra patrol for the victim and pass the information on to the next shift'. Officers should document the report of threatened violence, all attempts by officers to contact the intended victim or victims, actions taken on behalf of the intended victim or victims, and all further recommended investigations or actions.

8. Good Faith Immunity from Liability

Chapter 17A: Domestic Violence, Adult and Child Abuse and Neglect

Officers who reasonably perform their duties in good faith have immunity from civil and criminal liability under the following situations:

- a. Enforcing Emergency Protective Orders or Domestic Violence Orders K.R.S. 403.755(2).
- b. Enforcing Foreign Protective Orders K.R.S. 403.7529(3).
- c. Making a report or investigation for adult abuse or neglect K.R.S. 209.050; K.R.S. 403.715(5).
- d. Making a report or investigation for child dependency, abuse or neglect K.R.S. 620.050(1); K.R.S. 403.715(5):

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 17B	Domestic Misconduct		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

- B. Police department employees come from the community. They may become involved in domestic matters. Because they are police employees and their status is usually known to other persons in the community and they are representatives of the police agency, the agency must take positive steps to ensure that these domestic matters do not adversely affect the employee's ability to perform, or compromise the conduct of agency missions, or create moral, operational or efficiency problems for the agency. The agency is dedicated to providing assistance for the employee during these critical times so that the employee may resolve the situation and return to being a productive member of the agency without these types of personal and family concerns.

C. Scope

This procedure shall apply to all Augusta Police personnel, effective November 10, 2017, until such time as it is superseded, revoked or rescinded.

D. Definitions

- a. **Domestic misconduct:** The agency defines this type of conduct very broadly. This definition may be broader than State law, but it is intended to assure the continuation of positive performance within the agency by the involved employee and other members of the agency. A domestic relationship involves any employee who is or has been married to the other party, involves any member of the employee's household, who is living or has lived with the other party, has had a child with the other party, or is or has engaged in an intimate or dating relationship with the other party. Misconduct refers to any physical assault or battery, vandalism, stalking, intimidation, coercion, or criminal act against a party within this form of domestic relationship.
- b. **Collateral misconduct:** Any conduct by another member of the police agency to assist another agency employee in the continuation of the act of domestic misconduct. This would also include any actions designed to shield the employee or impair the ability of the agency to be informed of the domestic misconduct.

Chapter 17B: Domestic Misconduct

- c. **Service of court papers:** Any documents from a judicial proceeding which are designed to assist in ameliorating the domestic misconduct or curtailing specific actions by the parties involved in the domestic misconduct.
- d. **Self-reporting:** It is the responsibility of the employee to provide the agency with specific notice whenever he/she is involved in any acts of domestic misconduct. This is specifically true whenever the employee is the subject of any judicial proceeding concerning these types of acts, whether the employee is the person complained of or the victim.
- e. **Administrative no-contact orders:** Written orders by a supervisory employee or chief, preferably Internal Affairs or Professional Standards, and served upon an agency employee designed to curtail any further domestic misconduct.
- f. **Internal Affairs/Professional Standards:** would include those persons, such as the chief, designated with internal affairs responsibility in agencies that do not have full-time IA/Professional Standards positions.

E. Procedure

The agency shall take immediate action when notified of any act of domestic misconduct involving an employee of this agency.

F. When the incident occurs within the jurisdiction of this agency:

- a. Assign the call for response by two uniformed officers and a supervisor.
- b. The supervisor will assure that any violence is curtailed, all parties are protected, and any required medical assistance is provided.
- c. The supervisor shall ensure that all evidence is properly recorded and collected.
- d. Once the incident is contained, the supervisor is responsible for the criminal investigation, if warranted. The supervisor of the investigating officer shall respond to oversee the conduct of the investigation.
- e. The supervisor shall notify the Chief of Police at the earliest moment.
- f. The decision to arrest an agency employee involved in domestic misconduct shall be the responsibility of the on-scene supervisor. When probable cause exists, the employee shall be arrested and processed the same as any civilian.

G. The supervisor shall take immediate steps to ensure that there is no continuation of the domestic misconduct.

- a. Ensure that victim advocate assistance is offered and provided when necessary.
- b. Ensure that an immediate safety plan is discussed with the victim of the domestic misconduct and assist in any manner to ensure this continued safety.

Chapter 17B: Domestic Misconduct

H. The Chief of Police shall be responsible for:

- a. Issuing an administrative no-contact order to the agency employee if warranted.
 - b. Ensuring that the appropriate assignment decision is made regarding the agency employee.
 - c. Ensuring that the criminal investigation has been conducted in a reasonable manner.
 - d. Developing and/or implementing any necessary safety plan to ensure employee safety.
 - e. Conducting the administrative investigation of the incident and any collateral employee misconduct. The agency shall be listed as the complainant.
 - f. When the incident involving domestic misconduct occurs in a jurisdiction other than that of this agency:
 - g. The agency person notified of this incident shall immediately notify the Chief of Police.
 - h. The Chief of Police shall make immediate contact with the involved agency to ensure that our agency is kept on notice of the progress of the investigation.
 - i. The Chief of Police shall ensure that the employee and the persons involved are aware that the agency will assist them during this process.
 - j. The Chief of Police is responsible for determining whether an administrative no-contact order is warranted and will be responsible for serving this upon the agency employee, when necessary.
 - k. Service of court orders:
 - l. The Chief of Police shall facilitate, when requested, the service of any court orders upon agency employees.
 - m. The Chief of Police shall be responsible for the determination regarding any assignment limitations involving the employee who is subject to the court order.
- I. **Conviction of a crime of domestic violence:** When a sworn employee is convicted of a crime of domestic violence that brings in the provisions of 18 U.S.C. 922(g)(9) law, the employee shall be terminated as not being able to function completely with the job classification for which s/he was hired.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 18A	Shifts Configuration		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To set policy for the rotation of shifts and assignment of personnel to said shifts.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

The assignment of personnel to shifts shall be the administrative prerogative of the Chief of Police, though effort will be made to maintain continuity of assignment.

1. Department members may be required to work more than the regularly scheduled number of hours in order to accomplish the mission of the department. The Chief of Police, may require a department member to work up to eight (8) additional hours of work per day or a total of forty (40) additional hours per week, in order to fulfill the scheduling requirements of the department. Priorities and minimum staffing levels will be set by the Chief of Police. Overtime will be paid in accordance with established policy and procedures.

- a. Except in emergency situations, as in Chapter 16, no department member will be required to work more than a total of eighty- (80) hours in any one week.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 19A	Patrol Schedules		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish the procedures for determining off days for patrol officers and command officers assigned to patrol.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

1. It is the responsibility of the Chief of Police to establish a schedule for the patrol of the City of Augusta.
2. The Chief of Police will determine the available days off for each officer.
3. Every attempt shall be made to maintain continuity of off day rotation, however training, vacation, or other activities which place unusual demands on the Police Department, may cause the normal off day rotation to be temporarily suspended or altered.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 19B	Trading of Off Days and Shifts		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish guidelines for exchanging off days by Department personnel.

B. Scope

This policy shall apply to all personnel, effective from October 18, 2017, until such time it is superseded, revoked or rescinded.

C. Procedure

1. Persons seeking a trade of off time must find a person agreeable to the trade of off time.
2. A request for trade must be initiated, via e-mail, and forwarded to the Chief of Police at least 3 days prior to the date of trade, unless exigent circumstance, etc.
3. The approved or denied request will be returned, via e-mail, to the person initiating the request and the officer affected.
4. The Chief of Police will keep a file of all trades.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 19C	Communication, Coordination & Cooperation		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish the procedures for communication, coordination, and cooperation between shifts and between various components of the agency.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure - Patrol Roll Call / Debriefing

Officers should begin and end their shift at headquarters. Officers shall check the Roll Call board and Computer Aided Dispatch System (CAD) for any information to be passed on by the previous shift.

D. Procedure – CAD entries

1. CAD Entries.

a. CAD entries should contain the following:

1. Any calls for service answered by the individual officer(s)
2. Any injury to personnel.
3. Brief summary of significant events.
4. Any details completed, e.g. monitor school opening/closing, business checks, vacation checks, monitor traffic.

2. Roll Call Board

a. The Roll Call Board shall be used for the following:

- a. Information that may be useful to following shifts or

Chapter 19C: Communication, Coordination, & Cooperation

administrative personnel, e.g. attempt to locate, information concerning vacation checks.

- b. Employees not reporting for work due to sickness, vacation, disability/worker compensation, funeral leave, jury duty, military leave and if the absence is under the purview of the Family Medical Leave Act.
- c. Overtime worked during the reporting period. The overtime duration shall be stated as well as the reason for the overtime, i.e., Meetings, Training, Extended, Call Out, Scheduled, and Miscellaneous.

3. For the purpose of this policy, the following definitions shall apply:

- 1) Meetings - overtime accrued because of an employee attending a meeting or overtime accrued for providing coverage so an employee can attend a meeting.
- 2) Training - overtime accrued because of an employee attending training or overtime accrued for providing coverage so an employee can attend training.
- 3) Extended - unscheduled overtime accrued when an employee works additional hours after the normal tour of duty has ended.
- 4) Call Out - unscheduled overtime accrued because of an employee beginning a tour before a normal work tour or being called to duty from an off-duty status.
- 5) Scheduled - overtime accrued that has been scheduled by supervisory personnel.
- 6) Miscellaneous - overtime accrued that is not included in the above definitions.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 19D	Employee Court Attendance and Compensation		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish criteria for police officer's court attendance and to provide process for subpoena service and court attendance pay.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

1. Uniform Citation

- a. Only the names of police officers needed for the successful prosecution of the defendant shall so be named on the Uniform Citation.

2. Subpoena Service on A.P.D. Personnel.

- a. Under normal circumstances, all subpoenas will be served by the subpoenaed officer to themselves.
- b. An e-mail shall be sent to the Chief of Police regarding the subpoena. The e-mail will indicate:
 1. Officer's name.
 2. Defendant's name.
 3. Court attendance date.
- c. After serving the subpoena, the serving officer is responsible to fax the served subpoena back to the court clerk.
- d. The subpoena shall be kept in a designated file in the Chief of Police's desk, and the employee will sign the subpoena as to indicate service and place the subpoena on the Chief of Police's desk.

Chapter 19D: Employee Court Attendance and Compensation

1. Employee may make a copy of subpoena for his/her record.
- e. Successful service of the subpoena shall be indicated by the employee's signature on the subpoena return copy.
- f. The subpoena return copy shall be placed in the designated file for return to the Circuit Clerk.
3. Compensation for Court Attendance.
 - a. Off duty court attendance shall be compensated at the individual officer's overtime rate.
 - b. The officer attending court off duty will be given 2 hours of overtime pay for the appearance. If actual time inside the courtroom exceeds 2 hours the officer shall make special notation on their time card as to such and will be compensated at their overtime rate for that time.
4. Court Attendance.
 - a. Personnel shall honor subpoenas served upon them and e-mail notifications delivered to them, and may be excused from attending court with command/supervisory officer approval and in the case of emergency or illness.
 - b. All personnel shall notify the Chief of Police or the Assistant Chief if a subpoena cannot be honored due to illness or emergency.
 - c. The subpoenaed officer shall notify the appropriate court personnel of their impending absence from court.
 - d. Sworn personnel shall notify the Assistant Chief of their vacation, training and other times they will not be available for court. The notification shall be made through e-mail and received prior to subpoenas and e-mail court notifications being issued for said dates.
5. Reports to the Chief of Police.
 - a. The Assistant Chief will prepare and submit a monthly report to the Chief of Police indicating:
 1. Personnel that failed to appear in court and if their absence was excused or unexcused.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 20A	Off Duty Arrests		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish guidelines for the handling of arrests made by an Augusta Police Officer, while in an "off-duty" status.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

1. Off duty shall refer to the time period where an officer is not working a normal assigned tour of duty. However, in the event of the initiation of police action by an officer in an Off-duty status, said officer shall revert to an On-duty status, but shall follow the provisions of this policy

D. Procedure

1. Off-duty officers observing a criminal violation necessitating enforcement action will contact the Bracken County Dispatch Center. They will request an on-duty police officer of the appropriate to respond to the scene and assist in the investigation and arrest/citation. This does not apply to officers working an off-duty detail as an extension of police service.
3. Officers will not stop or attempt to stop vehicles while off-duty unless it is a life threatening situation which if permitted to continue, could cause serious physical harm or death to innocent victims. Officers will obtain the necessary information needed to locate the vehicle (license number, color, make, model, direction of travel, etc.) and contact the nearest police agency via the radio or telephone.
4. Off-duty officers observing a criminal violation necessitating enforcement action in a county covered by the inter-local agreement (BACKUPPS) will contact the appropriate Dispatch Center via radio or telephone and request an officer of the appropriate agency to respond to the scene and assist in the investigation and

Chapter 20A: Off Duty Arrests

arrest/citation.

5. Off-duty officers observing a criminal violation, in a county covered under the inter-local agreement (BACKUPPS) necessitating immediate action, will, after taking the required action:
 - a. Contact the Augusta Chief of Police, informing him/her of the action taken, location, responding agency and any injuries incurred.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 20B	Off-Duty Employment		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-18-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish policies and procedures for employees of the Augusta Police Department covering Off-duty Employment as individuals and without the protection of the City. These policies and procedures are meant to protect the rights of the individual APD employees, the City, and anyone who hires or contracts with a APD employee. This policy and procedure does not affect contractual arrangements wherein the APD has entered into an agreement to provide security patrols or details using either plain clothed or uniformed sworn officers to perform specific work assignments.

B. Scope

The policy of the Augusta Police Department is to authorize off-duty employment for all employees, when requested by the individual, so long as the off-duty employment opportunity falls within the guidelines of this order.

For the purposes of this order, Off-duty Employment is defined as an individual sworn officer working for, or providing services to, an outside firm or individual for wages, profit, share of profits, or other type of remuneration, and includes self-employment by the individual. Said work, services, or self-employment must be scheduled so as to not interfere with the employee's regularly scheduled tours of duty, and must be performed entirely during the employee's personal time. Off-duty employment will not be permitted to create a conflict of any kind whatsoever with the employee's assigned duties as a member of the Augusta Police Department, nor reflect unfavorably in any way upon the Department.

Temporary off-duty employment that is less than four days duration, or no more than 20 hours total duration, and is not of a continuing or repetitious nature, and which otherwise complies with this policy shall not require written approval from the Chief of Police. However, the employee shall notify the Chief of Police in writing, through channels, prior to engaging in said employment. Also, any off-duty employment otherwise complying with this policy that is donated to a charitable organization and for which the employee receives no monetary compensation or gifts, will not require written authorization.

Effective October 18, 2017.

Chapter 20B: Off-Duty Employment

C. Procedure

1. Pre-Authorization

Off-duty employment must be pre-approved by the Chief of Police before the individual can begin the proposed venture. A written request stating the particulars must be prepared and sent to the Chief through the employee's normal chain of command. The request must state the type of work to be performed, the expected amount and type of remuneration, where the work will be performed, for whom, the usual hours to be worked, and the total hours to be worked during each week.

The request shall be either approved or denied within five (5) working days of submitting the request to the employee's immediate superior. If denied, the Chief of Police shall state the reasons for the denial in writing. The request and the approval/denial shall become a part of the employee's personnel records.

2. Proof of Insurance

Before starting work, the APD employee shall submit proof in writing that the approved employer has Kentucky Workers Compensation insurance covering the APD employee should the employee be injured on his/her off-duty employment.

Should the APD employee be hired to serve as a security person or in other related work where personal injury to others, false arrest, and other claims related to this kind of work may occur, the employer must provide proof to the Chief of Police that the employer is maintaining a minimum of \$500,000 General Liability insurance covering any occurrence that may arise out of the actions of the APD employee in the performance of their off-duty employment.

3. Continuing Status

An employee approved for Off-duty Employment shall be personally responsible for notifying the Chief of Police, through channels, of any changes in the terms of his off-duty employment, and shall renew his request for authorization to continue the off-duty employment by or January 15 of each calendar year. The renewal shall be processed in the same manner as the pre-authorization.

4. Revocation of Authorization

Authorization for off-duty employment may be revoked upon determination by the Chief of Police that the employment is in any way impairing or interfering with the performance of an employee's duties as a member of the Department. Such revocation must be in writing and a copy furnished to the employee.

Chapter 20B: Off-Duty Employment

5. Appeals for Relief

All appeals for relief from a decision of the Chief of Police must be made in writing to the Mayor as provided. In all such appeals, the decision of the Chief of Police to approve or revoke an off-duty employment status shall stand until the appeal is heard and acted upon. The appeal must be filed within ten (10) working days from the date of the Chief's decision.

D. General Restrictions for Off-Duty Employment

Employees on suspension due to disciplinary action shall not work off-duty jobs that may require an employee to invoke police authority vested in him/her by the Augusta Police Department.

An employee shall not work off-duty within the same 12 hour period that he/she is marked on sick leave or funeral leave.

An employee on injury leave or assigned to light duty shall not engage in any off-duty employment without specific written authorization from the Chief of Police. Criteria for authorizing off-duty employment during the period of injury leave or assignment to light duty shall include, but is not limited to, the following elements:

1. The off-duty employment is not detrimental to full recovery of the disabled employee, based upon a physician's professional judgment.
2. The off-duty employment does not require physical abilities inconsistent with an employee's injury leave or light duty status.

Employees shall not use Department facilities, equipment, or records in conjunction with off-duty employment, and shall not use on-duty hours or Department facilities to coordinate, arrange or otherwise provide for their own personal off-duty employment or that of any other Department personnel. The wearing of an APD uniform and sidearm and the use of a City vehicle shall require written approval by the Chief of Police that he has reviewed the proposed use and has determined that public safety requires the use of same.

Employees shall not work for an off-duty employer who has a reputation for being involved in criminal activity.

An employee shall not participate, directly or indirectly, in any labor dispute during his off-duty employment.

An employee shall not work on any case for his/her off-duty employer and the Department at the same time, nor shall an employee work on any case arising out of his/her off-duty employment, while on duty, unless:

Chapter 20B: Off-Duty Employment

1. Employee is directed to do so in the ordinary course of police business, as a result of a call for service.
2. Directed to do so by a superior officer.
3. Immediate action is required and there is insufficient time to receive approval from a superior officer.

Off-duty employment will not be authorized that requires special consideration to be given to scheduling an employee's on-duty hours, or that requires an employee to assist in the case preparation for the defense in any criminal action or proceeding or in any civil case involving potential liability for the City of Augusta, or that requires an employee to use police authority or the color of police authority for private purposes of a civil nature. For example, officers shall not use police identification, authority or powers while engaged in serving civil process, private investigation work, collection of debts, bills or checks or property repossession.

Off-duty employment will not be authorized that requires an employee to sell, dispense, or serve alcoholic beverages to be consumed on the premises or to work in a business establishment, that has as its primary business the sale of alcoholic beverages, as a bouncer, security guard or server.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 21A	Line of Duty Death		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Policy

The Department will be prepared to provide liaison assistance to the immediate survivors of any officer who dies in the line of duty, whether feloniously, accidentally, or of natural cause while an active member of the Department, to include the clarification and comprehensive study of survivor benefits, and to provide tangible and intangible emotional support during this traumatic period of readjustment for the surviving family.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

1. Line of Duty Death- Any action, felonious or accidental, e.g., automobile accidents, hit by passing vehicle during traffic stop, training accidents, etc., which claims the life of an active duty officer during the course of performing work related functions either while on or off duty.
2. Natural Cause- any natural illness, disease or ailment that claims the life of an active duty officer.
3. Survivors- Immediate family members of the deceased officer to include, spouse, children, parents, siblings, fiancé/fiancée and/or significant others; as stated in the Concerns of Police Survivors (COPS) Handbook, reprinted May, 1993.
4. Department Liaison Officer- A ranking officer or officers designated by the Chief of Police to assist and support the survivors of the deceased officer.

D. Procedure

The following procedures should be adhered to in cases of line-of-duty deaths, on-duty natural cause deaths and in cases of critically injured officers. These procedures should be followed whenever possible with the understanding that the wishes of the family take precedence over the desires of the Department. Officers providing

Chapter 21A: Line of Duty Death

services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes and desires, but should not make promises that they are not certain can be met.

1. Immediate Notifications

- a. The name of the critically injured, mortally wounded or deceased officer SHALL NOT be released to the media or other parties before immediate survivors living in the area are notified. Caution should also be taken with radio communications not to reveal the officer's name prematurely.
- b. The Chief of Police, his/her designee, or highest ranking officer available if the Chief of Police or designee can not be contacted, will inform the immediate family of the officer's condition or death. An officer will also be dispatched to the hospital where the injured or deceased officer has been or will be taken. This hospital officer will assume all duties listed in section D.3. until the arrival of the Chief of Police, or his/her designee.
- c. Notification of the immediate family shall be made as soon as possible and coincidental with command notifications.
- d. The Chief of Police, or his/her designee, shall notify the following City of Augusta personnel:
 - 1) Mayor.

2. Family Notifications

Notification of survivors in the immediate area shall be made in person and never alone. The notifications officer should be accompanied by the Chief of Police, or his/her designee. However, if the Chief of Police, his/her designee, cannot be contacted, the notification should not be unduly delayed until these people gather. The notifications officer should consider that as soon as most law enforcement families see the notifications officer, they will know something is wrong.

- a. When the health of an immediate survivor is a concern, emergency medical services personnel shall be advised and requested to stand by.
- b. The following will give the notifications officer some direction when making notifications to survivors:
 - i. Ask to be admitted into the home; never make the notification from the doorstep.
 - ii. Gather everyone in the home together and ask them to sit down.

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- iii. Inform them slowly and clearly of the information on the incident. Make sure the officer's name is used during the notification.
 - iv. The notifications officer should be prepared for the immediate reactions of the family to the notification, including hysteria, anger, fainting, physical violence and shock.
 - v. If the officer has already died, relay that information. Never give the family a false sense of hope. Use words like "died" or "dead" rather than "gone away" or "passed away".
 - vi. If specifics of the incident are known, the officer should relay as much information as possible to the family.
 - vii. When the person responsible for the notification has been seriously affected by the incident, he/she should understand that showing emotion is perfectly acceptable.
- c. If the opportunity exists to get the family to the hospital prior to the officer's death or the deceased officer's family wishes to go to the hospital, the notifications officer shall inform the Department officer at the hospital that the family is on its way. In such cases, immediate transportation in Department vehicles should be provided for survivors. It is highly recommended that the family members not drive themselves to the hospital. Should there be serious resistance and the family insists on driving, an officer should accompany them in the car.
 - d. Communication of information concerning the officer and the incident shall, whenever possible, be restricted to the telephone to avoid interception by the media and others. Should the media obtain the officer's name prematurely, the Chief of Police should request that the information be withheld until proper notification of survivors can be made.
 - e. The notifications' officer shall be responsible for identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made. Follow-up calls should also be made to ensure notifications have been made.
 - f. The notifications officer shall maintain a list specifying the identity, time and place of survivors notified and submit a written report to the Chief of Police.

Chapter 21A: Line of Duty Death

3. Assisting the Family at the Hospital

Whenever possible, the Chief of Police shall join the family at the hospital to emphasize the Department's support. The Chief of Police or the officer assigned to the hospital shall:

- a. Ensure immediate family members are provided with appropriate assistance at the hospital.
- b. Coordinate the arrival of immediate survivors, Department personnel, the media and others.
- c. Arrange for waiting facilities for immediate survivors and a press staging area. The desires of the surviving family members should be followed with regard to their accessibility to other Department members, friends and the media.
- d. Ensure that medical personnel provide pertinent medical information on the officer's condition to the family before any other parties.
- e. Assist family members, in accordance with their desires, in gaining access to the injured or deceased officer.
- f. Provide hospital personnel with all necessary information on billing for medical services. The officer should ensure that all medical bills are directed to the City of Augusta and are not forwarded to the officer's family or other survivors.
- g. Arrange transportation for the family and other survivors upon their departure from the hospital.

4. Appointment of Department Coordination Personnel

The Chief of Police shall designate a Department Liaison Officer to serve as a facilitator between the family and the Department. The Chief of Police will inform the surviving family members of the appointment. In addition, the Chief of Police will:

- a. Make any other necessary personnel assignments to assist in handling incoming calls and inquiries and to whom calls from the public should be directed; and to notify command/supervisory officers who in turn will notify their personnel.
- c. Ensure members of the Department who assisted on the scene are given a mandatory debriefing and all members are provided the opportunity to participate in any needed counseling or psychological services.

5. Department Liaison Officer

This individual will normally be a commanding officer in order to expedite the tasks of employing Department resources and the delegation of assignments. This officer will work closely with the family to ensure the needs and requests of the family are fulfilled. In addition to serving as a liaison between the family and the Department, the officer will serve as a funeral liaison, benefits coordinator and family support advocate. These duties include, but are not limited to the following:

- a. Meeting with the family and explaining his/her responsibilities to them.
- b. Providing oversight of travel and lodging arrangements for out of town family members.
- c. Ensuring that security checks, if desired, of the survivor's residence are initiated immediately following the incident and for as long as necessary thereafter.
- d. Relaying any information to the family concerning the circumstances of the officer's death and appropriate information regarding any investigation.
- e. Being available to the family prior to and throughout the wake/visitation and funeral by providing alternatives regarding the arrangements, but always allowing the family to make the final determination. The officer will:
 - i. Ensure the needs and wishes of the family come before those of the Department.
 - ii. Learn the family's wishes regarding funeral services. If they want a law enforcement funeral, the officer should:
 - 1) Determine what assistance may be rendered by the Department,
 - 2) Promptly report to the Chief of Police the wishes of the family so that the funeral detail may be planned accordingly.
 - 3) If necessary, identify alternative churches and reception halls that will accommodate the law enforcement funeral, and
 - 4) Brief the family members on the procedures involved in the law enforcement funeral.
 - iii. Assist the family in working with the funeral director regarding funeral

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arrangements.

- iv. Determine the need for travel arrangements for out-of-town family members and any other special need of the family during the funeral.
 - f. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions as appropriate.
 - g. Providing long-term liaisons and support capacity for the surviving family.
 - h. Providing contact with surviving family members in order to keep them abreast of any criminal proceedings relating to the death of their family member.
 - i. Accompanying surviving family members to any criminal proceedings explaining the nature of the proceedings and introducing them to prosecutors and other persons as required.
 - j. Maintaining routine contact with family members to provide companionship, emotional support and an ongoing relationship between the Department and the immediate family.
 - k. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance and encouraging others to visit and help as necessary.
6. The Chief of Police or His/Her Designee

The Chief of Police or his/her designee shall assume the following responsibilities, in addition to those stated in the Department *Public Information and Press Release Policy*:

- a. Ensure that Department personnel are aware of restrictions regarding release of any information that might undermine future legal proceedings.
 - b. Coordinate all official law enforcement notifications and arrangements to include pallbearers, traffic control and liaison with visiting law enforcement agencies.
 - c. Assist family members in dealing with general media inquiries and informing them of limitations on what they may say to the media without jeopardizing any future legal proceedings.
7. In Memoriam

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All Department personnel, and any other police agencies desiring to do so, shall wear a black band, placed from left to right, across the uniform breast badge for 30 days in memory of the fallen officer.

8. Law Enforcement Funeral Detail

In accordance with the wishes of relatives of deceased members, the Chief of Police may select and assign a funeral detail to assist and participate in the funeral ceremony.

- a. The Chief of Police should, prior to the funeral, designate an officer to survey the situation at the chapel or gravesite and determine parking facilities and all other elements relative to the funeral and the entire function. Prior to the funeral, all personnel participating should be briefed and know exactly what they are to do. The officer designated by the Chief of Police should investigate the entire situation prior to the funeral for the purpose of avoiding confusion during any part of the ceremony.
- b. The services of the clergy are provided or authorized by the family. The Department liaison officer shall contact the family, the funeral director and the clergy in order to comply with rules and regulations of the church. When the family or its representative so desires, an Honor Guard (if available) shall be provided.
- c. A Department law enforcement funeral may consist of any or all of the following elements:
 - i. Uniformed Augusta Police escort.
 - ii. Uniformed members of visiting police departments.
 - iii. Clergy.
 - iv. Pallbearers.
 - v. Honorary pallbearers.
 - vi. Honor Guard (if available).
- d. The following are recommendations for chapel and/or graveside law enforcement services.
 - i. Chapel Service - Before the beginning of the chapel service, the commanding officer, using the command "Fall In", shall cause a platoon formation to be formed with two or more ranks. The commanding officer

Chapter 21A: Line of Duty Death

shall be positioned in the front center of the platoon, facing the pallbearers.

- 1) Preferential seating and formation assignments shall be granted to officers from the Department, section or unit to which the deceased officer was assigned at the time of death and to representatives of other police agencies in attendance as official representatives of such agencies.
 - 2) When honorary pallbearers are present, they shall form in two ranks, each facing the other, forming an aisle from the conveyance to the entrance of the chapel. When the casket enters the chapel, they shall follow in columns of two and occupy pews to the left front or comply with the policy of the church.
 - 3) When the casket is removed from the hearse, the Commanding Officer shall give the command "Present Arms", and this movement shall be executed by the Commanding Officer, the escort and the pallbearers, if present. This position shall be maintained until the casket is borne into the chapel, at which time the Commanding Officer shall give the command "Order Arms", causing the hands to be dropped to the side. The escort then enters the chapel, preceded by the honorary pallbearers.
 - 4) When the casket has been placed upon the bier, the pallbearers form behind the honorary pallbearers and are seated behind them. When there are no honorary pallbearers, the pallbearers follow the casket in columns of two and occupy pews to the left front.
 - 5) The funeral director moves the church funeral truck as previously arranged by the clergy. If there is no truck, the pallbearers carry the casket as instructed by the clergy before the service.
 - 6) When the casket appears at the entrance of the chapel at the conclusion of the service, the funeral escort and the honorary pallbearers repeat the procedure for entering the chapel. As the casket is placed in the hearse, the escort shall immediately go to his/her vehicle.
- ii. Graveside Service - Upon arrival at the ceremony, officers of the platoon shall immediately execute a formation using the same procedure as outlined for a funeral with chapel service. The semi-military elements participating in a graveside service shall be in position upon arrival of the remains.
- 1) During the graveside service, the Commanding Officer shall continue

Chapter 21A: Line of Duty Death

to hold the platoon in formation, causing the officers to stand at parade rest when the casket is in place on the supports over the grave.

- 2) In the event honorary pallbearers are used when the casket is placed on the supports, they shall face the grave and march in columns of two to the graveside.
- 3) The flag draping the casket shall be folded by two honorary pallbearers and presented to the Chief of Police. The Chief of Police shall in turn present the flag to the closest relative of the deceased member.
- 4) The uniform shall be prescribed by the commanding officer, normally the uniform for the existing season. No garment, symbol or civilian attire shall be worn with the uniform. The headgear shall be worn when officers are outside the building. If in civilian clothing, hats shall be removed during the service. All hats should be removed and heads bowed during prayer.
- 5) At no time should officers group together and hold conversations during any part of the ceremony. They should remain alert and have the utmost military demeanor.
- 6) Smoking, in or around the chapel or gravesite, shall be forbidden during any part of the ceremony.
- 7) Condolences to the family shall be conveyed by the Commanding Officer for the entire organization. Personal condolences by individual members should be avoided until after the service.

9. Death Benefits, Assistance, Etc.

All of the following are subject to change and will be updated annually.

KENTUCKY OCCUPATIONAL SAFETY AND HEALTH COMMISSION
Kentucky Labor Cabinet
1049 US 127S Building
Frankfort, Kentucky 40601
(502) 564-6895

To be notified by the Mayor within eight hours of any fatality.

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KENTUCKY WORKERS' COMPENSATION

Employee Assistance Program (EAP); includes psychological counseling, stress management counseling, etc.

NORTHERN KENTUCKY POLICE OFFICERS DEATH BENEFIT

Chief Steve Schmidt
Ft. Thomas Police Department
441-0300

Account may vary; available to survivors of active duty, members in good standing; available to designated beneficiary within 24 hours of death.

KENTUCKY PEACE OFFICERS' ASSOCIATION, INC. (KPOA)

Susanna M. Bullard, Secretary/Treasurer
305-I Bainbridge Drive
Lexington, Kentucky 40509
(606) 263-5599

Members only; \$500 paid to legal survivor of any active or life member who dies while a bona fide member of KPOA; \$1,000. paid to beneficiary of any active or life member who dies "at the hands of an assailant while in the line of duty".

FRATERNAL ORDER OF POLICE (FOP)

Members only; benefits and assistance provided to survivors.

KENTUCKY PEACE OFFICER DEATH BENEFIT

Line-of-duty death benefit paid out of the Kentucky State Treasury by the State Treasurer; \$50,000. paid to surviving spouse and/or children or parents. KRS 61.315

PUBLIC SAFETY OFFICERS BENEFITS PROGRAM

BUREAU OF JUSTICE ASSISTANCE

633 Indiana Avenue NW
Washington, D.C. 20531
(202) 307-0635

Current (1/96) benefit is \$134,571. (benefit is adjusted October 1 of each year by the percentage of change in the Consumer Price Index); paid to the surviving children and spouse, surviving children if there is no spouse, surviving spouse if there is no children, or surviving parents if there is no children or spouse; the benefit is also provided "to a public safety officer who has been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty".

Chapter 21A: Line of Duty Death

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
OFFICE OF WORKERS' COMPENSATION PROGRAMS
(Form CA-722 used for death benefits)
(202) 565-6990

Compensation paid by the federal government to disabled officers or their survivors in order that workers' compensation benefits received from state and local sources not be less than those received by federal officers.

KENTUCKY RETIREMENT SYSTEM
Perimeter Park West
1260 Louisville Road
Frankfort, Kentucky 40601
(502) 564-4646

Benefits paid to beneficiary according to member's age and length of service at time of death. KRS 61.640

NATIONAL ASSOCIATION OF COUNTIES
DEFERRED COMPENSATION PROGRAM
800-545-4730

Administered by PEBSCO; Contributions of member paid to beneficiary.

SOCIAL SECURITY ADMINISTRATION
Kentucky Office
228 Grandview Drive
Fort Mitchell, Kentucky 41017
800-772-1213

Benefits provided to spouse and dependents.

VETERANS ADMINISTRATION
Department of Veteran Affairs
Benefits and Assistance
36 East 7th
Cincinnati, Ohio 45201
800-827-1000

Veterans discharged or separated from active duty under conditions other than dishonorable who have completed the required period of service are entitled to an American flag to drape the casket; burial in one of the VA's 114 national cemeteries

Chapter 21A: Line of Duty Death

which includes the grave site, opening and closing of the grave, headstones and markers, and perpetual care; headstones and markers are also available through the VA for veterans not buried in national or state cemeteries; other benefits for the spouse and dependents may also be available.

AMVETS
Veterans Service Affairs
36 East 7th
Cincinnati, Ohio 45201
684-2671

Veterans only; assist veterans in dealing with VA.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22A	Workplace Safety		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this policy is to promote safety at the Augusta Police Department in all job positions.

B. Scope

This policy shall be effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

It is the policy of the Augusta Police Department to provide the safest possible working conditions for all employees.

Employees are expected to accomplish their work in an acceptable, safe manner. In order to accomplish this, all employees are required to take personal responsibility to maintain safety awareness.

On a daily, on-going basis, employees will inspect equipment to ensure proper working conditions. This will help identify and eliminate safety hazards. Work areas will be maintained in an orderly manner, ensuring safe working conditions.

All personnel will report unsafe working conditions and unsafe work practices to their supervisor immediately. In the case where the problem is not able to be corrected, the supervisor shall report through the chain of command the unsafe condition in a timely manner.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22B	Building Security		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish security measures to be applied to the Augusta Police Department facility and to establish authorized personnel who are allowed to have access to the facilities.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 18, 2017, until such time it is superseded, revoked, or rescinded.

C. General Access to the Augusta Police Department Facility

1. The entrance to the front lobby of the building from the exterior of the building shall be left unlocked during normal business hours, 8:00AM to 4:00PM, Monday through Friday, to permit access to the public for any service(s) provided by the Augusta Police Department.
 - a. The interior door connecting the lobby to the Administrative hallway will remain locked and secured.
2. After normal business hours, the entrance to the front lobby will be locked and secured.
3. Doors with ingress and egress capabilities to the exterior of the building (with the exception of the Lobby entrance) will remain locked and secured.
5. Ingress to the interior of the facility beyond the lobby shall be limited to the following:
 - a. Augusta Police personnel
 - b. Maintenance personnel
 - c. Approved technicians
 - d. Approved visitors (see Visitors Ingress and Egress, Monitoring of).

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22C	Disciplinary Records, Maintenance of		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish procedures for maintenance of the disciplinary records.

B. Scope

This procedure shall apply to all Augusta Police Department personnel, effective October 17, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

1. Records of disciplinary actions shall be confidentially maintained on each employee as a permanent record.

D. Maintenance

1. Records shall be maintained by:
 - a. Chief of Police
2. These files shall be available to the individual for inspection at reasonable times and locations.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22D	Computer Programs, Augusta Police System		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a policy for the control of computer software loaded into the Augusta Police computer system.

B. Scope

This procedure shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Definitions

1. Software shall constitute any program package whether commercial or private, designed to instruct the computer to accomplish a designated task.
2. Loading of software shall not be limited to software physically loaded onto the computer hard drive, but shall also include programs, which are ran from a floppy diskette or CD.

C. Procedure

1. Unlicensed commercial software programs shall not be loaded onto the computers in the Augusta Police Department.
2. Licensed commercial software, freeware, licensed shareware, or public domain software shall only be loaded onto a Augusta Police computer subject to the following restrictions:
 - a. Upon receiving approval from the Chief of Police.
 - b. Approval to use such software shall be immediately rescinded, if it is determined that such software is having an adverse effect on the Augusta Police computer system.
3. Unlicensed shareware shall only be loaded onto an Augusta Police computer subject to the following restrictions:

Chapter 22D: Computer Programs, Kenton County Police System

- a. Upon receiving approval from the Chief of Police.
 - b. Such approval shall only be granted only for the period specified by the program's documentation as an evaluation period.
 - c. Approval to use such software shall immediately be rescinded, if it is determined that such software is having an adverse effect on the Augusta Police computer system.
4. The Augusta Police Computer System Network Administrator shall be the Chief of Police or his/her designee.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22E	Public Information and Press Releases		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	10-17-2017		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish policy regarding the release of Departmental information and press releases those protects the rights of individuals and prevent disclosures of confidential police information.

B. Scope

This policy shall apply to all Augusta Police personnel, effective October 18, 2017, until such time as it is superseded, revoked or rescinded.

C. Procedure

The Chief of Police is the official representative of the Department in all information and media releases. Media releases shall be presented, or authorized, by the Chief of Police. If the Chief of Police is not available, the Assistant Chief is authorized to be the official representative of the Department. If Chief and Assistant Chief of Police are not available, the release will not be made unless permission is given by the Chief of Police.

When releasing information, great care should be exercised so as not to prejudice without serving a significant law enforcement or public interest function. All information released from the Department shall be subject to the following procedure:

1. Criminal Investigations

- a. When a serious crime has been committed, or a criminal investigation is under way, that may result in numerous arrests or closure of several cases, the officer supervising the investigation should contact the Chief of Police and provide details of the case for a possible media release. Offense reports of the crime may be released by the Department under the guidelines of this policy.
- b. Media inquiries concerning on-going criminal investigations shall be forwarded to the Chief of Police. The Chief of Police may acknowledge that an investigation is on going, but no information concerning said investigation may be released until the investigation is closed.

2. Significant Events.

- a. When an event occurs that is out of the ordinary or the officer believes an event warrants a press release, the officer may prepare a release on the appropriate form. Said press release must be authorized by the Chief of Police before being circulated outside the Department. Offense reports of the event may be released by the Department under the guidelines of this policy.

3. Fires

- a. The responsibility for releasing information concerning a fire shall rest with the Chief of the fire department having jurisdiction over the fire scene. Offense reports of the incident may be released by the Department under the guidelines of this policy.

4. Matters of Policy and Internal Investigations

- a. Questions relating to matters of policy or procedure shall be directed to the Chief of Police. Copies of Departmental policy or procedures may be released only with the approval of the Chief of Police.
- b. Details of an internal investigation may be released only when the following circumstances exist:
 - 1. The case has been brought to a logical conclusion, and
 - 2. The Chief of Police has approved the release of information.

5. Emergencies and Special Events

- a. At the scene of emergencies or special events the officer should make a reasonable effort to provide the news media with the appropriate information and a location from which they may take photographs or recordings to the extent that it does not hinder police operations or place officers or members of the media in danger. In doing so, the officer should remain vigilant to the Department's specific guidelines on the release of information and mindful of the Department's goals and objectives.

6. Police Reports

- a. Information may be released from preliminary police reports by command/supervisory officers, except the names of victims of sex crimes, information concerning juveniles, information concerning witnesses, and information concerning deceased persons before the next of kin has been notified. Release of these exceptions must have the approval of the Chief of Police.

Chapter 22E: Public Information and Press Releases

- b. Requests for additional information should be referred to the Chief of Police.

7. Police Records and Photographs

- a. Routine inquiries from the news media concerning information contained in accident reports, post arrest reports and preliminary offense reports may be handled by the secretary of the department.
 - 1. Requests for additional information should be referred to the Assistant Chief of Police.
- b. Inquiries from the news media concerning information contained in either past or pending investigative files shall be forwarded to the Assistant Chief of Police, and may be released only with the approval of the Assistant Chief of Police.
- c. Mug shots of persons arrested by the Department shall be made available to the news media, upon request, within a reasonable time and at a reasonable cost after an arrest has been made. This applies only to those photographs that are the property of the Department.
- d. At no time will the identity of a juvenile or any record concerning a juvenile be released to the news media.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22F	Take Home Fleet		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	02-21-2018		
Distribution:	Sworn Personnel	References:	

A. Purpose

To establish a procedure for the take home fleet of police vehicles.

B. Scope

This policy shall apply to all Augusta Police personnel, effective February 1, 2021, until such time it is superseded, revoked, or rescinded.

C. Procedure

An Augusta Police Department issued vehicle that has been issued by the Chief of Police to a member of the Augusta Police Department may be used by that member, or a police vehicle may be used by the Chief of Police if it is the Chief's regularly used vehicle, to travel to and from home and back to the Augusta Police Department Office for work. Such use by the member or Chief shall be considered a privilege and not a right and in exchange for exercising such privilege the member or Chief also agrees to the following terms:

1. While the vehicle is being used by a member or the Chief of the Augusta Police Department under this policy that vehicle is subject to and shall answer emergency calls that may come to the members attention or any other call that is received by that member or the Chief either from the Augusta Police Department or dispatch.
2. A department issued vehicle being used under this policy may not be used to attend any social function or any other activity that would render that member or that vehicle unable to answer calls unless that member or the Chief has been specifically authorized to use the vehicle by the Chief of Police or the Mayor for such function or activity.
3. The member or Chief shall be solely responsible for the cleaning of the vehicle being used under this policy and agrees to keep such vehicle in good, clean and safe condition. Should the Mayor or Chief determine that such vehicle has been damaged or excessively used by the member or the Chief, that member or Chief will be responsible at his/her sole expense for repairing such damage and restoring said vehicle to its proper condition.

Chapter 22F: Home Fleet

4. The Chief or Mayor may inspect any vehicle at any time to insure proper usage.
5. The City of Augusta shall be responsible for the expenses of the vehicle maintenance including, tires, gas, insurance and other reasonable expenses.
6. Any time a Department issued vehicle is in use it is subject to respond to calls, and therefore, no unauthorized persons shall be permitted to ride in such vehicle at any time.

AUTHORIZED PERSONS INCLUDE:

- A. A person over the age of 21 who might be summoned to assist a member or the Chief in the performance of their duties.
 - B. A person specifically authorized by the Mayor or Chief to ride in a department vehicle for a specific purpose.
 - C. Other peace officers.
 - D. Cabinet for Families and Children Social Workers.
 - E. Juveniles when being transported by order of a court, when in custody or when the member or Chief feels the juvenile must be transported for his/her own safety.
 - F. Stranded motorists or other persons who request and need transportation.
7. Members or the Chief shall not respond to calls with their issued vehicles until persons described in D, E, and F have safely exited the vehicle.
 8. The Mayor and/or Chief shall inspect the vehicle to be used under this policy before such policy becomes effective for such vehicle and shall note any existing damage to such vehicle in writing.
 9. The member or Chief using a vehicle under this policy agrees to pay \$20 per week for take home privilege if that member or Chief lives outside of Bracken or the neighboring three counties of Mason, Robertson and Pendleton. This condition may be waived at the discretion of the Mayor.

	Augusta Police Department		
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	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22G	B.A.C.K.U.P.P.S		
Rescinds:	Previous Version	Charles R. Blackmar	
Effective:	02-21-2018	Chief of Police	
Distribution:	Sworn Personnel	References:	

A. Purpose

The purpose of this SOP is to provide policies and procedures for law enforcement officers employed by Member Entities of the Bluegrass and Central Kentucky Unified Police Protection System (BACKUPPS) Interlocal Agreement ("the Agreement") as required in paragraph 3.5 of the Agreement.

B. Scope

This policy shall apply to all Augusta Police personnel, effective November 10, 2017, until such time it is superseded, revoked, or rescinded.

1. Procedure

- a) For any agency that adopts this SOP, the policies and procedures contained herein are **mandatory** for all law enforcement officers employed by the Agency. Failure to follow these policies may result in disciplinary action. However, in no event shall failure to follow these policies affect the authority of an officer to exercise the rights, responsibilities, powers and immunities granted to him or her under the terms of the Agreement, including but not limited to the right to enter the jurisdiction of another member entity and to exercise the powers of arrest therein.
- b) Upon agreement of the chief law enforcement officers of the host and visiting Member Entities, any of the policies and procedures may be waived on a case by case basis.

2. Definitions

- a) The definitions contained in the Agreement are incorporated as though set forth herein.
- b) "Incidental enforcement action" means action of a law enforcement officer that is unrelated to the officer's reason for entry into a host jurisdiction. Generally, only felonies or misdemeanors witnessed by a police officer while visiting a host

jurisdiction require incidental enforcement action' This includes action taken by an officer who resides in the host jurisdiction.

- c) "Intended enforcement action" means action of a law enforcement officer that is directly related to the officer's reason for entry into a host jurisdiction. Investigations, undercover operations, and criminal interdictions are examples of direct enforcement actions.
- d) "Host jurisdiction" means the jurisdiction, other than an officer's home jurisdiction, in which an officer is performing law enforcement activities. If an officer is performing law enforcement activities in a county, but not within the corporate limits of a city, the county shall be the host jurisdiction. If an officer is performing law enforcement activities in the corporate limits of a city, the city shall be the host jurisdiction.

3. Policy

- a) An officer shall not take incidental enforcement action unless he or she directly witnesses a risk to public safety or a risk of substantial injury to a person, or unless requested by the host jurisdiction to provide such action or assistance.
- b) Officers shall not perform routine traffic details (for example, radar checks and seatbelt and DUI checkpoints) in a host jurisdiction unless the chief law enforcement officer of the host jurisdiction requests such action. Officers shall coordinate intended enforcement action with the appropriate law enforcement agency(ies) of the host jurisdiction. Complaints of misconduct of an officer who performs law enforcement action in a host jurisdiction shall be directed to the officer's home jurisdiction for investigation. Officers in the host jurisdiction where the complaint occurred shall fully cooperate with the investigation.

4. Notice

- When Notice Shall be Provided
 - ◇ Whenever an officer, acting under the authority of the Agreement, enters a host jurisdiction for the purpose of performing an intended enforcement action, such officer shall, to the extent feasible, provide the host jurisdiction with notice within a reasonable time prior to entry' The officer shall provide the host jurisdiction with information sufficient to enable the host jurisdiction to provide assistance to the officer.
 - ◇ In the event it is not feasible for an officer performing an intended enforcement action to provide notice to the host jurisdiction prior to entry, the officer shall provide such notice as soon as practical after entry.
 - ◇ Officers performing undercover operations shall, in all circumstances, contact the host jurisdictions on duty supervisor immediately prior to entry.

- ◇ Whenever an officer, acting under the authority of the Agreement, has need to take incidental enforcement action within a host jurisdiction, such officer shall, to the extent feasible, provide the host jurisdiction with notice prior to initiating the action. The officer shall provide the host jurisdiction with information sufficient to enable the host jurisdiction to provide assistance to the officer.
 - ◇ In the event it is not feasible for an officer performing an incidental enforcement action to provide notice to the host jurisdiction prior to initiating the action, the officer shall provide such notice as soon as practical after taking action.
- How Notice is Accomplished
 - ◇ Notice to a host jurisdiction shall be accomplished through dispatch or by direct communication with the host jurisdiction. Under emergency circumstances, an officer may request his or her own dispatch to provide notice to the host jurisdiction.

5. Jurisdiction and Custody

- a) In all enforcement actions performed within a host jurisdiction, the circumstances of the case and the discretion of the officers and prosecutors involved shall determine which Member Entity has jurisdiction over a case and/or custody of persons under arrest, evidence and seized property.

6. Command and Rank Structure

- a) An officer performing law enforcement action in a host jurisdiction shall remain under the rank structure and operating policies of his or her own agency. However, the on-scene supervising officer of the host jurisdiction shall be in command. Officers performing law enforcement actions in a host jurisdiction shall be respectful of the officers of the host jurisdiction, regardless of rank.

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	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22H	Agency Jurisdiction		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	02-21-2018		
Distribution:	Sworn Personnel	References:	

A. POLICY

It is the policy of this agency to provide police services within the City and mutual aid to other law enforcement agencies to the extent permitted under Kentucky law.

B. SCOPE

This policy shall apply to all Augusta Police personnel, effective February 21, 2018, until such time it is superseded, revoked, or rescinded.

C. PROCEDURE

1) PRIMARY RESPONSIBILITY

The Chief of Police and all members of the Police Department shall possess all of the common law and statutory powers of constables and sheriffs. They may exercise those powers, including the power of arrest for offenses against the Commonwealth as permitted by statute.

The Augusta Police Department has the primary responsibility of providing all police services within the City of Augusta, Kentucky. The Police Department provides full law enforcement emergency services to our citizens 24 hours a day, 365 days per year. The Chief of Police and all members are authorized to enforce all applicable laws and ordinances within the boundaries of the City.

2) MUTUAL AID

Statewide Jurisdiction: An officer may assist another Kentucky law enforcement agency in any matter within the other agency's jurisdiction **when officially requested**. If practical, the request shall be forwarded to the Chief's office of the requested agency for approval. Once officially requested, the officer shall have full arrest powers in the county (city or town) where he is assisting.

	Augusta Police Department		
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	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22I	Ride-Along		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	02-21-2018		
Distribution:	Sworn Personnel	References:	

A. Purpose:

The purpose of this policy is to set forth the department's mandates with respect to citizen ride-along.

B. Scope

This policy shall apply to all Augusta Police personnel, effective February 21, 2018, until such time it is superseded, revoked, or rescinded.

C. Policy: In an effort to enhance the mutual respect of police officers and the community we serve, this department hereby establishes a ride-along program. This program will provide its participants with a greater understanding of law enforcement in our City. At the same time, through interaction between our officers and members of the community, lines of open communication will be established.

D. Procedures:

1) Who can participate in the ride-along program:

- a. All participants must be at least 18 years of age and must have signed the Police Department waiver form.
- b. Community members who are interested in broadening their knowledge of the police function within the City. This would include members of civic organizations, students who are interested in the law enforcement field, (citizens' police academy participants, if implemented), and any other person authorized by the Chief of Police. (Or other designated person)
- c. Media representatives who wish to conduct a ride along for purposes of developing a news story or other documentary. This category includes the print and electronic media. Media representatives must complete all documents required of any other participant. In addition, members of the media must have express written authorization from the office of the Chief of Police before recording, by any means (audio, video, film, photo), any portion of the ride-along.

Chapter 22I: Ride Along

2) Application Process:

- a. Applications for ride-along shall be available at police department headquarters. Personnel assigned to the headquarters should inform anyone who receives a ride-along application that they should return the application to the department once it is completed. Applicants must provide a photo-identification for verification when they return their completed application.
- b. Completed applications shall be forwarded to Office of the Chief of Police for review.
- c. Application Review will include a record check and NCIC inquiry. An applicant who has a felony record or a misdemeanor record that involves moral turpitude or dishonesty may be excluded from participation in this program.
- d. Once approved, the applicant shall be notified (phone, mail option, or e-mail) and assigned a date for the ride-along.
- e. Participants shall only be allowed to participate in this program once every 12 months unless given written authorization from the Chief of Police.
- f. Ride-along guests will not be allowed to ride during the scheduled tour of duty of an officer who is, in some way, related to the guest.

3) Reporting for Ride-along:

- a. The ride-along program shall be scheduled between the hours of 0800-2300 hours, unless otherwise approved by the chief of police or his/her designee.
- b. Participants should report to the police headquarters department 15 minutes prior to their scheduled participation.
- c. The desk sergeant or other supervising officer shall meet with the ride-along participant. The ride along participant and the supervising officer shall review and sign the liability waiver form. The desk sergeant or other supervising officer must sign as a witness. Any participant who decides not to sign the liability waiver form shall not be allowed to participate in the program.
- d. The desk sergeant or other supervising officer shall review the rules of the ride-along program with the participant. In this review, the participant should be reminded that they may be called as a witness in court, if they observe a police event which becomes subject to court action.
- e. The supervising officer shall issue the participant a “ride-along” participant identification tag that the participant shall be required to wear on his or her outermost clothing.

4) Duties of the Participant:

Chapter 22I: Ride Along

- a. Participants shall play no active role in the police function. They must only act as an observer unless otherwise directed by their host-officer.
- b. Participants shall not be allowed to operate any police equipment unless directed to do so by a police officer in an extreme emergency
- c. Participants must remain in the police vehicle at all times until directed otherwise by the host officer.
- d. Participants must not speak to victims, witnesses, prisoners or other persons associated with a police event. Should a witness, prisoner, victim or other person speak to the participant, the participant should politely direct the person to speak to one of the officers present.
- e. Participants shall not bring cameras or any recording devices without the express written permission of the office of the Chief of Police.
- f. Participants shall not enter any person's home while participating in the ride-along unless the host officer has asked and has been granted express permission from the homeowner/occupant to allow the ride-along participant entry.
- g. Participants shall follow the instructions of the host-officer at all times during the ride-along.
- h. Participants shall not be allowed to carry any firearm or other weapon, even when otherwise authorized by law, while participating in the ride-along program.
- i. Participants should be dressed in comfortable, casual but conservative clothing during the ride-along. (Pants and shirt/jacket for men, Pants and blouse/jacket for women) Participants who are inappropriately dressed, as determined by the supervising officer, shall not be allowed to participate in the program on the assigned date.
- j. Duties of Host Officer: Officers have a primary obligation to the welfare and safety of the ride along participant. Officers shall not respond to emergency calls until initial responding officers have determined the scene to be safe. In cases where a response is necessary, the officer should take steps to drop the rider off at a safe location (i.e. store, gas station etc.) which is open before proceeding to the call.
- k. Host officer shall be allowed to rove the (entire City/entire district) in order to enhance the experience of the participant.
- l. Host officers may allow the participant to leave the police vehicle in order to better observe the police activity; however, where a participant has been allowed to leave the police vehicle, host officers shall maintain close supervision of the participant and not allow the participant to involve him or herself in the police activity.

Chapter 22I: Ride Along

- m. Host officers must never allow a participant to enter the home of any person unless the officer has first obtained the consent of the homeowner/occupant. In obtaining consent the officer must specifically notify the homeowner/occupant that the participant is a “ride-along participant” and there is “no legal obligation” to allow the participant inside the dwelling.

	Augusta Police Department		
	Augusta, Kentucky		
	Rules, Regulations and Procedures		
	BY THE AUTHORITY OF THE CITY OF AUGUSTA		
Chapter: 22J	Social Media		
Rescinds:	Previous Version	Charles R. Blackmar Chief of Police	
Effective:	02-21-2018		
Distribution:	Sworn Personnel	References:	

A. Purpose:

The purpose of this policy is to direct the employees of this agency with respect to the use of the internet, the world-wide web, and social networking as a medium of communication impacting this department.

B. Scope

This policy shall apply to all Augusta Police personnel, effective February 21, 2018, until such time it is superseded, revoked, or rescinded.

C. Policy:

The internet, blogs, twitter, the world-wide web, social networking sites and any other medium of electronic communication shall not be used in a manner which is detrimental to the mission and function of this agency.

It is essential for every employee of this agency to recognize that the proper functioning of any law enforcement/public safety agency relies upon the public's confidence and trust in the individual employees and this agency to carry out the law enforcement and public safety functions. Therefore, any matter which brings individual employees or the agency into disrepute has the corresponding effect of reducing public confidence and trust in our agency, thus, impeding our ability to work with and serve the public. Professionalism is the most significant factor in high level performance which in turns builds the public confidence and trust. While employees have the right to use personal/social networking pages or sites, as employees of this agency, they are public servants who are held to a higher standard than the general public with regard to standards of conduct and ethics. As such, the policy of this agency is to maintain a level of professionalism in both on-duty and off-duty conduct that fulfills the mission of our agency. Any publication, through any medium which is potentially adverse to the operation, morale, or efficiency of this agency will be deemed a violation of this policy.

D. On Duty Procedures:

- 1) Employees of this agency are prohibited from using agency computers for any unauthorized purpose including surfing the internet or participating in social networking sites.

Chapter 22J: Social Media

- 2) Employees of this agency are prohibited from posting, or in any other way broadcasting, without prior agency approval, information on the internet, or other medium of communication, the business of this agency to include but not limited to:
 - a. Photographs/images relating to any investigation of this agency.
 - b. Video or audio files related to any investigation of this agency
 - c. Video, audio, photographs, or any other images etc. which memorialize a law enforcement related action of this agency.
 - d. Logos/Uniforms/Badges or other items which are symbols associated with this agency.
 - e. Any other item or material which is identifiable to this agency.

E. Off Duty Procedures:

- 1) Employees of this agency who utilize social networking sites, blogs, twitter or other mediums of electronic communication in their off-duty time shall maintain an appropriate level of professionalism and appropriate conduct so as not to broadcast in a manner which is detrimental to the mission and function of this agency.
 - a. Employees shall not use references in these social networking sites or other mediums of communication that in any way represent themselves as an employee of this agency without prior agency approval. This shall include but not be limited to:
 - i. Text which identifies this agency.
 - ii. Photos that depict the logos, patches, badge or other identifying symbol of this agency.
 - iii. Accounts of events which occur within this agency.
 - iv. Any other material, text, audio, video, photograph, or image which would be identifiable to this agency.
 - b. Employees shall not use a social networking site or other medium of internet communication to post any materials of a sexually graphic nature.
 - c. Employees shall not use a social networking site or other medium of internet communication to post any materials which promote violence or weaponry.
 - d. Employees shall not use a social networking site or other medium of communication to post or broadcast any materials which would be detrimental to the mission and function of this agency.
- 2) Employees of this agency are prohibited from using their title as well as any reference to this agency in any correspondence to include emails, postings, blogs, twitter, social network sites such as Facebook, unless the communication is of an official nature and is serving the mission of this agency. This prohibition also includes signature lines in personal email accounts. An employee may seek agency approval for such use.

Chapter 22J: Social Media

- 3) Applicants: All candidates seeking employment with this agency shall be required to complete an affidavit indicating their participation in any social networking sites. This affidavit shall include the name of the sites. The candidate shall provide the agency with access to their site as part of any background examination.
- 4) Administrative Investigations: Employees who are subject to administrative investigations may be ordered to provide the agency with access to the social networking site when the subject of the investigation is directly, narrowly, and specifically related to the employee's performance or ability to perform his or her function within the agency or when the subject of the investigation is potentially adverse to the operation, morale, or efficiency of the agency.